



**Convention on the Elimination
of All Forms of Discrimination
against Women**
Advance unedited version

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**Committee on the Elimination of Discrimination
against Women**

**Decision adopted by the Committee under the Optional
Protocol, concerning communication No. 227/2024****

<i>Communication submitted by:</i>	A. A. (represented by counsel, Niels Erik Hansen)
<i>Alleged victims:</i>	The author
<i>State party:</i>	Denmark
<i>Date of communication:</i>	7 November 2024
<i>Subject matter:</i>	Failure by the State Party to evaluate the risks of gender apartheid the author would face upon return to Iran in view of her opposing to wearing a mandatory headscarf
<i>Articles of the Convention:</i>	1, 2 (d) and 15

1. The author of the communication is A.A., a national of Iran, born in 1960. The author alleged that the State Party has violated her rights under articles 1, 2 (d) and 15 of the Convention on account of the risks she is facing in the Islamic Republic of Iran in the event of her deportation, as well as the failure by the State party to examine her respective allegations and evaluate the risks. The author is represented by counsel. The Optional Protocol entered into force for the State Party on 22 December 2000.
2. On 2 March 2020, the author arrived in Denmark and applied for asylum on 11 May 2020, claiming that she was at risk of proscribed treatment in the Islamic Republic of Iran due to her conversion to Christianity. On 27 June 2023, the Immigration Service rejected her asylum request due to lack of credibility. On 28 November 2023, the Refugee Appeals Board upheld the decision on appeal. In September 2024, the author was placed in pre-removal detention. On 16 September 2023, before her pre-removal detention, the author had participated in protests taking place in Copenhagen against the death of Mahsa Amini, a woman, who had been arrested in Tehran for opposing mandatory hijab and subsequently died in police custody. On 16 September 2024, another demonstration took place in Copenhagen against the forthcoming deportation of the author. The author's name and photos of her not wearing a headscarf were displayed during the demonstration. On 12 September 2024, the author requested the Refugee Appeals Board to reopen the proceedings in her asylum request, claiming as grounds for reopening that she is opposing to wearing a headscarf, participated in

* Adopted by the Committee at its ninety-second session (2-20 February 2026).

** The following members of the Committee participated in the examination of the communication: The following members of the Committee participated in the examination of the communication: Brenda Akia, Hiroko Akizuki, Violet Eudine Barriteau, Rangita De Silva De Alwis, Corinne Dettmeijer-Vermeulen, Nada Moustafa Fathi Draz, Esther Eghobamien-Mshelia, Yamila González Ferrer, Dafna Hacker Dror, Nahla Haidar, Madina Jarbussynova, Marianne Mikko, Hong Mu, Ana Pelaez Narvaez, Jelena Pia Comella, Bandana Rana, Rhoda Reddock, Elgun Safarov, Erika Schläppi, Natasha Stott Despoja, Genoveva Tisheva, and Patsili Toledo Vásquez.

protests in Copenhagen, and that she would refuse to wear a headscarf upon return to the Islamic Republic of Iran. Given the general situation in the Islamic Republic of Iran with regards to women not wearing mandatory headscarves, and in the light of her personal circumstances, she would be at risk of gender-based ill-treatment upon return. On 28 October 2024, the Refugee Appeals Board refused to reopen the author's asylum case. The Board found that the author's initial asylum claim related to her alleged conversion to Christianity had been considered in the framework of the initial asylum proceedings and rejected as unfounded, and that there were no grounds to change the previously made assessment. The Board found that the general conditions for women in the Islamic Republic of Iran, including the norms for women's dress, cannot justify asylum. The Board noted that the author did not claim in the framework of the initial asylum proceedings that she had problems with Iranian authorities relating to the existing norms in the Iranian society or that she was politically active.

3. On 12 November 2024, the Committee, acting through its working group on communications, registered the communication and granted interim measures under Article 5 (1) of the Optional Protocol, requesting the State Party not to deport the author to the Islamic Republic of Iran while the communication is pending before the Committee.
4. On 28 February 2025, the State Party submitted that the Danish Refugee Appeals Board, on 20 February 2025, decided to reopen the case of the author and requested that the communication be suspended. On 16 May 2025, the State Party submitted that the Danish Refugee Appeals Board, on 7 May 2025, decided to grant the author a residence permit pursuant to Article 7 (1) of the Danish Aliens Act. Accordingly, the State party invited the Committee to discontinue its consideration of the communication.
5. On 30 June 2025, the author opposed the State Party's request insofar as the author was not granted asylum based on her asylum claim, which was gender apartheid. The author notes that there are six other cases¹ in which the asylum proceedings were reopened by the State party following complaints submitted to the Committee. In each of these cases, asylum was granted to the authors, however, not on the basis of their actual asylum grounds, namely gender apartheid, but on alternative and unrelated grounds. The author submits that this pattern reflects a systematic failure to recognize gender apartheid as a valid and independent ground for asylum.
6. At its meeting on 17 February 2026, the Committee, taking into account that the author has been granted a residence permit and is not facing a risk to be deported to the Islamic Republic of Iran, considered that the case had become moot and decided to discontinue consideration of communication No. 227/2024.

[¹ The author refers to cases submitted by the same lawyer.]