

Concluding Observation Committee on the Rights of the Child CRC/C/IRN/CO/3-4 para 93

Full recommendation:

To that effect, the Committee recommends that the State party make use of the technical assistance tools developed by the Inter-agency Panel on Juvenile Justice, and seek technical assistance in the area of juvenile justice from members of the Panel and relevant international bodies.

Assessment using Impact Iran human rights indicators¹

A. The State party should make use of the technical assistance tools developed by the Inter-agency Panel on Juvenile Justice.

The United Nations Inter-Agency Panel on Juvenile Justice (IPJJ) is a coordination panel established by Resolution 1997/30 of the United Nations Economic and Social Council (ECOSOC)² composed of UN agencies and NGOs with aim to identify, develop, and disseminate common tools and good practices for juvenile justice. To this end, it has released a number of publications and compendium of international regulations and established an online database to collect best practices on juvenile justice systems. The panel also provides support to its member organisations in country-specific operations.

There is no readily and official available information that indicate that the Government of the Islamic Republic of Iran has made use of technical assistance tools developed by the IJPP's. In fact, readily available information suggests that it did insufficient, if any, use of the tools developed by the IPJJ. For instance, the IPJJ published a Ten-Point Plan for Fair and Effective Criminal Justice for Children³, a document aiming at providing guidance for policy makers to address situations where children are in conflict with the law. These guidelines include: the development of a crime prevention strategy for children; the accurate collection of data on the administration of criminal justice for children; the increase of the age of criminal responsibility to at least 12 years old; the establishment of a separate criminal justice system for children; the use of detention of children as a last resort; the development of rehabilitation programs for children; and the prohibition and prevention of violence against children in conflict with the law. None of these guidelines appear to have been implemented by the Islamic Republic of Iran.

¹ CCPR.2.1.S.1; CRC.37.1.S.2; CRC.37.2.S.1; CRC.37.2.S.2; CRC.34.3.S.1; CRC.37.3.S.2; CRC.37.4.S.1; CRC.37.4.S.2
CCPR.2.1.P.1; CCPR.2.1.P.2; CRC.37.2.P.1; CRC.37.3.P.1; CRC.37.4.P.2
CRC.37.1.O.1; CRC.37.2.O.1; CRC.37.3.O.1; CRC.37.3.O.3; CRC.37.4.O.2

² ECOSOC Resolution 1997/30, https://www.unodc.org/documents/commissions/CCPCJ/Crime_Resolutions/1990-1999/1997/ECOSOC/Resolution_1997-30.pdf

³ Ten-Point Plan for Fair and Effective Criminal Justice for Children, <https://cdn.penalreform.org/wp-content/uploads/2013/05/10-pt-children-2nd-ed-cmyk-v7.pdf>

There is no readily available information that may indicate that the Government developed a crime prevention strategy for children. Official and readily available data on the administration of criminal justice for children are particularly scarce, if not inaccessible. The age of criminal responsibility in Iran is set at 9 lunar years for girls (the Gregorian equivalent of eight years, nine months in solar years) and 15 lunar years for boys (the Gregorian equivalent of fourteen years, seven months in solar years).⁴ While the Iranian judicial system has established several procedural mechanisms to administer juvenile justice, the State still lacks a distinctive and comprehensive juvenile justice system that is geared toward the best interest of the child. Iranian law does not ensure that detention is used as a last resort and for the shortest possible period of time for children. As children are subjected to the same legal framework as adult offenders, they may be sentenced for crimes with mandatory punishments which include imprisonment, flogging and the death penalty. While there are Rehabilitation and Training Centers established of convicted juvenile offenders in Iran,⁵ they reportedly are not designed to facilitate the rehabilitation of detainees.⁶ There is no readily available information that might indicate the existence of rehabilitation programs designed for children who were in conflict with the law in Iran that comply with the Convention on the Rights of the Child.⁷

B. The State party should seek technical assistance in the area of juvenile justice from members of the Panel and relevant international bodies.

From 2005 to 2011, the UNICEF Iran Country Office conducted a workshop on juvenile justice for police officers in collaboration with the Iranian Judiciary and Law Enforcement Forces.⁸

There is no readily available information that might indicate that the Islamic Republic of Iran has sought any additional technical assistance in the area of juvenile justice from relevant international bodies nor from members of the Inter-agency Panel on Juvenile Justice.

Recommendation Status:

This recommendation has **NOT** been implemented.

⁴ Criminal responsibility, Articles 140, 146 and 147 of the Islamic Penal Code, 2013 <https://iranhrdc.org/english-translation-of-books-i-ii-of-the-new-islamic-penal-code/>

⁵ For a history of “Rehabilitation and Training Centers” in Iran, please see: <http://www.madadkar.org/prevention-of-social-damage/history-correcting-and-training-centers.html>

⁶ Iran Human Rights Documentation Center’s consultation with Iranian lawyer Hossein Raeesi, February 2015

⁷ See more: Joint alternative report by civil society organizations on the implementation of the Convention on the Rights of the Child by the Islamic Republic of Iran, 2015,

https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/IRN/INT_CRC_NGO_IRN_19809_E.pdf

⁸ UNICEF, https://www.unicef.org/evaldatabase/index_73936.html