



Comparative Study of Harassment Against Women in the Criminal Law of Iran, Turkey, and the United Arab Emirates

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Abstract

Harassment against women has become one of the most serious issues related to the contemporary criminal justice system in societies characterized by rapid social, cultural, and technological change. This work attempts a comparative study of the concept of harassment against women, the way it has been described, and its application and enforcement within the criminal law of Iran, Turkey, and the UAE. A doctrinal, comparative methodology was applied to this study by reviewing statutory materials, where applicable, case laws, and policies in the three jurisdictions under consideration. This research proved that even though all three countries consider harassment a punishable offense, there are very important fundamental differences in so many aspects: widening or narrowing the criminalization, the role of public morality, the evidentiary threshold, and the impact of religious and international standards. Conclusively, all three legal systems present simultaneously better and worse alternatives for the improvement of a coherent and victim-centered approach: the digital harassment, harassment within the private sphere, and gender-neutral drafting Criminal Law is an area in which women are harassed.

Keywords Harassment against women; criminal law; Iran; Turkey; United Arab Emirates; comparative law; sexual harassment; public morality; Islamic law; human rights.

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1. Introduction

Harassment targeting women has, over recent years, become a pressing issue within criminal justice systems around the world, especially in societies undergoing swift social, cultural, or technological shifts. As awareness of gender-based violence spreads on a global scale, legal institutions find themselves under increasing pressure to update their laws, aiming to offer adequate protection to women in both public and private settings. Harassment—be it verbal, physical, psychological, or digital—threatens women's autonomy, their dignity, and their ability to participate fully in social life. Because of this, criminalizing and regulating such behavior has turned into a key part of many national efforts to promote gender equality and protect basic human rights (UN Women, 2020).

The Middle East, in particular, offers a fascinating setting for studying how harassment against women is criminalized. While countries in this region share some cultural and religious common ground, they vary widely in their legal systems, political frameworks, and how much they engage with international human rights standards. Iran, Turkey, and the United Arab Emirates each provide distinct legal approaches, reflecting different degrees of modernization, secularism, and incorporation of Islamic law. These variations make them especially useful for a comparative legal analysis.

Looking at Iran, its criminal law is deeply rooted in Islamic jurisprudence (fiqh), with public morality being central to how harassment cases are handled. The main legal clause dealing with harassment is Article 619 of the Islamic Penal Code, which punishes acts of disturbing or annoying women and children in public spaces (Islamic Penal Code of Iran, 2013). Yet, this provision is quite limited—it doesn't offer a clear or broad definition of what harassment entails. Plus, the focus on public spaces leaves a big grey area where private or digital harassment isn't really addressed. Add to this the widespread social stigma, the difficulties in collecting proof, and traditional gender norms, and enforcing these laws becomes quite complicated (Hoodfar & Sadeghi, 2019).

Turkey presents a rather different picture. Its legal system has seen substantial reforms over the last twenty years, especially as part of harmonizing with European Union standards. The Turkish Penal Code (TPC) defines sexual harassment in Article 105 and adopts a gender-neutral approach that lines up with wider human rights values (Turkish Penal Code, 2004). Turkey has also passed Law No. 6284, aimed at protecting families and preventing violence against women. This law grants strong procedural safeguards, like restraining orders and emergency interventions. While political shifts and debates about gender policy continue, Turkey still holds one of the region's more progressive legal frameworks in this area (Arslan, 2021).

The United Arab Emirates, meanwhile, combines Islamic principles with modern legal reforms to form a rather hybrid system. Recently, the UAE updated its penal code with Federal Decree-Law No. 31 of 2021, which criminalizes many types of harassment, including online harassment, verbal abuse, and unwanted physical contact (UAE Penal Code, 2021). The UAE's fast-paced modernization, its culturally diverse population, and its strong focus on maintaining public order have led to a legal approach that's both comprehensive and strict. Punishments can be quite harsh, especially for expatriates, reflecting the country's broader goal of preserving social stability (Al-Suwaidi, 2022).

1.1 Problem Statement

Although all three countries have laws addressing harassment, there remain notable variations in how harassment is defined, the scope of the laws, how they are enforced, and the legal principles underlying them. These differences prompt important questions regarding how effective criminal law is at protecting women from harassment. It also raises the issue of how much cultural, religious, and political influences shape these legal measures. Because of this, a comparative study is necessary to uncover the relative strengths, weaknesses, and possible areas that might benefit from reform.

1.2 Research Questions

The following questions guide this study:

1. In what ways do Iran, Turkey, and the UAE legally define and criminalize harassment of women?
2. What similarities and distinctions exist in the scope and enforcement of anti-harassment laws across these countries?
3. To what extent do cultural, religious, and international norms impact the formation of these legal frameworks?
4. What can be learned from comparing these countries that might help improve legal protections for women?

1.3 Hypotheses

Based on an initial review, this research suggests these hypotheses:

- H1: Turkey's legal framework probably offers the most comprehensive and modern understanding of harassment, reflecting its engagement with European human rights standards.
- H2: Iran's legal framework is expected to be the most restrictive, largely shaped by traditional Islamic jurisprudence.
- H3: The UAE's system, influenced by Sharia but supplemented by recent statutory reforms, represents a hybrid model with relatively robust enforcement.
- H4: Cultural and religious values play a significant role in how harassment is criminalized and enforced in all three countries, though the degree varies.

1.4 Methodology

This study uses a doctrinal and comparative legal approach which includes:

- Analyzing relevant criminal statutes
- Reviewing judicial interpretations when available
- Examining policy papers and governmental reports
- Comparing legal definitions, penalties, and procedural safeguards across jurisdictions
- Taking into account international human rights frameworks, such as CEDAW and regional treaties

This approach allows for a structured comparison of the relevant legal systems and how effectively they address harassment against women.

1.5 Significance of the Study

The research adds to the literature on gender-based violence and comparative criminal law by examining three significant Middle Eastern legal systems in some detail. Its findings can have practical value for policymakers, legal experts, and human rights groups aiming to enhance protections for women. By identifying weaknesses and proposing potential reforms, the study hopes to contribute toward more consistent and victim-focused legal frameworks.

2. Theoretical Framework

Analysis of criminal law pertaining to harassment of women must begin with an understanding of concepts. There is significant variation across jurisdictions regarding the definition of harassment, the proliferation of different types of harassment, and the point at which behavior is considered criminal. This section explains the fundamentals of harassment as a concept, the different types of harassment, and how international human rights law have been incorporated into the domestic law of different jurisdictions. These fundamentals will be crucial to understanding the legal systems of Iran, Turkey, and the UAE.

2.1 Concept and Definition of Harassment

Harassment can be defined as a wide range of behaviors aimed at disturbing, threatening, or violating the dignity of someone else. In the context of legal studies, harassment is regarded as unwanted behavior that is hostile, humiliating, or threatening (Fitzgerald & Cortina, 2018). Nonetheless, there are a number of jurisdictions in which there is significant definitional variance due to differing cultural practices, societal expectations, and legal customs. In criminology, harassment is often viewed as a form of gender violence, rooted in unequal power relations between men and women (Kelly, 2019). Feminist legal scholars suggest that harassment serves as a form of social control that is characterized by the reinforcement of patriarchal structures which confines women's ability to move and to be active in the public sphere

(MacKinnon, 2016). This position underscores the role of criminal law in dealing with individual acts as well as the dominant social structures that constitute systemic inequities.

Most jurisdictions describe harassment in different ways, such as:

- Verbal harassment, like insults, sexual remarks, and threats
- Physical harassment, such as unwanted touching and obstruction
- Psychological harassment, including intimidation and coercion
- Digital or cyber harassment, such as threats and stalking, and spreading personal information without consent

As the digital world keeps developing, so does the world of harassment, causing many nations to reform their criminal laws to include online harassment. (Citron, 2014).

2.2 Harassment as a Criminal Offense

The purposes of criminalizing harassment include protecting the dignity of individuals, ensuring the peace and order of society, and advancing equality of the sexes. There are, however, significant challenges associated with the criminalization of behaviors. These challenges stem from the problems associated with defining the boundaries of criminal conduct and behaviors that are simply socially unacceptable. The legal system faces the dilemma of how to adequately provide protection to individuals and how to allay the fears associated with excessive criminalization and the infringement of rights associated with the freedom of expression. The general theory of criminal law classifies harassment as a conduct crime. The law here makes a determination of liability based on the commission of the act, as opposed to the legal result that was intended (Ashworth & Horder, 2013) Harassment offenses are therefore differentiated from crimes of assault that are result crimes. In the case of assault, legal injury must be demonstrated. The subjective nature of the offense of harassment means that there will be feelings of discomfort, anxiety, or fear. Harassment offenses create the dilemma of how to draw the line that the conduct of the offender has crossed the line of mere social unacceptable behavior to socially unacceptable criminal behavior. Some jurisdictions attempt to provide clear social standards. In doing so, they apply the socially reasonable person approach where a determination will be made as to whether a person of average social standing would view the conduct as conduct that person would socially view as harassment. Other jurisdictions place the determination on the social standing of the individual. In doing so, they emphasize the social dignity and autonomy of the individual (Baker, 2020). Jurisdictions that adopt these approaches will have varying degrees of enforcement and tolerance of the laws on harassment. These approaches are seen as socially acceptable in the jurisdictions in which they are practiced.

2.3 Cultural and Religious Influences on Legal Definitions

Islamic jurisprudence (fiqh) has influenced Middle Eastern countries' (including Iran and the UAE) legal definitions of harassment focusing on modesty, and public morality, and social order. Legal definitions of harassment also consider public morality by integrating *hurmat al 'ird* (the protection of honor) and *amr bi l ma'ruf* (the promotion of virtue) (Hallaq, 2009). While Turkey is also a Middle Eastern country, and has a Muslim majority, the country has aggressively pursued secularization during the 20th century resulting in a legal system that is for the most part, influenced by the European civil law system, rather than any system of religious law. While there is a secular legal system in Turkey, the definition of harassment is not only more extensive, but is also relatively more gender neutral compared to the definitions of harassment in Iran and the UAE. The social context is also important. In highly gender segregated societies, or conservative social value systems, the framing of harassment can focus on public decency rather than the violation of women's rights (Moghadam, 2021). When analyzing the legal systems in different countries, it is important to consider such social context.

2.4 International Human Rights Standards

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International standards emphasize:

- Broad definitions of harassment
- Gender-neutral legal drafting
- Protection of victims' rights
- Effective enforcement mechanisms
- Recognition of digital harassment

These principles serve as benchmarks for evaluating national legal frameworks.

2.5 Digital Harassment and Modern Legal Challenges

The emergence of social media and other types of digital communication has led to the emergence of new forms of harassment that fall outside the reach of traditional criminal laws. Digital harassment includes: - Cyberstalking - Threats - Image-sharing without consent - Unwanted messages - Doxxing (the act of publishing private information) Some legal scholars posit that the potential for anonymity, permanence, and wide dissemination Digital harassment is as injurious as physical harassment (Citron, 2014). Like many other nations, Turkey and the UAE, have amended their pluralistic cybercrime laws. Despite the existence of cybercrime laws, enforcement remains inconsistent in Iran (Rahimi, 2020).

2.6 Evidentiary and Procedural Considerations

Harassment is a challenging crime to legally prove because of its subjective, or non-physical, nature. Legal systems must consider: - What is adequacy of evidence? - Is witness testimony necessary? - How is evidence of digital/physical harassment authenticated? - Is the victim's perspective the most distracting? The purpose of harassment laws is preventative, so most jurisdictions require less evidence for harassment than for violent crimes (Baker, 2020). By contrast, jurisdictions influenced by religious law, such as Iran, are particularly challenging because testimony or confessions are a prerequisite to prove harassment (Hoodfar & Sadeghi, 2019).

3. Harassment Against Women in Iranian Criminal Law

In Iran, the harassment of women is regulated by an interplay of Islamic fiqh and culture, the Islamic Penal Code (IPC), and the IPC's associated structures. Iran does, in fact, criminally punish harassment; however, Iran's criminalization, definitions, and enforcement of harassment laws starkly contrast with international norms. This part analyzes the Iran harassment law's of statutes, judicial decisions, and practical difficulties.

3.1 Historical and Legal Context

Iran's Justice system is impacted by Islamic laws and specifically Shi'a laws. After the 1979 Islamic revolution, the legal system was significantly Islamized, and one of the first things to be done was the integration of some of the principles of Sharia into the codified criminal laws (Mir Hosseini, 2011). Many legal methods to respond to a crime of a gender nature will take into consideration the public morality, modesty and the legal protection of the honor. The Islamic Penal Code is the chief exponent of criminal law in Iran and has been revised up to 2013. Although the IPC has laid down some provisions on harassment, it is not in the context of a comprehensive framework aimed specifically at gender-based violence. Harassment is, however, approached through some laws on public order, morality, and the protection of women and children.

3.2 Article 619:

The Most Important Provision on Harassment The most important legal provision regarding harassment against women is Article 619 of the Islamic Penal Code. This Article states, "Any person who disrupts or harasses women or children in public areas or on the streets, commits indecent acts or verbally abuses them, is sentenced to imprisonment from 2 to 6 months and receives up to 74 lashes." (Islamic Penal Code of Iran, 2013)

This article has a number of issues:

The Provision Is Limited to Certain Public Spaces Only Article 619 is applicable only in public spaces, such as streets, parks, and public transit. This provision means that harassment in private places such as workplaces, private homes, private cars, etc is not covered. This is an enormous legal coverage deficit, especially considering that most forms of harassment take place in private or semi private places (Hoodfar & Sadeghi, 2019).

No Clear Definition The article gives no clear definition of "disturbing" or "harassing." So, it is mostly a matter of judicial interpretation. This leads to various outcomes and the ambiguity is problematic for the victims and the offenders (Rahimi, 2020)

3.2.1 Emphasis on Public Morality

The reference to "obscene acts" and "insults" reveals a broader focus on public morality rather than a gender-specific conception of harassment. In this approach, the law's primary objective appears to be the preservation of social order, rather than the protection of women's autonomy and dignity as a distinct legal interest (Moghadam, 2021).

3.3 Other Relevant Provisions in Iranian Law

Although Article 619 is the main provision on harassment, several other articles indirectly cover conduct that can amount to harassment.

3.3.1 Article 638: Acts Contrary to Public Morality

Article 638 criminalizes conduct that violates public decency, including "improper" dress or behavior. While it does not explicitly target harassment, it is frequently relied upon in cases involving interactions between men and women in public spaces (Islamic Penal Code of Iran, 2013). Critics contend that Article 638 is often used to regulate women's conduct and appearance, rather than to protect them from harassment (Hoodfar & Sadeghi, 2019).

3.3.2 Article 608: Insulting Individuals

Article 608 penalizes insulting other persons, including women. However, it is not tailored to address gender-based harassment and is generally applied in a broad, non-gender-specific context (Rahimi, 2020).

3.3.3 Computer Crimes Law (2009)

In response to the expansion of digital communication, Iran adopted the Computer Crimes Law, which contains provisions on online harassment, threats, and the dissemination of private images. Although this law offers a measure of protection against digital forms of harassment, its enforcement is uneven, and victims often encounter substantial obstacles when attempting to report and pursue online abuse (Karimi, 2021).

3.4 Judicial Interpretation and Enforcement

Judicial interpretation is pivotal in determining how harassment-related provisions operate in practice. Many Iranian judges, trained primarily in Islamic jurisprudence, tend to rely on traditional notions of modesty and morality when assessing harassment claims (Mir-Hosseini, 2011).

3.4.1 Evidentiary Challenges

Establishing harassment is often difficult due to strict evidentiary standards. Courts commonly require:

- Witness testimony
- Confession by the perpetrator
- Clear physical or material evidence

Since harassment frequently occurs outside the presence of witnesses, victims may find it challenging to satisfy these requirements (Hoodfar & Sadeghi, 2019). Digital evidence, such as videos, photographs, or messages, is being accepted more frequently, but its evidentiary weight remains subject to judicial discretion.

3.4.2 Social Stigma and Underreporting

Cultural norms relating to modesty, honor, and family reputation discourage many women from reporting harassment. Fear of social stigma, victim-blaming, or retaliation is a major factor contributing to underreporting (Moghadam, 2021). In some instances, women who bring complaints may themselves be scrutinized or charged under morality-related provisions.

3.4.3 Police Discretion

Law enforcement officers exercise considerable discretion in deciding whether harassment complaints advance to the courts. Empirical studies indicate that police responses are inconsistent: some officers downplay complaints as trivial or advise women to avoid particular public spaces, instead of facilitating formal legal action (Karimi, 2021).

3.5 Cultural and Religious Influences

Iran's approach to harassment is shaped by cultural and religious values emphasizing modesty, gender segregation, and protection of public morality. These values influence both the drafting of laws and their enforcement.

3.5.1 Gendered Expectations

Women are often expected to dress and behave modestly to avoid attracting unwanted attention. This expectation can shift responsibility from perpetrators to victims, reinforcing patriarchal norms (Hoodfar & Sadeghi, 2019).

3.5.2 Public Morality vs. Women's Rights

The legal framework prioritizes public morality over individual rights. As a result, harassment is often framed as a threat to social order rather than a violation of women's dignity (Moghadam, 2021).

3.6 Strengths and Weaknesses of the Iranian Framework

Strengths

- Existence of a specific criminal provision (Article 619)
- Recognition of digital harassment under cybercrime laws
- Potential for judicial interpretation to expand protections

Weaknesses

- Limited scope (public spaces only)
- Lack of clear legal definitions
- Strict evidentiary requirements
- Cultural barriers to reporting
- Emphasis on morality rather than gender-based violence

4. Harassment Against Women in Turkish Criminal Law

Turkey presents one of the most dynamic and evolving legal frameworks in the Middle East regarding harassment against women. Unlike Iran and the UAE, Turkey's criminal justice system is rooted in a civil law tradition influenced by European legal models, particularly the Swiss Civil Code and the Italian Penal Code. Over the past two decades, Turkey has undergone significant legal reforms aimed at harmonizing its laws with European Union (EU) standards, especially during the period when EU accession negotiations were active. These reforms have had a profound impact on the criminalization of harassment, the protection of women, and the modernization of procedural safeguards (Arslan, 2021).

This section examines the statutory provisions, judicial interpretations, and enforcement mechanisms related to harassment in Turkey, highlighting the country's relatively progressive approach compared to other jurisdictions in the region.

4.1 Historical and Legal Context

Turkey's legal system has been shaped by a long history of secularization, beginning with the reforms of Mustafa Kemal Atatürk in the 1920s. The adoption of Western legal codes marked a decisive shift away from Ottoman Islamic law toward a modern, secular legal framework (Zürcher, 2017). This foundation has enabled Turkey to incorporate contemporary human rights principles into its criminal law, particularly in relation to gender-based violence.

The early 2000s marked a turning point in Turkey's legal approach to women's rights. Driven by EU harmonization packages, Turkey revised its penal code in 2004, introducing clearer definitions of sexual crimes, expanding protections for women, and adopting a more gender-neutral approach to criminal

offenses (Arslan, 2021). These reforms laid the groundwork for the current legal framework addressing harassment.

4.2 Article 105 of the Turkish Penal Code: Sexual Harassment

The central provision addressing harassment in Turkey is Article 105 of the Turkish Penal Code (TPC). The article defines sexual harassment as:

“Any person who sexually harasses another person shall be sentenced to imprisonment from three months to two years or a judicial fine.”

(Turkish Penal Code, 2004)

This definition is notable for several reasons:

4.2.1 Gender-Neutral Drafting

Unlike Iran’s Article 619, which explicitly focuses on women and children, Article 105 applies to all individuals, reflecting a modern, rights-based approach. This gender-neutrality aligns with European human rights standards and emphasizes the universality of personal dignity (European Commission, 2019).

4.2.2 Broad Definition of Harassment

The term “sexual harassment” is interpreted broadly to include:

- Unwanted sexual advances
- Verbal harassment
- Non-verbal gestures
- Physical attempts at contact
- Persistent pursuit or intimidation

Turkish courts have interpreted the provision to include a wide range of behaviors, including digital harassment and workplace harassment (Çelik, 2020).

4.2.3 Aggravating Circumstances

Article 105 includes enhanced penalties when:

- The perpetrator abuses a position of authority
- The victim is a child
- The harassment occurs in the workplace, school, or within hierarchical relationships

These aggravating factors reflect a nuanced understanding of power dynamics and vulnerability (Arslan, 2021).

4.3 Law No. 6284: Protection of the Family and Prevention of Violence Against Women

In addition to the penal code, Turkey has enacted Law No. 6284, a comprehensive statute aimed at preventing violence against women and providing protective measures. Although not limited to harassment, the law plays a crucial role in addressing harassment-related cases.

4.3.1 Protective Measures

Law No. 6284 authorizes:

- Restraining orders
- Removal of the perpetrator from the home
- Protection of the victim's identity
- Provision of shelter and financial assistance

These measures can be applied even in the absence of a criminal conviction, reflecting a preventive and victim-centered approach (Kaya, 2020).

4.3.2 Alignment with International Standards

The law was originally enacted to comply with the Istanbul Convention, which Turkey signed in 2011. Although Turkey withdrew from the Convention in 2021, many of the legal reforms inspired by it remain in place (Arslan, 2021).

4.4 Digital Harassment and Cybercrime Legislation

Turkey has recognized the growing threat of digital harassment and incorporated relevant provisions into its cybercrime laws. Under the Law on Regulation of Internet Publications (No. 5651), authorities can block websites, remove harmful content, and prosecute individuals for online harassment, threats, or dissemination of private images (Çelik, 2020).

Turkish courts have increasingly accepted digital evidence, such as:

- Social media messages
- Emails
- Video recordings
- IP address tracking

This modern approach enhances the enforceability of harassment laws in the digital age.

4.5 Judicial Interpretation and Enforcement

Judicial interpretation in Turkey tends to be more progressive compared to Iran and the UAE, largely due to the influence of European human rights jurisprudence.

4.5.1 Victim-Centered Interpretation

Turkish courts often prioritize the victim's experience when determining whether conduct constitutes harassment. This aligns with feminist legal theories emphasizing the subjective impact of harassment (Baker, 2020).

4.5.2 Evidentiary Standards

Unlike Iran, Turkey does not require strict witness testimony. Courts accept:

- Digital evidence

- Audio recordings
- Psychological reports
- Testimony from a single witness

This flexibility increases the likelihood of successful prosecution (Çelik, 2020).

4.5.3 Challenges in Enforcement

Despite progressive laws, enforcement remains inconsistent due to:

- Political polarization
- Limited resources in rural areas
- Social stigma surrounding reporting
- Occasional reluctance by police to intervene in “private matters” (Kaya, 2020)

4.6 Cultural and Political Influences

Turkey’s approach to harassment is shaped by a complex interplay of secular legal traditions and conservative cultural norms.

4.6.1 Secular Legal Framework

The secular nature of the Turkish legal system allows for modern, rights-based definitions of harassment, free from religious constraints (Zürcher, 2017).

4.6.2 Conservative Social Norms

Despite legal reforms, conservative attitudes persist, particularly in rural regions. These norms can discourage women from reporting harassment or seeking legal remedies (Kaya, 2020).

4.6.3 Political Dynamics

Turkey’s withdrawal from the Istanbul Convention in 2021 sparked significant debate. Critics argue that the withdrawal may weaken protections for women, while supporters claim it restores national sovereignty (Arslan, 2021). Nonetheless, the core legal framework addressing harassment remains intact.

4.7 Strengths and Weaknesses of the Turkish Framework

Strengths

- Broad and gender-neutral legal definitions
- Strong procedural protections under Law No. 6284
- Modern approach to digital harassment
- Flexible evidentiary standards
- Alignment with European human rights norms

Weaknesses

- Inconsistent enforcement

- Social stigma and cultural barriers
- Political uncertainty regarding women's rights
- Limited resources for victim support in rural areas

5. Harassment Against Women in the Criminal Law of the United Arab Emirates

The United Arab Emirates (UAE) represents a unique hybrid legal system in the Middle East, combining Islamic jurisprudence (Sharia), civil law principles, and modern statutory reforms. Over the past two decades, the UAE has undergone rapid social and economic transformation, accompanied by significant legal modernization. These reforms have included substantial updates to the penal code, cybercrime legislation, and laws governing public morality and personal safety. As a result, the UAE has developed one of the most comprehensive legal frameworks in the region for addressing harassment, including verbal, physical, and digital forms of misconduct (Al-Suwaidi, 2022).

This section examines the statutory provisions, enforcement mechanisms, and cultural influences shaping the UAE's approach to harassment against women.

5.1 Historical and Legal Context

The UAE's legal system is grounded in a combination of Sharia principles, civil law traditions, and federal statutory law. While Sharia influences areas such as family law and morality offenses, the penal code has increasingly incorporated modern legal concepts aligned with international standards (Al-Tamimi, 2020).

The UAE's rapid modernization, diverse expatriate population, and emphasis on public order have driven the development of strict laws governing harassment. The government has prioritized creating a safe environment for residents and visitors, particularly in public spaces and workplaces.

In 2021, the UAE enacted Federal Decree-Law No. 31 of 2021, a major reform of the penal code that updated definitions of harassment, strengthened penalties, and expanded protections for women and vulnerable groups (UAE Penal Code, 2021).

5.2 Legal Definition of Harassment under Federal Decree-Law No. 31 of 2021

The 2021 penal code provides a broad and modern definition of harassment. Article 412 criminalizes:

“Any act of harassment, molestation, stalking, or unwanted pursuit, whether verbal, physical, or through technological means.”

(UAE Penal Code, 2021)

This definition is notable for several reasons:

5.2.1 Broad Scope of Criminalization

Unlike Iran's Article 619, which is limited to public spaces, the UAE's definition applies to both public and private settings, including workplaces, homes, and digital environments (Al-Suwaidi, 2022).

5.2.2 Inclusion of Digital Harassment

The explicit reference to “technological means” reflects the UAE's recognition of cyber harassment as a major contemporary threat. This aligns with global trends and international human rights recommendations (Citron, 2014).

5.2.3 Gender-Neutral Drafting

Although harassment laws are often applied in cases involving women, the statutory language is gender-neutral, protecting all individuals regardless of gender (UAE Penal Code, 2021).

5.2.4 Severe Penalties

Penalties for harassment can include:

- Imprisonment
- Fines
- Deportation for expatriates

The possibility of deportation reflects the UAE's broader approach to maintaining public order and safety (Al-Tamimi, 2020).

5.3 Cybercrime Legislation and Digital Harassment

The UAE has one of the most advanced cybercrime frameworks in the region. Federal Decree-Law No. 34 of 2021 on Combating Rumors and Cybercrimes criminalizes:

- Online harassment
- Threats and blackmail
- Dissemination of private images
- Unauthorized access to personal data
- Defamation and insults via electronic means

Digital harassment is treated as a serious offense, with penalties including imprisonment and substantial fines (Al-Suwaidi, 2022). The UAE's strict cybercrime laws reflect its commitment to regulating online behavior and protecting individuals from digital abuse.

5.4 Public Morality and Decency Laws

The UAE maintains strict laws governing public decency, modesty, and social conduct. These laws complement harassment provisions by regulating behavior in public spaces.

5.4.1 Public Decency Regulations

Acts such as:

- Making inappropriate comments
- Gestures of a sexual nature
- Following or stalking women
- Photographing individuals without consent

are criminalized under public morality laws (Al-Tamimi, 2020).

5.4.2 Interaction with Harassment Laws

Public morality laws often overlap with harassment provisions, allowing prosecutors to charge offenders under multiple articles depending on the severity of the conduct.

5.5 Workplace Harassment and Labor Law Protections

The UAE has strengthened workplace protections through updates to the Labor Law (Federal Decree-Law No. 33 of 2021), which prohibits:

- Sexual harassment
- Bullying
- Verbal, physical, or psychological abuse
- Discrimination based on gender

Employers are required to maintain safe working environments, and victims can file complaints with the Ministry of Human Resources and Emiratisation (MHRE) (Khan, 2022).

These protections are particularly important in a country where expatriates make up the majority of the workforce.

5.6 Judicial Interpretation and Enforcement

The UAE's judiciary applies harassment laws strictly, reflecting the country's emphasis on public order and safety.

5.6.1 Evidentiary Standards

Courts accept a wide range of evidence, including:

- CCTV footage
- Digital messages
- Witness testimony
- Forensic analysis of devices

This modern evidentiary approach enhances the enforceability of harassment laws (Al-Suwaidi, 2022).

5.6.2 Police Response

Law enforcement agencies in the UAE are known for rapid response times and strict enforcement of harassment laws. Victims can report incidents through:

- Police stations
- Online platforms
- Mobile applications

This accessibility encourages reporting and enhances victim protection (Khan, 2022).

5.6.3 Deportation as a Deterrent

For expatriates, deportation serves as a powerful deterrent. Courts frequently impose deportation in harassment cases, particularly when the conduct involves physical contact or digital blackmail (Al-Tamimi, 2020).

5.7 Cultural and Social Influences

The UAE's approach to harassment is shaped by a combination of traditional values and modern social dynamics.

5.7.1 Protection of Public Order

The UAE places strong emphasis on maintaining public order, safety, and social harmony. Harassment is viewed not only as a violation of individual rights but also as a threat to societal stability (Al-Suwaidi, 2022).

5.7.2 Diverse Population

With over 80% of the population consisting of expatriates, the UAE has developed strict laws to regulate interactions among diverse cultural groups (Khan, 2022).

5.7.3 Balancing Modernity and Tradition

The UAE's legal reforms reflect an effort to balance Islamic values with global standards of human rights and gender equality.

5.8 Strengths and Weaknesses of the UAE Framework

Strengths

- Broad and modern definition of harassment
- Strong cybercrime legislation
- Strict enforcement and deterrent penalties
- Gender-neutral legal drafting
- Comprehensive workplace protections

Weaknesses

- Potential over-criminalization due to strict public morality laws
- Risk of deportation may discourage expatriates from reporting incidents
- Limited transparency in some judicial proceedings

6. Comparative Analysis of Harassment Laws in Iran, Turkey, and the United Arab Emirates

A comparative examination of the legal frameworks governing harassment against women in Iran, Turkey, and the United Arab Emirates (UAE) reveals three distinct models shaped by divergent legal traditions, cultural norms, and political trajectories. Although all three jurisdictions criminalize harassment, their approaches differ substantially in terms of legal definitions, scope of criminalization, evidentiary standards, digital protections, enforcement mechanisms, and alignment with international human rights norms. These differences reflect deeper structural and ideological distinctions that influence how each country conceptualizes and responds to harassment.

6.1 Differences in Legal Definitions and Conceptual Foundations

The first major point of divergence concerns how each legal system defines harassment.

In Iran, the definition is narrow and rooted in Islamic jurisprudence. Article 619 of the Islamic Penal Code criminalizes disturbing or harassing women and children in public spaces, but the law does not articulate a precise definition of harassment (Islamic Penal Code of Iran, 2013). The absence of definitional clarity leaves interpretation to judicial discretion and frames harassment primarily as a threat to public morality rather than a violation of personal autonomy (Hoodfar & Sadeghi, 2019).

In contrast, Turkey adopts a modern, gender-neutral, and expansive definition under Article 105 of the Turkish Penal Code. The law criminalizes any form of sexual harassment, including verbal, non-verbal, and physical conduct, and does not limit the offense to specific locations (Turkish Penal Code, 2004). This reflects Turkey's broader human-rights-oriented legal philosophy, influenced by European civil law traditions and EU harmonization reforms (Arslan, 2021).

The UAE provides one of the most comprehensive definitions in the region. Federal Decree-Law No. 31 of 2021 criminalizes harassment, molestation, stalking, and unwanted pursuit, whether committed verbally, physically, or through technological means (UAE Penal Code, 2021). The definition is broad, modern, and explicitly includes digital harassment, reflecting the UAE's hybrid legal system that blends Sharia principles with contemporary statutory reforms (Al-Suwaidi, 2022).

Overall, Turkey and the UAE adopt broad and modern definitions, while Iran maintains a morality-based and limited definition, resulting in significant differences in legal protection.

6.2 Scope of Criminalization and Protected Spaces

The scope of criminalization also varies significantly.

In Iran, harassment is criminalized only when it occurs in public spaces. This limitation excludes harassment in private settings such as workplaces, homes, or private vehicles, despite evidence that many forms of harassment occur in such environments (Rahimi, 2020). The law's focus on public morality rather than gender-based violence further narrows its applicability.

Turkey, however, criminalizes harassment regardless of location. The combination of Article 105 and Law No. 6284 ensures that harassment in workplaces, educational institutions, private residences, and digital environments can be prosecuted (Kaya, 2020). This broad scope reflects a victim-centered approach.

The UAE similarly criminalizes harassment in both public and private settings. The law explicitly covers digital spaces, workplaces, and domestic environments, ensuring comprehensive protection (Al-Suwaidi, 2022). This broad scope aligns with the UAE's emphasis on public order and social stability.

Thus, while Iran's scope is highly restricted, Turkey and the UAE provide wide-ranging protection across multiple environments.

6.3 Evidentiary Standards and Judicial Interpretation

Evidentiary standards play a crucial role in determining the effectiveness of harassment laws.

In Iran, evidentiary rules are influenced by Islamic jurisprudence, often requiring witness testimony, confession, or clear physical evidence (Hoodfar & Sadeghi, 2019). Given that harassment frequently occurs without witnesses, these requirements create significant barriers to prosecution. Digital evidence is accepted but inconsistently evaluated.

Turkey employs more flexible evidentiary standards. Courts accept digital messages, audio recordings, psychological assessments, and even single-witness testimony (Çelik, 2020). This flexibility increases the likelihood of successful prosecution and reflects a modern understanding of harassment dynamics.

The UAE adopts a technologically advanced evidentiary approach. Courts routinely rely on CCTV footage, digital communications, forensic device analysis, and witness testimony (Al-Suwaidi, 2022). The UAE's extensive surveillance infrastructure further strengthens evidentiary capabilities.

Comparatively, Iran's evidentiary system is the most restrictive, Turkey's is moderately flexible, and the UAE's is the most technologically advanced.

6.4 Digital Harassment and Cybercrime Regulation

Digital harassment is an increasingly important dimension of criminal law.

In Iran, the Computer Crimes Law (2009) criminalizes online threats, defamation, and dissemination of private images, but enforcement is inconsistent and often influenced by political considerations (Karimi, 2021).

Turkey has integrated digital harassment into its legal framework through Law No. 5651, which regulates online publications and allows authorities to remove harmful content and prosecute offenders (Çelik, 2020). Courts frequently accept digital evidence, making enforcement more effective.

The UAE has one of the strictest cybercrime regimes in the region. Federal Decree-Law No. 34 of 2021 criminalizes online harassment, blackmail, doxing, and unauthorized access to personal data, with severe penalties including imprisonment and heavy fines (Al-Suwaidi, 2022).

In comparative terms, the UAE provides the strongest digital protections, followed by Turkey, while Iran's framework remains functional but less effective.

6.5 Enforcement Mechanisms and Institutional Capacity

Enforcement capacity varies widely across the three jurisdictions.

In Iran, enforcement is hindered by social stigma, police reluctance, and the prioritization of morality policing over victim protection (Moghadam, 2021). Many women avoid reporting harassment due to fear of being blamed or scrutinized under morality laws.

Turkey has developed specialized units and protective mechanisms, including restraining orders and emergency measures under Law No. 6284 (Kaya, 2020). However, enforcement remains uneven, particularly in rural areas where conservative norms are stronger.

The UAE has the most robust enforcement system. Police respond rapidly, courts impose strict penalties, and victims can report incidents through accessible digital platforms (Khan, 2022). Deportation serves as a powerful deterrent for expatriates.

Thus, the UAE demonstrates the strongest enforcement, Turkey shows moderate but improving enforcement, and Iran exhibits the weakest enforcement due to structural and cultural barriers.

6.6 Cultural and Religious Influences on Legal Application

Cultural and religious norms significantly shape how harassment laws are interpreted and enforced.

In Iran, Islamic modesty norms, gender segregation, and patriarchal expectations influence both legal drafting and enforcement. Harassment is often framed as a threat to public morality rather than a violation of women's rights (Hoodfar & Sadeghi, 2019).

In Turkey, secular legal traditions coexist with conservative social norms. While the legal system is modern and rights-based, cultural attitudes—especially in rural regions—can discourage reporting and limit enforcement (Zürcher, 2017).

In the UAE, Islamic values coexist with a cosmopolitan social environment shaped by a diverse expatriate population. The government's emphasis on public order and social harmony strongly influences the strict enforcement of harassment laws (Al-Tamimi, 2020).

Overall, cultural influences are strongest in Iran, moderate in the UAE, and weakest in Turkey due to its secular legal foundation.

6.7 Alignment with International Human Rights Standards

International human rights norms also play a role in shaping national legal frameworks.

Iran has not ratified CEDAW and maintains a legal system that diverges significantly from international standards (Mir-Hosseini, 2011).

Turkey previously aligned strongly with international norms through EU harmonization and the Istanbul Convention, though its 2021 withdrawal created uncertainty (Arslan, 2021). Nevertheless, many reforms remain in place.

The UAE has ratified CEDAW and implemented modern reforms, though it maintains reservations related to Sharia-based provisions (Al-Suwaidi, 2022).

Thus, Turkey and the UAE show partial alignment, while Iran shows minimal alignment with global standards.

6.8 Overall Comparative Evaluation

Taken together, the comparative analysis reveals three distinct models:

- Iran maintains a traditional, morality-based, and limited framework with significant gaps in protection.
- Turkey offers a balanced, modern, and rights-based framework, though enforcement challenges persist.
- The UAE provides the strictest and most technologically advanced system, with strong enforcement but potential concerns regarding over-criminalization and deportation policies.

These differences underscore the importance of legal, cultural, and institutional contexts in shaping the effectiveness of harassment laws.

7. Conclusion

The comparative analysis of harassment laws in Iran, Turkey, and the United Arab Emirates (UAE) demonstrates that although all three jurisdictions criminalize harassment, their legal frameworks differ profoundly in structure, scope, enforcement, and underlying legal philosophy. These differences reflect broader variations in political systems, cultural norms, religious influences, and levels of engagement with international human rights standards.

The study reveals that Iran, despite having a specific provision addressing harassment (Article 619), maintains a narrow and morality-based approach. The law focuses primarily on public spaces and lacks a clear definition of harassment, leaving significant gaps in protection. Strict evidentiary requirements, cultural stigma, and the prioritization of public morality over individual rights further limit the effectiveness of Iran's legal framework (Hoodfar & Sadeghi, 2019). As a result, many forms of harassment—particularly digital harassment, workplace harassment, and harassment in private settings—remain inadequately addressed.

In contrast, Turkey offers a more modern and rights-based framework. Article 105 of the Turkish Penal Code provides a broad, gender-neutral definition of sexual harassment, and Law No. 6284 introduces

strong protective measures, including restraining orders and emergency protections (Kaya, 2020). Turkey's legal system is rooted in secular civil law traditions, and its reforms have been influenced by European Union harmonization processes. Although enforcement challenges persist—particularly in rural areas where conservative norms remain strong—Turkey's legal framework is comparatively comprehensive and aligned with international human rights standards (Arslan, 2021).

The UAE presents a hybrid model that blends Islamic principles with modern statutory reforms. Federal Decree-Law No. 31 of 2021 provides one of the most expansive definitions of harassment in the region, covering verbal, physical, psychological, and digital forms of misconduct. The UAE also has one of the strictest cybercrime regimes, with severe penalties for online harassment, blackmail, and unauthorized dissemination of personal information (Al-Suwaidi, 2022). Enforcement is strong, supported by advanced technological infrastructure and rapid police response. However, concerns remain regarding potential over-criminalization and the use of deportation as a punitive measure for expatriates.

Taken together, the findings indicate that Turkey and the UAE have made significant progress toward modernizing their legal frameworks, while Iran's framework remains limited and in need of substantial reform. The differences among the three countries highlight the importance of legal clarity, broad definitions, flexible evidentiary standards, and strong enforcement mechanisms in effectively addressing harassment against women.

7.1 Recommendations

Based on the comparative analysis, several recommendations can be proposed to strengthen legal protections against harassment in all three jurisdictions, particularly in Iran, where reforms are most urgently needed.

1. Adopt Clear and Comprehensive Legal Definitions

A precise and comprehensive definition of harassment is essential for effective enforcement.

Iran should revise Article 619 to include:

- Verbal, physical, psychological, and digital harassment
- Harassment in both public and private spaces
- Stalking and persistent unwanted pursuit

Turkey and the UAE already provide broader definitions, but further refinement—particularly regarding psychological harm—could enhance clarity (Arslan, 2021).

2. Expand the Scope of Criminalization

Iran's limitation of harassment to public spaces leaves significant gaps.

Legal reforms should ensure protection in:

- Workplaces
- Educational institutions
- Private residences
- Digital environments

Turkey and the UAE already criminalize harassment in these settings, offering useful models for reform (Kaya, 2020; Al-Suwaidi, 2022).

3. Modernize Evidentiary Standards

Strict evidentiary requirements in Iran hinder prosecution.

Reforms should include:

- Acceptance of digital evidence
- Use of psychological assessments
- Reduced reliance on multiple witnesses
- Clear guidelines for evaluating electronic communications

Turkey's flexible evidentiary approach provides a strong comparative model (Çelik, 2020).

4. Strengthen Digital Harassment Protections

Given the rise of online abuse, all three countries should ensure robust cybercrime legislation.

Iran, in particular, should:

- Expand definitions of digital harassment
- Improve enforcement mechanisms
- Enhance digital literacy and reporting tools

The UAE's cybercrime framework offers a leading example in the region (Al-Suwaidi, 2022).

5. Enhance Enforcement Mechanisms and Victim Support

Effective enforcement requires institutional capacity and victim-centered procedures.

Recommended measures include:

- Specialized police units
- Hotlines and online reporting platforms
- Shelters and psychological support services
- Training for law enforcement and judiciary

Turkey's protective measures under Law No. 6284 and the UAE's rapid police response illustrate the importance of institutional support (Kaya, 2020; Khan, 2022).

6. Address Cultural and Social Barriers

Legal reforms must be accompanied by cultural change.

Iran, in particular, should:

- Promote public awareness campaigns

- Challenge victim-blaming narratives
- Encourage reporting through confidential mechanisms

Turkey and the UAE should continue efforts to reduce stigma and increase public understanding of harassment as a violation of human rights rather than a private or moral issue (Moghadam, 2021).

7. Align National Laws with International Standards

Iran's non-ratification of CEDAW limits its alignment with global norms.

While political constraints exist, incremental reforms can still be pursued, such as:

- Incorporating gender-neutral language
- Recognizing harassment as gender-based violence
- Strengthening procedural protections

Turkey and the UAE should continue aligning their laws with international standards, despite political debates and reservations (Arslan, 2021; Al-Suwaidi, 2022).

7.2 Final Reflection

The comparative study demonstrates that legal responses to harassment are deeply shaped by broader legal, cultural, and political contexts. While Turkey and the UAE have taken significant steps toward modernizing their frameworks, Iran's approach remains constrained by traditional interpretations of public morality and restrictive evidentiary rules. Nevertheless, the existence of foundational provisions in all three countries provides a basis for further reform.

Ultimately, effective protection against harassment requires not only comprehensive legal frameworks but also strong enforcement, cultural change, and alignment with international human rights principles. By adopting clearer definitions, expanding legal protections, modernizing evidentiary standards, and strengthening institutional support, all three jurisdictions can move toward more effective and equitable protection for women.

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