

Concluding Observations Committee on the Rights of the Child CRC/C/IRN/CO/3-4 para 14

Full recommendation:

The Committee recommends that the State party take measures to ensure that the State party's policies, strategies and plans of action address in particular the rights of children in disadvantaged and marginalized situations, are aimed at providing them with equal opportunities in all areas of life and at improving their situation, and are supported with sufficient human, technical and financial resources.

Assessment using Impact Iran human rights indicators¹

- A. The State party should take measures to ensure that the State party's policies, strategies and plans of action address in particular the rights of children in disadvantaged and marginalized situations and are aimed at providing them with equal opportunities in all areas of life and at improving their situation**

According to Article 3 of the Constitution of the Islamic Republic of Iran, the State “has the duty of directing all its resources to”, among other goals, “free education and physical training for everyone and at all levels”. Article 30 stipulates that “The government must provide all citizen with free education up to secondary school”. Article 43 of the Constitution of the Islamic Republic of Iran provides that the economy of the Islamic Republic of Iran shall be based on providing essential needs to all its citizens, including education.²

In its National Report to the Universal Periodic Review in 2019, the Government of the Islamic Republic of Iran reiterated that under Iranian law “all persons under the age of 18, with no or bad guardian, regardless of religion, ethnicity and nationality, shall enjoy health care, education, medical treatment, subsistence and custodian services” and that “disadvantaged refugee and immigrant children are under the cover of free welfare services”. Such protections enshrined into law provides a framework for State's policies, strategies and plans of action which should ensure their implementation. However, the State has taken only limited steps to ensure that its policies, strategies and plans of action address in particular the rights of children in disadvantaged and marginalized situations.

¹ CRC.28.1.S.1; ESCR.13.2.S.1

ESCR.13.2.P.17

CRC.28.1.O.7; ESCR.13.2.O.5; ESCR.13.2.O.19

² Constitution of the Islamic Republic of Iran, English translation, <https://irandatportal.syr.edu/wp-content/uploads/constitution-english-1368.pdf>

Admittedly, the State has taken a number of measures aimed at promoting and protecting the rights of its citizens and to some extent children. These measures include the adoption of the Charter of Citizenship Rights, decreed by the President in 2016, which functions as a non-enforceable administrative mechanism aiming at ensuring the implementation of the principles, values, norms and laws stipulated in the Constitution.³ The Charter refers to a number of child rights, including the right to education, but does not mention children in disadvantaged and marginalized situations.

Under its Sixth National Development Plan, the Government adopted a number of measures to invest and improve various sectors of the Iranian society, including housing. The Plan provides with a number of obligations. For instance “all executive organizations are obligated to incorporate gender justice in all their plans and programs.”⁴ Admittedly, some of the provisions under the Plan may lead to the development of State policies, strategies and plans of action that could improve the situation of children in disadvantaged and marginalized situations, and to some extent provide them with better opportunities. For instance, on the basis of such plan, the Government “is obliged to increase child food protection, to increase protection of children with no guardian, orphans and street children (Article 78), and to organize and reduce street children and child laborers.” However, there is no specific obligations under the National Development Plan for plans and programs to address in particular the rights of children in disadvantaged and marginalized situations nor specific provisions to ensure that such State initiatives are aimed at providing them with equal opportunities in all areas of life and at improving their situation.

The Government adopted a number of plans and programmes targeting rural areas of the Islamic Republic of Iran, aiming notably at reducing poverty and support development in these areas.⁵ Such plans include the Iran’s 20-year Vision Plan, the Law on Permanent Orders of the National Development Plans, and the Law on Economic, Social and Cultural Development Programs. However, these plans do not address in particular the rights of children living in rural and less-developed areas.

In terms of education however, the State has adopted the “Document on the Fundamental Transformation of Education System” which states that “ensuring access to appropriate education in all regions of the country, regardless of race and gender, with emphasis on the education of girls and vulnerable groups in less-developed, rural and nomadic regions, is among the most important objectives of the country”. As such, it may provide some extent of framework to ensure that State’s policies, strategies and plans pertaining to education, address in particular

³ Report of the Working Group on the Universal Periodic Review, Islamic Republic of Iran, 2019, <https://undocs.org/A/HRC/43/12>

⁴ Report of the Working Group on the Universal Periodic Review, Islamic Republic of Iran Addendum, 2019, <https://undocs.org/en/A/HRC/43/12/Add.1>

⁵ National Report, Islamic Republic of Iran, UPR 2019, <https://undocs.org/A/HRC/WG.6/34/IRN/1>

the right to education of girls and children in disadvantaged and marginalized situations in less-developed, rural and nomadic regions.

While the State has taken measures which, to some extent, provide a framework for Iranian policies, strategies and plans to address a number of the rights of children in disadvantaged and marginalized situations, there is currently no comprehensive State policy, plan or strategy addressing in particular and comprehensively the rights of children in disadvantaged and marginalized situations. Admittedly a number of plans provide for the right to education for all children in Iran, and others target the development of rural and less-developed areas, which to some extent may improve the situation of children in disadvantaged and marginalized situations. However, the Islamic Republic of Iran lacks measures that would ensure that State's policies, strategies and plans are aimed at providing children in disadvantaged and marginalized with equal opportunities in *all* areas of life.

B. The State party should take measures to ensure that the State party's policies, strategies and plans of action are supported with sufficient human, technical and financial resources

Although lacking for other child rights, a significant number of State initiatives address the right to education of children in disadvantaged and marginalized situations. As aforementioned, the “Document on the Fundamental Transformation of Education System” states that “ensuring access to appropriate education in all regions of the country, regardless of race and gender, with emphasis on the education of girls and vulnerable groups in less-developed, rural and nomadic regions, is among the most important objectives of the country”. However, evidence suggests that the State is not providing sufficient human, technical and financial resources for such plan to be implemented.

In June 2019, the state-run IRNA News Agency reported that approximately 27% of Iran's school building were in ruin, 34% needed repair and only 39% of schools had safe buildings. A lot of the schools requiring renovation are reportedly located in the Sistan and Baluchistan province,⁶ where a significant part of its population reportedly live in rural areas.⁷ In 2016, the Committee on the Rights of the Child expressed concerns about “poor living conditions in regions traditionally inhabited by ethnic minorities, that in some cases completely lacked basic services such as [...] schools, which had a direct negative impact on the rights of children living in those regions.”⁸

⁶ Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, July 2019, <https://undocs.org/A/74/188>

⁷ Iran Wire, <https://iranwire.com/en/features/5523>

⁸ Concluding Observations, Committee on the Rights of the Child, 2016CRC/C/IRN/CO/3-4, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/IRN/CO/3-4&Lang=En

The state organization for School Renovation, Development, and Equipment of the Islamic Republic of Iran, reporting to the Ministry of Education, is in charge of school facilities and equipment countrywide.⁹ In 2019, Iran's Ministry of Education stated that the government was committed to improve the quality of education as well as school infrastructures.¹⁰ In January 2020, Tehran's mayor stated that between 60 to 70% of schools in the city were unsafe while noting limited public funds due to the financial crisis.¹¹ Reports have indicated the involvement of the Iranian Government in school-building projects abroad, notably in Syria.^{12 13}

Iran's budget for education has been reportedly low compared to other low-income countries in the region,¹⁴ although it increased for the past few years¹⁵ but remains under the world average.¹⁶ The lack of resources for schools has been particularly felt in rural and remote areas. In border provinces, predominantly inhabited by ethnic minorities, the lack of schools and the prominence of poor infrastructures combined with the lack of access to basic services such as running water is reportedly severe, notably in the Sistan and Baluchestan province.¹⁷ In Khuzestan, children reportedly have to travel long distances to receive an education, and a significant number of schools are in makeshift facilities.^{18 19}

There is a general shortage of teachers in the Islamic Republic of Iran. Female teachers reportedly lack in rural areas.²⁰

Information gathered therefore suggests that the measures taken by the State to ensure that the State party's policies, strategies and plans of action are supported with sufficient human, technical and financial resources, notably in terms of access to education, are either lacking or insufficient.

Recommendation Status:

This recommendation has **NOT** been implemented.

⁹ <http://dres.ir/en/page/14/about-us>

¹⁰ Iran Press, https://iranpress.com/iran-i138709-education_minister_our_priority_is_to_raise_the_quality_of_education_for_school_pupils

¹¹ Iran Wire, <https://iranwire.com/en/features/6660>

¹² Ibid.

¹³ Iran Press, https://iranpress.com/middle-east-i143081-tehran_ready_to_help_damascus_to_rebuild_and_re_equip_schools

¹⁴ Iran News Wire, <https://irannewswire.org/irans-school-student-budget-one-quarter-of-world-average/>

¹⁵ Data World Bank <https://data.worldbank.org/indicator/SE.XPD.TOTL.GD.ZS?locations=IR>

¹⁶ Ibid.

¹⁷ Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, July 2019, <https://undocs.org/A/74/188>

¹⁸ Centre for Supporters of Human Rights, <http://en.cshr.org.uk/2016/10/02/education-sectors-share-state/>

¹⁹ European Ahwazi Human Rights Organization, 3 January 2016, <https://www.ahwazna.org/en/article/11019> (Please note that the Ahwazi Arab communities use the spelling Ahwaz for a region explained in this article: <https://unpo.org/members/7857>)

²⁰ Beyond the Veil: discriminations against women in Iran, https://minorityrights.org/wp-content/uploads/2019/09/MRG_CFR_Iran_EN_Sept191.pdf