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Compulsory Hijab in Iran

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Human Rights Clinique

March2023



Executive Summary

The main issue of this report is to examine the compulsory hijab of women in Iran after the revolution of the Islamic Republic and the intensification of pressures regarding this type of coverage in the present time. The hijab for women after the revolution and in response to the previous policies of this system was based on the freedom to choose the covering. But adopting wrong policies based on dry jurisprudential arguments by the revolutionaries, led to protests and demonstrations against the mandatory hijab. These demonstrations and protests led to the formation of strict laws in criminal laws, and punishments for those women who did not comply with hijab. Chador (which is known as the superior hijab from the point of view of the clerics) was considered mandatory thing for all women and girls over the age of 9. Over time, this compulsion faded and turned into Manto and scarf. However, the Islamic Republic is against headscarves and Manto and still believes that the black Chador is the most complete and correct type of clothing for Iranian and Muslim women. The reason for this can also be considered the need of the Islamic Republic to keep its system stable, as well as its wrong ideas and beliefs from the way of Muslims. Currently, during the leadership of Seyad Ali Khamenei, women are severely oppressed by government forces, including the police force and the Revolutionary Guards. Mandatory hijab in Iran has caused widespread protests in different times, which were suppressed in the form of torture or threats or in other ways. The most important protests can be mentioned against Mandatory hijab are the girls of Enghelab Street and the protests after the death of a young girl named Mahsa Amini, which took place at the hands of the morality security police. Taking a close look at the protests against the mandatory hijab and the behavior of the government, we realize that many of the behaviors of the Islamic Republic are against human rights laws, and many of these laws have been violated by the Islamic Republic of Iran in various ways. Finally, it can be concluded that the occurrence of women's awareness of the developments of the modern world, the requirements of the globalization of women's rights, and the mandatory policies of the Islamic Republic regarding women's clothing in Iran, has created a new trend in the demand of Iranian women's rights.





Glossary

Abbreviation	Term
CEDAW	Convention on the Elimination of all form of Discrimination against women
UPR	Universal Periodic Review
ICESCR	International Covenant on Economic, Social and Cultural Rights
CPPCG	Convention on the Prevention and Punishment of the Crime of Genocide
ICCPR	International Covenant on Civil and Political Rights



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Aim and Goals

The purpose of this report is to examine the human rights situation regarding the compulsory hijab in Iran. I try to investigate the violations of women's freedoms and rights, especially the right to freely choose to clothe. It has been tried in this report by highlighting the laws of the Islamic Republic and its contradictions with international laws and the actions that this regime causes discrimination and oppression against women, and how these laws require them to cover their bodies and hair in public and it also obliges them to follow these rules and if they do not follow these rules, what kind of punishments will they be sentenced to. In this report, an attempt has been made to show how and to what extent the compulsory hijab affects the daily life of women by examining the legal documents and the arguments made, and also what kind of restrictions it creates in the field of employment and education. This report also attempts to demonstrate how the Islamic Republic of Iran tortures women and violates their freedoms to ensure its survival as a dictatorship.





Introduction

In the past, in the form of social movements, women sometimes tried to accept the prescriptions of the western secular society for them. Although the reaction was not pure acceptance and only created a gap in the traditional society of Iran. Women's reaction to these policies has been in the form of resistance, and this was one of the most important reasons that put women alongside men to remove the foundations of forced governments. The coming to power of the revolutionaries initially resulted in freedom of action and complete security for all women, but over time, the gaps opened up and first manifested themselves in the form of demonstrations and attacks by chador women against non-chador women, and then with the start of the 8-year war in Iran in Against Iraq, it led to mandatory coverage. However, after the war and the coming to power of the government and then carrying out reforms, there were certain developments in the field of women's clothing, which is the basis of this report but in the end, I can conclude that the issue of hijab is a political matter rather than a cultural one.

Methodology

The research method in this report has been through data collection by scanning library sources and documents, translating articles and news and information sites, and interviewing Iranian women living in Iran. In this report, I have tried to refrain from mentioning the names of the interviewees due to security issues and preserving the interviewees' lives. In carrying out this report, due to Iran's severe security environment, I have been limited in obtaining more information on these issues, and I have not been able to get correct information, Therefore, it was avoided as sources and information.



History

Hijab in Iran has always been a challenging situation for governments. On January 8, 1936, Reza Shah issued an order to remove the hijab. According to this order, women did not have the right to appear in public with Chador and headscarves. This order was issued at a time when women strongly believed in the hijab [1]. During the reign of Mohammad Reza Shah Pahlavi, this order was canceled at the request of the clerics, and the hijab became an optional subject. The issue of mandatory hijab started with the coming to power of the Islamic Republic. Similar to the recent protests (25 Shahrivar 1401) in Iran by women on 6 March 1979 after the speech of Imam Khomeini who announced: "There should be no sin in the Islamic ministry, women should not come naked in the Islamic ministries; women go; but they should wear hijab. There is no obstacle for them to go to work, but they must wear religious hijab.[2] The exact time of this speech coincided with Women's Day, and this caused the gathering of freedom-loving women against the hijab; some people such as Shahla Rouzbeh, the nephew of Khosrow Rouzbeh, took the work to the point where she called the policy of removing Reza Shah's hijab was a progressive act in the sports hall of the University of Technology. On that day, a large crowd of fifteen thousand people marched toward Tehran University, and they gathered together with other women in the technical college, and men also accompanied them. Street demonstrations were also drawn to the offices, and even in some cases, the offices were closed. Two days after that, on 8 March 1979, Iran Radio broadcast the speech of Hojjat al-Islam Ashrafi, he called the protestors against the hijab are corrupt, tyrannical, and anti-establishment.[3] This caused the fire of protests to flare up again, but in the end, it was accompanied by repression. In short, it should be said that the history of hijab in Iran has been faced with the result of government repression, as in the past, Iranian women have been deprived of their minimum rights since about 40 years ago.



The concept of hijab and Islamic covering in the jurisprudence of the Islamic Republic:

Islamic hijab refers to the various types of clothing wear by Muslim women, and it is a concept derived from the Holy Quran and Islamic jurisprudence and used in Islamic culture, which refers to the Shariah covering against the Namahram, especially for women.[4]Hijab is sometimes derived from Sharia rulings and sometimes related to social contracts and personal circumstances.[5] From the point of view of the jurists of the Islamic Republic, the things that play a fundamental role in the phenomenon of hijab are for women to feel safe and to feel that not wearing the hijab will result in suffering and may cause disillusionment and destruction of the family. These reasons are enough for Iranian women to be prevented from pursuing their rights. On the other hand, the naked body of women and not having the hijab outside the homes destroys the foundations of peace and trust in families, turns the center of family purity into a burning hell, and destroys the achievement of growth and perfection.[6] These and dozens of other reasons have required that the holy Shariah has legislated the issue of hijab as a law, and for those who violate it, according to the Islamic Punishment crime law (for women who appear on public roads and streets without hijab), the penalty has been considered in the law. By referring to the books of interpretation and the books of causes of descent, it can be said that the basis of the legislation of hijab is based on the interest of the country, which is considered based on the verses of hijab and the dignity of their descent, to the extent that the observance of this law is so much that it is included in the Sharia necessities. Although the discussion of the issue of hijab, the definition of boundaries, its implementation and implementation in society, executive guarantee, and the role of the government in its actions is considered an up-to-date issue at any time, the meaning of Islamic hijab is a covering that jurists consider obligatory and necessary for men and women.

The intervention of the government in the implementation of hijab in terms of jurisprudence and Sharia: During the past few years, this doubt has been raised a lot about whether the hijab is an individual or social issue? The text of this doubt assumes two things, firstly the hijab is an individual issue, not a social one, and opponents of the jurists claim that if governments throughout the history of Islam wanted to take action against the way people dressed, there would have been reports or penalties. One of the reasons the jurists



in opposing veiling in cases that are not consistent with government policies is because in the past societies, governments were often small, and police and security forces were usually small, which were often used to protect and enforce orders. On the other hand, if there is no law or report in this regard, it is because the people themselves observed the hijab, and the government did not see the need to interfere in this matter. Therefore, the failure of the government to hold office in matters such as the preservation of the hijab would not mean that the new governments, which consider themselves worthy of intervention in many matters, do not have the right to interfere in matters such as the hijab."Most importantly, the acceptance of the non-interference of the government in Islam indicates that the intervention of the government was not necessary, not that government actions are not allowed.[7] On the other hand, opponents with jurists believe that in the past, if governments wanted to enact laws regarding hijab, there were people at that time who did not wear hijab. If the governments have not done so, it means that this issue must not have been important.

Rules of hijab and covering after the revolution: The Supreme Council of the Cultural Revolution, which was established on December 10, 1984, expressed one of its most important decisions in meeting number 566 dated on July 2005 which is trying to inculcate the society by presenting desirable patterns of hijab in cultural products, media advertisements, and educational and cultural programs, that veiling is not a social obligation, rather, it has been proposed as a human, religious, and spiritual value, as well as a belief in the heart to protect against social and cultural harm and no one forces women to wear hijab but it can be seen that officials and managers at offices, banks, schools, shopping centers, universities, and private companies do not provide services to people without hijab.[8] The most obvious aspect of the negative behavior of the policies of the Supreme Council of the Cultural Revolution can be seen in the student's disciplinary code, which explicitly considers the non-observance of Islamic clothing or the use of vulgar clothing and makeup among students' moral violations, and requires the university's disciplinary committee to review the conditions and issue they know the punishment for wrongdoers. Policies, rules, and guidelines, production, supply and broadcast on radio and television also show the most tangible aspect of the cultural policy among hijab policies. This section provides clear examples of clothing policies, such as size, color, model, clothing tightness, etc., that are expected to be strictly complied with. However, things like paying attention to the value and importance of the hijab as the most important symbol of Muslim women's identity or dealing with the issue of modesty and chastity are reminiscent of the general principles of the government's cultural policy, but in general, the policies of the



Broadcasting Organization, which is under the direct supervision of the leadership, are mostly in the form of the line The implementation policies of the system have been set. There is a particular emphasis on the tent as the superior hijab in this collection of policies. Even though Manto, scarf, or mask can also be a complete cover for a woman, many clerics prefer the chador to Manto [9]. This is why the officials of the Islamic Republic of Iran, as producers of serious and influential propositions in the field of policy-making, have paid particular attention to the highest form of covering the chador.

The intervention of the government in implementing hijab according to the laws of the Islamic Republic of Iran

When it comes to the intervention of the government in the issue of hijab, sometimes the performance of the ruling system is summed up in legal treatment and punishment and on this basis, it is claimed that the government's approach to women's cultural, social and legal affairs not only does it not have positive results, it always or in most cases produces the opposite results.[10] In response to this claim and how the government entered the field of hijab and covering, it is necessary to examine the hijab from the point of view of punishment.

1-Constitution:

According to Article 23 of the Constitution of the Islamic Republic of Iran, the inquisition is prohibited, and no one can be assaulted or harassed for having a particular opinion. This principle clearly shows that the Islamic Republic should not harass women and girls who do not believe in compulsory hijab and force them to wear hijab. Although the constitution of the Islamic Republic of Iran does not directly mention mandatory hijab, an important issue that must be addressed is the discussion of legislation and determination of authority in this matter. By Article 71, the Islamic Council can enact laws on general issues within the limits stipulated in the constitution. Also, by Article 73, the description and interpretation of ordinary laws are within the jurisdiction of the Islamic Council, also accordance with Article 167 of the Constitution, the judge is obliged to try to find the verdict of every lawsuit in the codified laws, and if he does not find it, by citing he will issue a ruling based on authentic jurisprudential sources or Islamic Fatwas. This principle gives full authority to the judge to refer to Islamic sources and issue rulings based on it.

2-Punishment for not wearing hijab according to the Islamic Punishment law. (from Tazeer chapter)



Dealing with persons without the hijab or with low hijab legally as the last solution to the problem of wearing the hijab, in terms of division of Islamic crimes and punishments is placed in the Tazir row, and it is said to be a punishment that is not subject to the title of Had or bloodmony and is determined and applied according to the law in cases of committing canonical prohibitions or violating government regulations. (Article 18 of the Islamic punishment law)

As defined, Tazir have a very wide range, so that it can start from a simple sermon, reminder, rebuke or discipline and go to cases such as whipping, imprisonment, and fine and, according to some, even execution. "The judge is free to choose which example of Tazir to apply to a person who not wears the hijab" and therefore, the treatment of the government does not necessarily limit to severe punishment such as imprisonment or whipping, but this feature of punishment makes it possible to adapt the type of punishment to the character of the criminal and the grounds of the crime, and so that the judge can, according to the level of crime, the frequency of repetition, the character and the age, sex, and other characteristics of the perpetrator, choose the best and most appropriate reaction to have the maximum impact and avoid considering a single behavior for all people without hijab. Tazir is the right of the ruler and is at his disposal, not his duty. Therefore; the ruler at any time has the right to determine the examples of Tazir and punishment according to the requirements of the time and place. Therefore, one of the powers of the Islamic ruler is that according to the rules «التعزير بما يراه الحاكم» and «التعزير لكل عمل محرم» apply a different punishment for those without hijab. [11]

The hijab is not defined in the law, but the limits of the Islamic hijab, which exists in the Shie religion and is accepted by Iran's jurisprudence, are: covering the body in such a way that the skin is not visible except for the roundness of the face and hands up to the wrists, as well as covering or the clothes should not be tight so that the beauty of the body is visible. The difference between not wearing hijab and bad hijab is also clear. Non-hijab means not being covered for example; not having a scarf and similar covers but bad veiling means not having proper covering. In other words, a Shawl or a scarf and the like is used but not completely covered, or it is inappropriate clothing in such a way that the lower parts of the body are visible, and such cases are called bad hijab. As it was said, not wearing hijab and bad hijab are criminalized according to the Islamic punishment law. According to Article 638 of the Islamic punishment law, the punishment for the crime of bad hijab or not wearing the hijab is that if someone publicly pretends to commit a Haram act in public places and on streets, in addition to the punishment for the act, they will be sentenced to imprisonment from 10 days to 2 months or up to 74 lashes. If they commit an act that is not punishable; but if they injure public modesty, they will only be sentenced to imprisonment from 10 days to 2 months or up to 74 lashes, and according to the note of this article, women who appear without a religious hijab in the streets and public, will be sentenced to imprisonment from 10 days to 2 months or a fine of 50 to 500 thousand Rials. But the interesting thing to note is



that the issue of hijab has a general aspect, meaning that all women who live in Iran must observe it, and in this regard, there is no difference between a Muslim and a non-Muslim person. Legal punishment is not the only way to deal with people without hijab, and the fight against bad hijab by some government people (Basij or Ansar Allah) is far more violent. After the speech of Isfahan's Friday Imam regarding the severe and decisive treatment of people without hijab, a number of girls were attacked with acid, which resulted in the loss of their sight and face, and a legal case was filed after pursuing this group of girls, which after several years and no Someone's punishment, the case was closed[12]. In similar speech, the leader's representative in Bojnord city asked the police to make life unsafe for women who do not wear hijabs. He also considered veiling at the community level as a kind of slander to the martyrs and the ideals of the martyrs and stated: In addition to the involvement of the judicial police in the matter of combating veiling, the people should also enter this matter and enjoin what is good and forbid what is evil[13]. In the Islamic Council, a plan entitled supporting those who command good and forbidding evil was proposed at a time when acid attacks were causing fear among women. In this plan women without hijabs could be warned or even physically dealt with by those in favor of the government.

3-The Law of Spreading the Culture of Chastity and Hijab: The law on spreading the culture of chastity and hijab was approved by the Supreme Council of Cultural Revolution on January 13, 2014. According to this law, the hijab is one of the most valuable social and cultural manifestations in Iranian-Islamic civilization. This law has considered policies, and solutions to the lack of hijab for some organizations and departments. For example, in paragraph 5 of this law, it is prescribed for the police force to warn people who are not wearing hijab and deal with them according to legal regulations in public places of the city, and in paragraph 7, it is considered legal to deal with street people who are not wearing hijab, and the main gangs of corruption and prostitution. In paragraph 21 for education, it is mentioned that if the modesty and hijab of the students are not observed, the school principal should be responsible.[14] As will be mentioned later, in case of non-observance of these items during the work, will lead to dismissal or deduction of salary, etc.

4-The law of protecting those who command the good and forbidding the evil: The meaning of the good is to encourage others to act in accordance with Sharia and Islam, and the prohibition of the negative is to remind people to do something against the laws and Sharia, which should not be done. This law was approved by the Islamic Council on 23/01/2015. This law has empowered all those who are in favor of the Islamic Republic of



Iran, both military and civilian forces, to have the ability to receive the government's support when they deal with women in case of non-hijab or low hijab. This means they are quite free to do this work, and there will be no legal prosecution and punishment in case of disturbing or physical abuse. The Islamic Republic of Iran believes that enjoining what is good and forbidding what is wrong is one of the commands of the Qur'an, which is found in several verses such as 24-25-32-33, so it creates an obligation for the Islamic government to deal with low hijab. Iranian society believes this law was approved after widespread acid attacks on girls and women with low hijab to support the government forces. Looking at the International Covenant on Civil and Political Rights, we realize that this law is against the ICCPR, for example, it is mentioned in Article 18 that No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice or mentioned in Article 19, paragraph one Everyone shall have the right to hold opinions without interference and in paragraph two everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice. Considering this law has many contradictions with the covenant, therefore, the Islamic Republic has violated the human rights laws and whereas required to comply with.[15] The Islamic Republic of Iran is trying to support this group in various ways because with this action it achieves two goals, firstly, it wants to show that the people themselves are against the lack of hijab, and secondly, the government itself does not directly interfere in this violent act, to prove to the international community the people themselves want to wear hijab. In this regard, the budget of this institution has been increased by 33%.

Morality Security Police

To improve social security, the Guidance patrol, or Morality Security Police, was established. The Morality Security Police was implemented in line with the resolution of the Supreme Council of the Cultural Revolution under the title of plan of Chastity and Hijab Society. In the summer of 2006, police officials announced the start of the Morality Security Police. This police force was responsible for warning women without hijab but this process changed little by little and led to the arrest of several women with low hijabs. By the implementation of this plan, the police banned many types of clothing, colors, and types of makeup for women, as well as prevented the production, sale, and import of different kinds of clothes. According to the constitution, the police force cannot legislate, but is only responsible for implementing the law. On the other hand, according to the law, the police force and the



forces of the Ministry of Information and Basij are introduced as judicial officers. Still, sometimes other forces are used to deal with the evil of hijab. For example, Khorasan Razavi police have announced that clerics can fine the cars of people without hijab.[16] The Morality Security Police has taken various measures regarding women's clothing, and I want to describe several of them. 1- Control and arrest of women: Alireza Akbar Shahi of the police command of Tehran province announced that in June 2008 about 1098 women were arrested for not wearing the proper hijab, and 114 women presented to the court for judicial proceedings, and in this regard, Kerman Provincial Guidance Department announced a ban on wearing white, red and yellow colors for female employees in offices.[17] 2- Control of women's clothing at the airport: among other measures that the morality security police have taken in this field is to deploy in public and busy places to deal with the way women wear not full hijab in this context, the airport police announced the travel ban of 128 people at the beginning of 2017.[18] 3 - Control of people's purchases: One of the strange actions of the morality security police is to control what people buy. They were stationed in clothing sales centers or arcades and forced women to open their purses to show what clothes they bought.[19] 5- The control of mobile phones was one of the scary actions of this police force. Usually, these policemen are stationed in busy places of the city and on the streets during busy hours during the days, so that people who do not have a proper hijab, in addition to arresting or taking other measures, control their mobile phones and personal photos. After 17 years of the life of this government force and many ups and downs, and people's opposition, it continues to deal with people who do not wear hijab, and every day the hatred of the people, especially women, is increasing.





Torture

Opposition to the government can result in torture. Different types of torture occur in different places and different ways. If a woman does not wear a proper hijab, she will be arrested by the police force. Now, if the arrested woman consents to her arrest, she will be transferred to the police centers, but if she opposes it, she will be severely and forcibly detained. Many women who have been arrested for opposing the mandatory hijab have reported sexual and physical violence, for example, Narges Mohammadi, a human rights activist, has stated that she was sexually abused in prison. In a letter to Javid Rahman, the UN Special Reporter on Iran Affairs, she demanded to investigate the situation of sexual assault on detained women.[20] Another one is a young girl who was arrested by the government after protesting the mandatory hijab is Armita Abbasi, a 20-year-old who was transferred to the hospital after rape and rupture of the anus complex by government forces. The government forces commanded that it should be written in the medical certificate that the rapes were before the arrest of Armita Abbasi.[21] One of the rape victims in Hal Vash's report said that when I was in custody, they kicked the sensitive parts of my body then they had sex with me several times.[22] Zahra Haghighatian is another girl who participated in the protests against the mandatory hijab. In a video published from her, she claimed that the government agents sexually assaulted her during the physical encounter she also claimed that after the behavior brutality of the government forces her neck is severely damaged. Due to the fact that according to Article 38 of the Constitution of the Islamic Republic of Iran, torture in any form is prohibited this prohibition is also mentioned in Article 7 of ICCPR. The leaders of the Islamic Republic of Iran are not only not opposed to these measures by the government, but also they consider it necessary for example, Mesbah Yazdi considers the rape of virgin girls in prison as legitimate, and it is as rewarding as Hajj, and also believes that rape of women and men in jail is also lawful and unobstructed to get a confession and Ahmad Jannati, Imam of Friday in Tehran, believes that these measures are insufficient, if Hazrat Ali was in this era, he would have done more than these. In opposing statements Maulvi Abdul Hamid, who is one of the most influential figures of the Sunni religion and Friday Imam of Zahedan city, criticized sexual assault in prisons. [23] These acts of violence usually take place through the government forces, the forces that should be the protectors of people's lives and property, but as the arms of the government, they suppress the protestors who protested for their rights. It clearly shows that the Islamic Republic of Iran has violated human rights laws.



The effect of compulsory hijab on women

1-in the work environment: Hijab is one of the things that women must observe before employment in government offices and organizations and after that. In the Islamic Republic of Iran, women must be selected before employment, which means their record of coverage and other Islamic principles are examined, and if they do not have proper coverage, they will be banned from recruitment. Women in organizations and offices are forced to wear Manto and Chadors, which is extremely annoying for women in the hot seasons, according to Article 11 of the CEDAW, women's health must be protected, but the compulsory covering imposed on women causes' physical and mental harm. The plan to reform and cover women employees in Iran was approved in 2014, and the headquarters of the Enjoining good and forbidding evil was responsible for this issue. When Mr. Rajaei was prime minister, sent a circular to every government department and ordering them, women have to be present in offices whit full hijab and without makeup. The consequences of bad hijab for government employees include salary deductions, demotions, and dismissals. Women who work in other jobs face the same issue, for example, women who work as drivers will be fined 100,000 Tomans if they do not wear hijab, and their license will be void if they do so again.[24] In this regard, Hossein Noori Hamdani from the Qom authorities demands the expulsion of those women who do not observe the hijab, and Makarem Shirazi has asked the government authorities to reduce the privileges of women who do not wear the hijab.[25]

Not having the hijab not only punishes people without the hijab, but in some cases, it leads to legal action and the sealing of places where people without the hijab are present. The government believes that people who do not wear a hijab should stay away from public places, if they are seen in restaurants, hotels, and other tourist complexes, it is the duty of the head of that complex to direct the low hijab people out of the complex otherwise, the person will be punished. In this context, many tourism or shopping complexes have been sealed at the request of the headquarters of the Ministry of Good and Prohibition of Evil and by the order of the judicial authorities, even in some cases, pharmacies, which are one of the original centers for supplying people with medicine; have also been sealed for not wearing hijab. For example, the Ameri Hotel in Kashan was sealed by prosecutor due to the non-observance of hijab, causing more than a hundred people to become unemployed.[26]

2-The effect of not wearing hijab on female athletes: In the last 40 years, Iranian women have been allowed to do limited activities, and the hijab is mandatory for sports activities. Iranian women athletes have always had to cover the complete Islamic hijab both in the



international and domestic scenes. The Law on Expanding Executive Solutions for Chastity and hijab was approved on January 13, 2014, and a series of tasks were assigned to the Ministry of Sports and Youth, which strongly emphasizes the mandatory hijab. Some of these cases are 1- Controlling the halls in terms of observing the hijab covering 2- Using female coaches for women 3- Designing suitable clothes for athletes in line with chastity and hijab 4- Not allowing women to enter men's halls and stadiums. However, in the latter case As a result of international pressure, women appeared in the stadiums in several cases, but this issue has been accompanied by many objections. Many Iranian female athletes have been banned from the national teams for not wearing hijab when traveling abroad, for example, Shiva Amini, was a player of the Iranian national futsal team, she was banned from participating in the national team due to the publication of photos without the hijab on her Instagram page. The result of this mandatory hijab for Iranian women is to migrate to other countries. Sara Khadem al-Sharia, was a player on the Iranian chess team who participated in Kazakhstan competitions without the hijab and fled to Spain for fear of retaliation by the Islamic Republic of Iran. Despite all the warnings that health experts have had about the consequences of women and girls being inactive in Iran, these warnings do not seem to lead to a change in the policies of the Iranian government regarding women's sports, and the only reason for that is the loss of women's motivation to exercise due to the government's pressure to wear hijab. These restrictions and exclusions created by the Islamic Republic of Iran are against Article 10 and 13 of the Convention on the Elimination of All Forms of Discrimination against Women, according to which women should have equal access to sports activities like men, and this act of the government is a violation of human rights laws. [27]

3- The effect of not wearing hijab on social services: Anabastani, a member of the social commission of the parliament, says that since the hijab is a law, and some people violate this law, the service agencies do not need to approve and notify the law for not serving people who do not wear the hijab. Therefore, those who are responsible for this work do not have the right to provide social services to people without hijab. He believes that people who do not wear hijabs should be deprived of social services. Social exclusions include 1- Ineligibility to volunteer in the presidential and Islamic Council elections, etc. 2- Employment in government agencies, 3- Employment as a lawyer, etc. The Governor of the Central Bank has announced in a letter to all banks to refrain from providing services to people who do not wear hijab.[28] Sardar Mohammad Hossein Sepehar, the commander of the training skill base of the General Staff of the Armed Forces, has stated that the head of the hospital is allowed not to serve patients who do not wear hijab and to refuse to accept them as patients (Contrary to Article 14 of the CEADW). According to the approval of the Council of



Supply, in some provinces, people without hijab are prevented from entering hospitals and medical centers.[29]



4-Education: Girls are forced to wear hijabs in schools from childhood. This hijab includes a scarf and Manto, which is a kind of compulsory hijab for girls from childhood. This issue is presented as a necessary thing to get used to it. According to Islamic laws girls have to wear the hijab from the age of 9, even though a 7-year-old child does not need to wear the hijab. hijab is mandatory for girls throughout their studies. It was enacted by the government of Iran in 1987 that women must wear the hijab in Iranian universities. The law requires all female students to wear complete hijab when entering the university. Violation of this law can lead to the suspension or expulsion of the student from the university.[30] According to the new regulation of the University of Tehran, women who do not wear hijab are prohibited from entering the university, and security can notify the relevant authorities if the warning is not heeded. This issue is contrary to Article 10 of CEDAW because girls do not have the same conditions of education as boys, and the coverage that is considered for them from the first year of education is extremely disturbing. Furthermore, the orders issued regarding the gender segregation of schools and the prohibition of using a female teacher for male students or vice versa are among the cases that strongly violate this convention. [31]

5-Prohibited from leaving the country

One of the other effects of not wearing the hijab for women, in addition to the punishments that have been mentioned, is the ban on leaving the country. This ban, which is usually



imposed by court order, is one of the violations of ICCPR because according to Article 12 of this law, anyone can freely leave the country.

Iranian protests against compulsory hijab



1-The Girls of Enghelab protests: The campaign Girls of Enghelab street was the name of a group of brave Iranian women and girls who took off their headscarves in a public and crowded place as a sign of protest against the mandatory hijab. This group of girls went on platforms and hung their headscarves on a stick as a sign of protest. This move, which was described as a form of civil disobedience, was repeated so often that the Tehran Police Information Center announced that 29 people had been arrested in this regard. This symbolic movement was started by Vida Movahed in January 2016, and she was arrested afterwards. Despite being released the first time, she was sentenced to one year in prison the second time around. Other girls, such as Narges Hosseini, were sentenced to 24 months in prison, and Shaperak Shajarizadeh was sentenced to two years of probation and 18 months of suspended prison. After the widespread protests, Seyed Ali Khamenei, the leader of the Islamic Republic of Iran, announced that some counters spent all their money on thinking and advertising so that as a result, some girls would be deceived and take off headscarves on the street. The target of his words was the western countries, especially America and Israel. Countries that, according to the Islamic Republic, are trying to deceive the people of Iran. In almost all of his speeches, he declares that the western countries are seeking to weaken and destroy Islam, so one must be completely aware and confront the conspiracies of the enemies. He also declared that those who don't wear the hijab in front of strangers at home have nothing to do, but if someone appears in public without hijab, it



creates a duty for the Islamic Republic system to deal with it. In this regard the spokesperson of the Judiciary announced that three groups of girls participated in this campaign: 1- Those who were influenced by others and behaved like children, 2- The group who had used drugs, 3- Those who were organized by the enemies of the Islamic Republic. He emphasized that those who removed the hijab did not object to the compulsory hijab. With the increase of protests, the officials announced that from now on, the accusation of the protesters is not only not observing the hijab, but also is encouraging to corruption. It is a very serious punishment that leads to long-term imprisonment and even execution. There were many international reactions to this issue, for example, Amnesty International published a statement on January 24, 2018, demanding the quick and unconditional release of women who had been arrested for peacefully protesting against the mandatory hijab. The spokesperson of the USA Ministry of Foreign Affairs announced on February 2, 2018 that the United States condemns this act and demanded the release of all protesting prisoners. On February 28, 2018, 45 members of the European Parliament requested Federica Mogherini, the High Representative of the European Union in Foreign Policy, to support Iranian women protesting the mandatory hijab. For the rulers of the Islamic Republic of Iran, the hijab has become a symbol of resistance against Western countries and one of the most important anti-imperialist foundations of the Islamic Republic. In the Islamic Republic of Iran, the hijab has become a red line, crossing which challenges the "being or not" of the system.[32]



2-Rising of Re-protests



On the 13th of September 2022, a young girl named Mahsa Amini was arrested by the morality security police for not wearing proper the hijab. After being transferred to the detention center, she was beaten by police forces for protesting and was seriously injured. Three days later, on September 16, 2022, she died in the hospital due to the severity of the injuries. In a repetitive action and predetermined scenarios, the medical examiner declared the cause of her death as heart disease, but her family denied this claim and said that their daughter was completely healthy. After the death and burial of this young girl, the people got angry with the way the police acted and dealt with the mandatory hijab and started protesting in the streets and virtual world. These protests were first held in some Kurdish cities of Iran and then in big cities such as Tehran, Mashhad, and Isfahan. Over time, the protests became very widespread, and many people came to the streets every day and every night and protested against the mandatory hijab with the slogan of Women, Life, Freedom, and burning their headscarves. This volume of protests was unprecedented for the mandatory hijab, so much so that women in the most remote villages of Iran joined these protests. A very interesting point about these protests was the widespread participation of men. Men were very sensitive to the hijab of their women due to the social conditions in which they grew up. Now they joined the protest alongside women in the streets to facing the security forces and they supported women's rights. According to Article 27 of the Constitution of the Islamic Republic of Iran, it is free to hold meetings and marches without carrying weapons this right is also mentioned in Article 21 of the International



Covenant on Civil and Political Rights. However, the Islamic Republic deals strongly with this issue, and wherever there are protests against the government, it is dealt with strongly, but where the supporters of the government want to come to the streets in support of the Islamic Republic, they are completely free, and they can freely have any slogan or any behavior. During the peaceful protests against the mandatory hijab, the security forces of the Islamic Republic of Iran killed at least 244 people, including 32 children. The news agency of human rights activists announced that almost 12,500 people were arrested during the protests that 70 percent of them were young people under 20 years old.[33]

There are differences in the statistics released by different centers, such as the Javan newspaper's claim of 10,800 have been arrested, but recently according to the statistics announced by the head of the judiciary, 22,000 people were pardoned, in any case it represents a massive protest against the compulsory hijab. According to the survey conducted by the Iranian opinion polling study group, young people are not the only group that is opposed to the mandatory hijab. As this survey shows, all age groups are opposed to the compulsory hijab, and there is unprecedented one-sidedness in this field. According to this survey, 78% of Iranians between 20 and 29 years old, 68% between 30 and 49 years old, and 74% of people over 50 years old are against the mandatory hijab, and in general, 71% of men and 74% of women are against this hijab.[34]

Another feature that made these protests different from past protests was the joining of the young generation born in 2000 or later. This generation is different from other generations because they grew up with globalization and the Internet and understand well the difference between the Islam Republic of Iran and other societies. After that many teenagers and children, including 16-year-old Nika Shakrami, 16-year-old Sarina Ismailzadeh, 18-year-old Mehsa Mogoi, 9-year-old Kian Pirflek, and many other girls who participated in the protests and were killed, the presence of this generation in the anti-government demonstrations increased dramatically. Some of these young girls protested the mandatory hijab by removing their veils after leaving school and chanting death to the dictator and women life freedom. Intending to instill fear among the students, security forces arrested students in the schools. The regime of the Islamic Republic of Iran used extreme violence in dealing with the protesters. Many men and women were hit directly by war bullets from different parts of their bodies. A number of people who lost their sight claimed that these shots were fired directly and from close range by the security forces.



Many men and women were killed in these protests in different parts of the country. For example, on Bloody Friday in Zahedan, which was held in the second week of nationwide protests, according to the report of human rights groups in Sistan and Baluchistan province,



about 100 people were killed during these protests. Although the Islamic Republic of Iran tried to intimidate the protesters by executing several protesters, including Mohsen Shekari, Majid Reza Rahnavard, and Mohammad Hosseini, it can be said that even if the regime succeeded in suppressing the recent popular uprising, the protest against the mandatory hijab as a symbol of change it will remain in Iranian society and it shows that the people of Iran are in the direction of getting rid of the compulsory hijab and expanding liberalism.

According to the Constitution of the Islamic Republic of Iran, the right to a fair trial is strongly emphasized as a main principle. Still, in the case of the execution of a young protester named Mohsen Shekari, many jurists believe that the death sentence was against the Constitution and the Criminal Law. For example, Emadeddin Baghi(Iranian Journalist, human rights activist, prisoners' rights advocate, investigative journalist, theologian, and writer) believes that according to Article 614 of the Islamic Punishment Law , Mohsen Shekari's punishment was not execution, or Ali Mojtahedzadeh, as lawyer believes that his crime was intentional assault, and his punishment is blood money and prison.[35]

According to Article 6 of the International Covenant on Civil and Political Rights, the right to life is an inherent right and must be respected according to international law, but the Islamic Republic violates these laws by executing political prisoners. It is clear that these executions violate the Covenant of Civil and Political Rights. Article 14 of this Covenant state that the accused must be tried in an impartial and competent court however, none of the courts considered for political protesters and prisoners are competent. First of all, the head of the judiciary is appointed for five-year terms by the Islamic Republic's leader, and the selection of judges is also at the discretion of the head of the judiciary. On the other hand, special judges are also selected for special cases, For example, Judge Salvati is one of the judges who is directly under the supervision of the head of the Judiciary and is under his command and the leader of the Islamic Republic of Iran, and they make decisions about each person as they wish. Therefore, there is no impartiality in handling these types of cases, and on the other hand, these judges are not competent to handle them due to their strong religious beliefs. At the same time, Mohammad Taghi Naghd Ali, a member of the Iranian parliament, says that the sentence of Mohsen Shekhari was implemented too late and we should move towards "Islamic justice" because Islamic justice is at the moment and the correct tradition is to deal with it quickly. He also declares in a strange comment that the death sentence of Mohsen Shekari is blessed for society.[36]

This type of sentence does not happen only in the case of execution. Many girls and boys who participated in the protest against the mandatory hijab were sentenced to prison or other punishments, for example, a young girl and boy were sentenced to ten years in jail for dancing in the street during the nationwide protests. These kinds of sentences show the lack of competence and justice of the Islamic Republic in dealing with judicial cases.[37]

Slogans and actions against Iran's government and leaders clearly show that the hijab protests have turned from a symbol of the oppression of women into a symbol of resistance against the Islamic Republic of Iran.

International support was another factor in the continuation of this powerful uprising. Iranians abroad have always shown their support for this movement by demonstrating against the Islamic Republic of Iran in different parts of the world, including Canada,



Germany, and France. International personalities reacted to these protests by shaving and cutting their hair in order to protest against the mandatory hijab in Iran. Some countries imposed sanctions against the Islamic Republic of Iran and some prominent personalities of this country. US Secretary of United States, Antony Blinken warned that the violation of human rights against the protesters will have very dire consequences for the Islamic Republic and will impose new sanctions against the Islamic Republic of Iran. Çavuşoğlu, the foreign minister of Turkey, announced that having or removing the hijab is a right and one cannot be forced to do this.[38]

With the spread of protests and severe sanctions against the Islamic Republic of Iran, the country's attorney general announced that the morality security police was canceled. However, some believe that the purpose of this work is to show the flexibility of the officials against the pressures because the hijab is not only related to the issue of women's rights, but it is one of the main pillars of governance and maintaining the regime of the Islamic Republic of Iran. After four months of protests, Ali Khamenei, the leader of the Islamic Republic of Iran, denied the mandatory hijab in one of his speeches and claimed that there had been no legal violation regarding hijab. He also claimed that women and girls who do not have enough hijab are part of they are our society and they are the ones who defend the Islamic revolution. I cannot consider these people outside the circle of religion and revolution. In fact, Ali Khamenei, as always, denies the protests made by the people or calls them the cause of the enemies' conspiracy, even claiming that the Islamic Republic has a special place for women. His speech expressed a contrasting viewpoint, stating that a mother and a wife are the essential duties of a woman, which suggests a different view of women. [39] During the regular meeting of the United Nations Human Rights Council, Amir Abdulahian said no protesters have been killed in Iran, and all these disturbances have been caused by Western nations.[40]



Real women's clothing



1-The presence of women in the virtual world: In the real world, the law requires all female citizens to observe compulsory hijab, which has been a long-standing policy since the Islamic Revolution in Iran in 1979. It typically means covering their hair and body with a veil, not wearing tight-fitting or colorful clothes, and not showing any skin above the ankles or wrists. Women who are found in violation of this law are punished by both legal penalties such as fines or jail time, as well as by quick judgment from their peers. In contrast to this extreme enforcement of compulsory hijab within Iranian society lies its much more relaxed interpretation within the virtual world of Iran. In virtual world many women feel free to dress as they wish without fear of facing harsh consequences from the government. On digital platforms such as Instagram, women share images that expose more skin than what is allowed for in reality with posts about “freestyling” their outfits and rejecting traditional beauty standards set forth by its state-coddled patriarchy. This online space provides a positive medium for these women to express themselves freely in direct defiance of predetermined restrictions placed upon them; however, there are still possible legal recriminations (such as account suspensions or fines) that can occur depending on if they experience interference from its government while engaging in such activities online. Women appear in the virtual world without hijab and display different photos on their pages, which is a sign of the difference between their real world and the space outside, a space where the Islamic Republic of Iran deprives women of their basic rights due to maximum pressure on women. Due to women's lack of trust in the Islamic Republic, foreign platforms are mostly used where the Islamic Republic of Iran cannot control it for various reasons. However, the Islamic Republic of Iran has considered punishments for women not wearing hijab in a virtual space, for example, according to Article 14 of the Computer Crimes Law, if someone publishes images through computer systems, she will be punished from 91 days to two years in prison or fine from 5 million to 400 million Rials or both of these punishments will be sentenced. It is also mentioned in this law that if they have made it



their job and profession to publish the images, they will be sentenced to the maximum punishment if they are not convicted of committing corruption on earth.[41]

2-The presence of women in parties:

Since Iranian women have severe restrictions on what they can wear in public, they dress however they want at friendly parties or night parties because these venues are usually out of the government's sight and are not supervised by them. The Islamic Republic's authorities will deal with such parties severely if they find out about their existence, and if they are accompanied by alcohol consumption more severe punishment will be considered for them. Considering that according to the law, there is no legal prohibition for holding friendly parties, but the Islamic Republic, by stating that compliance with moral issues is obligatory in any case, and such actions hurt public modesty, considers legal punishment for it, and according to Law will be sentenced to 91 lashes.[42]

3- Women in the street: After the death of Mahsa Amini, a young Iranian girl was killed by the security forces (Morality Security Police), Iranian women and girls found the courage to appear in the streets and public places without headscarves and Manto. This admirable action of the brave Iranian girls means that they dislike the type of clothing and hijab that they have been in its captivity for years, and now they have found the opportunity to show this issue as their inalienable right. On the other hand, government officials consider women's hijab as a factor for women's immunity and protection against men and say that if women appear in public without the hijab, they will be harassed by men, while men always stand in front of the government to support women to enjoy their rights. The interesting thing to note is that some government women (those who are part of the government) appear in the anti-hijab demonstration without the headscarf in public where many supporters of the regime participate. The question that arises is how it is possible for a woman without the hijab to participate in government demonstrations and not be harassed, while a young girl is killed for not having enough hijab. Iranian women are certainly being shown this issue by the government in order to make them understand that if you support the government and the Islamic Republic's regime, you will not be harmed even if you don't wear the hijab, whereas if you oppose the regime, even if you wear the hijab, you will not be safe. On the other hand, the Islamic Republic of Iran is trying to mislead the international community with such moves to show that women in the Islamic Republic enjoy complete freedom, and it is their choice to wear hijab, and there is no compulsion in this regard.



International field

International organizations and institutions have always sought to preserve the principles of human rights in societies. A number of countries have also signed international conventions and treaties to ensure compliance with these laws. Iran is among the countries that have ratified or not ratified some of these laws. Iran has signed ICCPR and ICESCR rights and is required to comply with them, but it has not ratified certain conventions like CEDAW. Iran believes that some of these conventions violate Islam's laws and Sharia, and it cannot implement laws that violate Islamic law.

CEDAW:

Iran and six other countries have not yet joined The Convention on the Elimination of Discrimination against Women. This Convention is the most important treaty on gender discrimination, and discrimination is defined as, exclusion (deprivation) or limitation based on gender, the result or purpose of which is to impair or cancel the recognition, enjoyment, or exercise of human rights and fundamental freedoms in political, economic, social, cultural, civil and or any other field by women regardless of their marital status and on the basis of equality between men and women. Iran believes that joining this convention will have many problems laws. There are many cases in civil and criminal law where women and men are not equal for instance, in criminal law, blood money for women is half of a, including 1- Changing some of the principles of the constitution, which expresses Islam's view of men and women(As mentioned in Article 2 of this Convention). As it was said before, Islam has a different view of women, and the laws of the Islamic Republic give men the right in various cases, and by changing these laws, women will enjoy equal rights as men, which the Islamic Republic does not want to give such rights to women.2-Abolition of some articles of criminal law or civil law based on Islam and replacing western man's blood money, or in civil law, the right to divorce is for man, and in the case of inheritance, women have half the inheritance rights of men.3-Iranian girls and women can appear without hijab in public places.[43] As previously explained regarding the punishment for not wearing the hijab according to criminal law and other laws, women are sentenced to punishment if they do not have the hijab, and this is completely opposed to this convention and a violation of human rights laws for the right to freedom of clothing(The last part of Article 2). In fact, the Islamic Republic of Iran believes that if it is willing to ratify this convention, even with a condition, it will have to change many of its oppressive laws regarding women, especially regarding the hijab, which it has a particular view on and which is a symbol of the Islamic Republic.

Compulsory hijab law in Iran is directly against certain articles of CEDAW which promotes freedom from gender discrimination in all aspects. For example, article 5 states equality between males and females should be established, this equality does not happen to



women, either in terms of clothing or treatment and many other things while Article 7 claims men and women should have equal access to representational rights at all levels of government, and also forbids gender-based prejudice when participating in politics, For example, according to Article 115 of the Constitution, the president must be a man, and this is a very discriminatory and degrading view of women who cannot become the president of the country because they are a woman. The mandatory hijab laws implemented by the Iranian government severely affect women and deprive them of their most basic rights. CEDAW exists as a tool to push global societies closer toward true gender equality, yet this process isn't immediate or easy; activism from all levels needs to continue until prejudices surrounding female expression become lesser regarded than before. In Iran especially where engagement between international bodies can be difficult-- support for female activists must remain prominent for any changes for the betterment of both CEDAW standards and women's rights more generally to be seen within the country's borders and around the world alike regardless if hijab becomes a legal obligation or not.

UPR:

In the third period of UPR held in 2019, the Islamic Republic of Iran was one of the countries that received the most recommendations. Iran received 329 recommendations from different countries and it also rejected 31 of its 56 recommendations related to women's rights, including the recommendations that called for the ratification of the Convention on the Elimination of All Forms against Women and the amendment of discriminatory laws against women. Although many of these recommendations directly or indirectly deal with the issue of mandatory hijab, but the only country that directly raised the issue of compulsory hijab was the United States. The US advises Iran to repeal the laws requiring women to wear the hijab, end the legal ban on women's full participation in society, as well as stop the criminalization of women's requests for reforms. (Recommendation No. 26-240) Although Iran rejected this recommendation, it seemed to be one of the most subtle issues that were said about Iran in this period, because one of the most important issues that the Islamic Republic has been dealing with for more than 40 years and the principles of right it violates humanity in this case. In this period, Iran states that it values UPR a lot, and also has a special view on human rights because it believes that human rights have roots in Islam. But in a contradictory action, as always, the Islamic Republic tries to justify these recommendations based on laws and customs. It believes that many of these recommendations are against the Islamic laws and customs of the Islamic Republic of Iran so cannot accept them. In the previous periods, there were many recommendations to Iran regarding increasing freedoms and more protection for women's rights, improving access to freedom of expression and assembly, the judicial system and fair proceedings, and eliminating torture but none of these recommendations have not been taken seriously by Iran and continues to suppress and violence against women.[44]

Expulsion of Iran from the Commission on the Status of Women

The expulsion of Iran from the Commission on the Status of Women is another result and consequence of not respecting women's rights. 29 countries out of 52 members voted in favor of expelling Iran from this commission, 16 countries abstained and only 8 countries



voted against. The American representative considered the presence of the Islamic Republic of Iran as a stain on this institution. In October, the United Nations Watch Organization that acts as the advisory arm of the Economic and Social Council of the United Nations and prepared a draft resolution in which it asked the Council to expel the Islamic Republic of Iran from this commission. According to this letter, the commission's main task is to achieve gender equality and eliminate discrimination, and it is also mentioned that due to the discriminatory laws of Iran, including the law of inheritance, custody, divorce, and compulsory hijab due to the terrible history of the Islamic Republic in violating women's rights and Considering the government's insistence on suppressing the protesters, we insist that Iran's membership in this commission be canceled. To cancel Iran's membership in this commission, many institutions, including 13 human rights institutions, such as the Iran Human Rights Documentation Center and the campaign of Baloch activists and the statement of imprisoned women, signed it. [45]. The statement considers the cancellation of the Islamic Republic's membership in the commission as a strong signal to the Islamic Republic that the international community does not provide a platform for the Iranian government to promote its most shameful anti-human rights attitudes and hide its poor human rights record. In fact, this expulsion was carried out during nationwide protests in Iran after the killing of Mahsa Amini and after reports of physical, sexual, and verbal violence by the forces of the Islamic Republic of Iran against Iranian protesting women. Although this commission does not have an executive guarantee, as the highest supervisory authority in the field of women of the United Nations and the main global institution for the defense of women's rights, it can show the true face of the Islamic Republic of Iran to all the people of the world to understand how women are deprived of their basic rights, the right to wear clothes, and how the Islamic Republic violates human rights laws. After the expulsion of Iran from the commission, a group of female supporters of the government gathered in front of the United Nations office and defended the Islamic Republic to show that the hijab is completely free in Iran and that no human rights violations have been committed. In a strange act the Iranian government forces celebrated in some cities to show that this expulsion is not important to them. Khadijah Karimi, Director General of International Affairs of the Women's Deputy, called this action in line with the systematic violation of women's rights and she said that the Islamic Republic of Iran has always tried to introduce a new model for women, a model that the leader of the Islamic Republic, Seyed Ali Khamenei, calls the third model for women. Khadijeh Karimi, in explaining the third model of women, says that a woman who is respected for being a woman has dignity from a human point of view, wears chastity and hijab, and is a successful wife and mother. From these words, it can be concluded that the Islamic Republic has no desire to change its behavior, particularly in the field of hijab and women's clothing, because Iran is looking for chastity and hijab for girls and women, and according to the Islamic Republic, women are meant to be mothers and wives.

International Covenant on Economic, Social and Cultural Rights:

The National Council of Iran approved ICESCR on December 16, 1966. In fact, ICESCR was approved by Iran before the revolution of the Islamic Republic of Iran and during the Pahlavi regime, and the Islamic Republic of Iran is required to adhere to this covenant. It is a human rights treaty, and includes the right to education, housing, health care, as well as freedom



from discrimination and torture. Considering the mandatory hijab in Iran and the punishments that are intended for people who do not wear hijab, it can be concluded that this type of hijab weakens the main values included in the ICESCR, such as personal independence and equality in the law, as well as the application of a The type of compulsory clothing deprives women of the right to freedom of expression by comparing the articles of the Covenant and the behaviors of the Islamic Republic, it is easy to understand that Iran has violated the Covenant's laws in various ways For example, in Article 2 of the Covenant, it is mentioned that all the rights considered in this law should be considered for all people regardless of gender, whereas the Islamic Republic of Iran has deprived women of their civil, political, and social rights by discriminating against them. In terms of gender equality specifically, Article 3 states: The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights outlined in the present Covenant and article 5 it has been stated that governments cannot harm or limit the freedom of individuals. With these interpretations, it is quite clear that the mandatory hijab laws in Iran directly violate these articles that seek to protect basic human rights such as the right to freedom and security. Clause C of article 7 of the covenant stipulates that women must be given equal opportunities for promotion at work, but as I mentioned earlier, this promotion cannot be obtained for women who don't wear proper hijabs at work. According to the Islamic Republic of Iran, women who do not wear a hijab are not religious and are not qualified to hold higher positions, which violates human rights laws. According to Article 12, governments must provide all the necessary health facilities for everyone, regardless of gender or religion, but the Islamic Republic not only does not do this but also differentiates between government forces and ordinary people in terms of hospitals and other health issues and deprives women who do not have enough hijab of health services. In general, it can be concluded that the Islamic Republic of Iran violates all articles in ICESCR that are related to women who do not wear a proper hijab.[47]

CPPCG

Genocide is one of the greatest calamities of humanity that the international community has always sought to eliminate or reduce. Genocide is defined in Article II as follows: genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such:(a)Killing members of the group;(b) Causing serious bodily or mental harm to members of the group. The hijab is not directly linked to genocide at first glance, but based on recent events, it is evident that the Islamic Republic of Iran has committed genocide against women and girls who don't believe in compulsory hijab and seek freedom of clothing and expression. These women and girls are severely murdered by the government. From another point of view, governments are responsible for protecting the people of the society, and this is the most important duty of any government, but when the government itself starts killing a lot of men and women with low hijab, it proves that this is a kind of genocide because the government sees this group as a threat to its survival and is extremely afraid that it will lead to its destruction. Looking at the published statistics of those killed in protests in Iran, where 244 people and at least 32



children were killed, this kind of genocide is understandable, and serious measures should be taken to deal with it.[48]

Analysis:

In this report, I interviewed 20 Iranian women who lived in different parts of the country .8 of these women lived in the north of Iran, 3 of them lived in the west of the country, and some lived in different parts of Iran. The interviewees were selected between the age group of 16 to 65 years.80% of these women were working , 20% of this group were working in government jobs, and 60% of them were working in freelance jobs. I asked all these people to answer the questions honestly and refrain from giving possible opinions. Virtual networks such as WhatsApp and IMO were used to conduct the interviews. Generally, the interviews lasted between 10 and 15 minutes, depending on the interviewees' answers. Names of all individuals are not mentioned due to security issues. Many women believe that their hijab has changed compared to previous years. According to the oldest woman among interviewees when I was younger, I strongly believed in hijab and wore the chador at my discretion. After 40 years of revolution, I don't wear hijab and dislike this type of clothing. 95% of the interviewees stated that women's clothing has changed during the rule of the Islamic Republic. They also believe that many of those who wear the hijab cannot remove the hijab for special reasons, but they completely agree with the freedom of clothing in terms of behavior and thinking. All the women in this report declare that they are severely dependent on the Internet and spend most of their idle time in the virtual world. These women believe that seeing the freedom and the way women dress in other countries has become regret for us. 65% of this group has announced that they have published photos without the hijab on their online pages, and 30% have announced that they would like to do this, but they cannot do this due to security and work issues and fear of legal consequences and only 5% of women are not interested in sharing photos without hijab. 65% of this group have announced that they have published photos without the hijab on their online pages, and 30% have announced that they would like to do this, but they cannot do this due to security and work issues and fear of legal consequences.95% believe that there are immoral conflicts between religious and non-hijab groups, and only 5% of this group believes that these conflicts are not so much that we call them as opposition. 95% believe that the religious group has the idea that those without hijab want to be naked and come naked to the street, and also that being naked causes the decline and destruction of society.80% believe that hijab in Iran is not optional and is forced on women by the government, and only 20% of women believe that hijab in Iran is a religious issue and has nothing to do with political and government issues. According to 90% of this group, the Islamic Republic of Iran is not authorized to govern and administer the country, and a referendum should be held on this issue or at least on sensitive issues like the hijab. According to 90% of this group, the Islamic Republic of Iran is not authorized to govern and administer the country, and a referendum should be held on this issue or at least on sensitive issues like the hijab.30% of this group have participated in anti-hijab demonstrations and witnessed the violent and inhuman behavior of the security forces. 70% stated that they did not participate in this demonstration, but 50% of them stated that they were very willing to participate in this



demonstration but due to security and family issues and fear of the government's behavior, they were unable to do. 80% of women believe that the Islamic government deals strictly with the issue of not wearing the hijab and has very harsh laws and behaviors in this regard, and they also believe that the Islamic Republic uses all kinds of tools to suppress protests, including beatings in the street as well as rape, torture, and execution in prisons. On the other hand, 20% of women believe that every government has rules and we must adhere to the country's rules. 80% of women believe that, from the government's point of view, hijab is not an optional matter, but rather is Shariah and Quranic duty that women are required to comply with. 90% of women believe that their rights have not been respected by the Islamic government, and these rights include discriminatory laws and attitudes towards women. 85% of the interviewed women group believes that if there is no ban on the compulsory hijab, we will definitely appear without hijab in the street and public.



Recommendations

Ratify the CEDAW, and take all necessary measures for the equal rights of women and men and stop discriminating against women.

- According to the volume of protests against the compulsory hijab, use the opportunity to change the rules.

- Providing women with the freedom to choose whether or not to wear hijab.

- Increasing women's access to education, including job training and personal development courses. This helps empower women and gives them more independence in their lives, as a result, society's control over them in terms of wearing the hijab is reduced.

- Encourage businesses to hire qualified female employees regardless of what they choose to dress outside of the workplace, and provide a safe environment for female employees to avoid being judged for not wearing a headscarf while at work.

- Start campaigns to respect each other's rights and ask people to respect each person's personal choices about whether or not to wear hijab.

- Instead of condemning low-veiled people to anti-human rights punishments, spread love and acceptance in both religious and cultural contexts so that everyone feels safe to express their opinion without fear of backlash.

- Enact strict laws for religious people regarding harassment and reminders for women to wear hijab. (Abolish The law of protecting those who command the good and forbidding the evil:).

- Abolition of all penalties against compulsory hijab

- Do not force children to wear hijab.

- Release people who are in prison for not wearing the hijab or protesting the mandatory hijab.

- The problem of Iranian society is not only hijab, try to solve economic problems.

- To decide on the issue of hijab through a referendum.

- The international community should take serious measures to prevent genocide in Iran.

- In the event of a dispute between governments and a referral to resolve the dispute, we suggest the International Court of Justice issues a sentence for violating the laws of genocide.

- It is suggested to the governments issue new sanctions against the Islamic Republic of Iran and its affiliates, and it is also suggested to close the embassies of the Islamic Republic due to the violation of human rights laws and block the accounts of the Islamic Republic of Iran and people affiliated with the government. European countries are also suggested to accept the asylum requests of Iranian women.

- It is suggested to the UN Security Council to refrain from launching a military attack on Iran because a military attack on Iran not only does not help to solve human rights problems, but also increases human rights problems.



- I recommend to Sara Hossein the head of the UN's Fact-Finding Mission, the Islamic Republic will try to deceive that committee if you interview the people introduced by the government. Try to communicate secretly with people who have been subjected to violence before coming to Iran, so you won't be misled by the government if they pressure them. The best way to understand the reality of the protests is to be present in Iran during them if you cannot find enough documents.

-According to Article 4 of the Covenant of Civil and Political Rights, the member states of this covenant are suggested to Consider that the existence of women in Iran is seriously threatened, and take immediate measures to protect them.

Conclusion

The root of the hijab issue in Iran is not a lack of hijab or complete covering, but the fact that it is mandatory, which is why there are strong reactions against it. This and many other problems, including the issue of personal and social freedoms and freedom of clothing, equal rights of men and women, are among the thousands of issues that have remained unresolved in Iranian society, and Iran has remained indifferent to the recommendations of international communities regarding women's rights, and this neglect causes the issue of women's clothing to be raised as an acute problem during the four decades after the revolution. The question that arises is why hijab not mandatory in other Muslim countries, but it is mandatory in Iran? (Afghanistan, which has recently changed government and hijab is also mandatory). In response, it can be said that this indicates the government's fear of Iranian women because women make up half of Iran's society, men have always supported women, and women have always played a key role in determining the country's destiny. The Islamic Republic knows that if it withdraws from the position of compulsory hijab, Iranian society will demand more, which will lead to its downfall therefore; it uses all its all power to silence women. On the other hand, considering the social problems that exist in Iran and the people are under severe economic pressure due to the sanctions against the Islamic Republic, is it necessary to be so strict about the hijab?

From the aforementioned discussions, we can conclude that the traditional transformation of Iran in the period of transition from tradition to globalization requires changes from the social point of view and the expansion of international relations and led to the formation of new ideas. It is obvious that in order to guide the organizations and social institutions of the society in the direction of coordination and alignment with the new changes and tending to the global culture, due to the effects that the family and especially the woman had in this regard, women and their issues have become the focus of attention of the government. The macro-policy of the implementation of hijab in the perspective of Iran's



rights was examined on the other hand, relying on international principles and conventions, the prohibition of hijab and the selective approach to it were examined. Also, it was explained that forced hijab was an illegal and inhuman act that violated all international standards and treaties accepted by the governments and was at odds with them. According to this report, the compulsion to wear hijab is a clear violation of women's human rights and individual freedoms and is more motivated by political goals than cultural or legal interests.

Questions

1-How has the process of changing women's clothing been after the Islamic revolution?

2- In Iran, how much have modernity and globalization influenced the change in women's clothing?

3-What is the basis of the intense conflict between religious people and opponents of compulsory hijab?

4-What are the goals of women's demand for the right against compulsory hijab in the Islamic Republic?

5-What is the symbol of the struggle of the government by women?

6- How does the government deal with people who demand rights?

7-What do women's rights include from the point of view of the Islamic Republic? As a woman, do you think your rights have been violated?



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