

Concluding Observations Committee on the Rights of the Child CRC/C/IRN/CO/3-4 para 88(a)

Full recommendation:

Develop a comprehensive strategy to protect children in street situations and reduce their number, including identifying the underlying causes, such as poverty, family violence, migration, and lack of access to education, with the aim of preventing and reducing this phenomenon.

Assessment using Impact Iran human rights indicators¹

In its 2019 National Report to the Universal Periodic Review, the Government of the Islamic Republic of Iran stated that “on the basis of the 6th Development Plan Act, the Government is obliged to increase protection of [...] street children (Article 78), and to organise and reduce street children and child laborers. »²

In its General Comment No.21 on children in street situations, the Committee on the Rights of the Child stipulates that States should “introduce or review an act on child protection or children based on a child rights approach and that specifically addresses children in street situations.”³ In June 2020 the Iranian Guardian Council passed a legislation that, among other provisions aimed at protecting children, requires social workers from the State Welfare Organisation to promptly investigate the children in situation of “extreme danger” from abuse, exploitation, or being out of school,^{4 5} situations in which most of street children are. However, the law does not specifically address children in street situations. There is no readily available information that might indicate the number of cases of complaints of violence against children that have been either addressed, promptly investigated or adequately adjudicated by the State Welfare Organisation.

According to official estimates, there are about 60,000 children living in the streets in the Islamic Republic of Iran,⁶ although non-governmental organisations (NGOs) estimated the number to be close to 200,000 and increasing.⁷ In 2014, the head of social pathologies’ office at the Ministry of Labor reportedly stated that 45% of street children were between the ages of 10 and 14.⁸

¹ CRC.19.1.S.1; CRC.20.1.S.1; CRC.20.2.S.1; CCPR.24.1.S.1

CRC.19.1.P.1; CRC.19.1.P.3; CRC.19.2.P.1; CRC.19.2.P.2; CRC.20.2.P.2; CCPR.24.1.P.1
CRC.19.1.O.4; CRC.19.2.O.1; CRC.19.2.O.3; CRC.20.1.O.1; CRC.20.2.O.1; CRC.20.3.O.2

² National Report, UPR 2019, Islamic Republic of Iran, <https://undocs.org/A/HRC/WG.6/34/IRN/1>

³ General Comment No.21 on children in street situations, Committee on the Rights of the Child, CRC/C/GC/21, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/GC/21&Lang=en

⁴ Human Rights Watch, <https://www.hrw.org/news/2020/06/23/iran-child-protection-law-positive-insufficient>

⁵ https://rc.majlis.ir/fa/legal_draft/state/1055680

⁶ U.S. State Department Human Rights Report 2019, Iran, <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/iran/>

⁷ Center for Human Rights in Iran, <https://www.iranhumanrights.org/wp-content/uploads/Days-to-remember-low.pdf>

⁸ NGO joint submission, Impact Iran, Committee on the Rights of the Child, 2015
https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/IRN/INT_CRC_NGO_IRN_19809_E.pdf

To address the high number of street children, the Iranian authorities together with the State Welfare Organisation have been resorting to periodic ‘roundups’ of street children, during which they are frequently separated from their families and put into facilities.⁹ If these children are found on the street for the third time during these ‘round-ups’, they are removed from their parent’s custody.¹⁰ In 2017, the Interior Minister announced that ‘round-ups’ would focus on sending street children to schools and other centers in order to be educated, although such plan reportedly raised criticism within the parliament and the Tehran’s City Council.¹¹ Child rights organisations have been reportedly criticising ‘round-ups’ on the basis that their securitised approach does not address the social and economic root causes of the issue, ultimately leading children to return to the street.^{12 13} According to these organisations, ‘collected’ children are being kept in inappropriate centers with limited space and lacking care services.^{14 15} There is no official and readily available information that might indicate that the ‘round-ups’ of street children have been successful in addressing the number of children living and/or working in the street.^{16 17} In its General Comment No.21 on children in street situations, the Committee on the Rights of the Child stipulates that States should “abolish any provisions allowing or supporting the round-up or arbitrary removal of children and their families from the streets or public places”.¹⁸

The Government of the Islamic Republic of Iran together with the Social Welfare Organisation (SWO) provide a number of basic services for vulnerable children, including street children. In its 2019 National Report to the Universal Periodic Review, the Government stated that “the center for management of street children of SWO, with the participation of interested NGOs, provides free protection and welfare services, with two family-centered and of mental-social harm reduction approaches.”¹⁹ Additionally, the “Social Emergency of SWO, with its 350 centers throughout the country, provides a variety of supportive services to the child victims of violence or to the children exposed to maltreatment, child laborers and the street children under difficult and hard conditions”.²⁰ However, it is unclear whether these centers provide assistance tailored specifically to children in street situations. Additionally, there is no information that

⁹ Center for Human Rights in Iran, <https://www.iranhumanrights.org/wp-content/uploads/Days-to-remember-low.pdf>

¹⁰ Radio Farda, <https://en.radiofarda.com/a/iran-child-labor-homeless-abuse/29193727.html>

¹¹ Ibid.

¹² ISNA News, <https://www.isna.ir/news/96070301939/روسیاهی-اقتصاد-با-کار-کودک>

¹³ Radio Farda, <https://en.radiofarda.com/a/iran-child-labor-homeless-abuse/29193727.html>

¹⁴ Organisation for Defending Victims of Violence, <http://www.odvv.org/blog-2140-The-Child-Labour-and-Street-Children-Problem>

¹⁵ ISNA News, <https://www.isna.ir/news/96070301939/روسیاهی-اقتصاد-با-کار-کودک>

¹⁶ Transnationality of Child Poverty: The Case of Iranian and Afghan Street Children in Tehran, Research paper published on Research Gate,

https://www.researchgate.net/publication/318729333_Transnationality_of_Child_Poverty_The_Case_of_Iranian_and_Afghan_Street_Children_in_Tehran

¹⁷ ISNA News, <https://www.isna.ir/news/96070301939/روسیاهی-اقتصاد-با-کار-کودک>

¹⁸ General Comment No.21 on children in street situations, Committee on the Rights of the Child, CRC/C/GC/21, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/GC/21&Lang=en

¹⁹ National Report, UPR 2019, Islamic Republic of Iran, <https://undocs.org/A/HRC/WG.6/34/IRN/1>

²⁰ Ibid.

might indicate the existence of protection systems providing specialised services on the street or the existence of trainings for social workers to ensure that social welfare assistance addresses adequately the needs of children in street situations.

In 2016, answering to the Committee on the Rights of the Child, the Government of the Islamic Republic of Iran stated that a range of relevant stakeholders and organisations had formed a Council set up to deal with the issue of street children, without precisising the exact extent of its scope of work. The government added that there were 37 centers for street children in operation in the country and daily care centers, or ‘drop off centers’ were established in 15 provinces, “where the children could spend their time”.²¹ In its latest annual report (March 2018 to March 2019), the State Welfare Organisation reported 31 care centers for street children in the country, which all together admitted a total of 6,198 children during the year, 1,289 of whom were in the Tehran province and 1,075 in Sistan and Baluchistan province.²² The report showed that the provinces of Boushehr, Zanjan and Hamedan do not have such centers. In comparison and as aforementioned, official statistics estimated the number of children in street situations to be up to 60,000,²³ while NGOs believe the number exceeds 200,000.²⁴ There is little information as to the extent these centers address the causes that brought children onto the streets and how they may participate to the reduction of children living and/or working in the streets of the Islamic Republic of Iran. In 2018 the director of the State Welfare Organisation’s office reportedly declared that child workers, including children working in the street, were so numerous that no organisation could single-handedly address the issue.²⁵

Additionally, the Iranian Government established a National Body for the Convention of the Rights of the Child, which has the responsibility “to set up plans and programs to promote the child rights and respect to their character” and to monitor and assess the implementation of child rights in the Islamic Republic of Iran.²⁶ The body is headed by the Minister of Justice, who appoints most of its members and officers, and includes 3 NGO representatives among its 23 members.²⁷ During the country’s 2016 CRC review, The National Body listed its main achievements, notably the establishment its working groups, notably the Support and Coordination which did “analysis of ways to support street and working children” and the Monitoring and Assessment working group which visited “NGOs active in the area of supporting children, especially street, working and educationally deprived children”.²⁸ There is no readily

²¹ OHCHR News, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16940&LangID=E>

²² Behzisti News, <http://www.behzisti.ir/news/11295/>

²³ U.S. State Department Human Rights Report 2019, Iran, <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/iran/>

²⁴ Center for Human Rights in Iran, <https://www.iranhumanrights.org/wp-content/uploads/Days-to-remember-low.pdf>

²⁵ Radio Farda, <https://en.radiofarda.com/a/thousands-of-children-forced-to-work-beg-in-the-streets-in-iran/30142546.html>

²⁶ Article 2 National Body for the Convention on the Rights of the Child Bylaws

²⁷ Justice for Iran, submission to the CRC, 2015,

https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/IRN/INT_CRC_NGO_IRN_19746_E.pdf

²⁸ The Supplementary Response of the (NBCRC) regarding the Concluding Observation on the Combined third and fourth periodic reports of the Committee on the Rights of the Child for the Islamic Republic of Iran, 2016,

available information that might indicate that the National Body took effective steps specifically to address the number of street children in the Islamic Republic of Iran.

The Islamic Republic of Iran has engaged in a number of steps that indirectly may improve address the phenomenon of children in street situation. Poverty is one of the main root causes pushing children to live and/or work in the street, a situation that has been worsened by U.S. sanctions²⁹ and the economic damages caused by the COVID-19 coronavirus pandemic in the Islamic Republic of Iran, ultimately harming children's enjoyment of their rights.³⁰ Although the Government has been engaging in a number of development plans and allocations to cushion the general economic decline,³¹³² the number of Iranians falling under the poverty line³³ will likely increase in the coming years, ultimately leading more children onto the street.

However, it is noteworthy to indicate that internal factors have been found to facilitate the presence and employment of children in the streets of the Islamic Republic of Iran. The lack of protection of labor laws for child workers, as well as the lack of governmental scrutiny and avenues of redress specifically for children being economically exploited might well facilitate the employment of children to work in the streets, notably in waste management.³⁴ Additionally, street children have been reportedly particularly exposed to HIV/AIDS infections,³⁵ yet reports have shown that access to health services for sexually transmitted diseases is limited and inadequate.³⁶³⁷³⁸³⁹ As there is no available information that might indicate the existence of special access to health services for street children, including for HIV/AIDS care, hindered access might be even more acute for street children. Additionally, according to the Government of the Islamic Republic of Iran, a majority of children in street situation are of foreign nationality.⁴⁰ Despite recent measures taken by the Iranian Government to improve access to education for undocumented and foreign national children,⁴¹⁴² Afghani children represent the

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCRC%2fCOB%2fIRN%2f23480&Lang=en

²⁹ OHCHR, "Bachelet briefs States on Colombia, Cyprus, Guatemala, Honduras, Iran, Myanmar, Sri Lanka, Venezuela and Yemen", 20 March 2019, <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24377&LangID=E>

³⁰ CRC/C/IRN/CO/3-4, para. 7, <https://undocs.org/en/CRC/C/IRN/CO/3-4>

³¹ Government of the Islamic Republic of Iran, <http://www.president.ir/fa/114421>

³² Asre-Eghtesad, <https://www.asre-eghtesad.com/tolid/cat-7/70740>

³³ Iran Wire, <https://iranwire.com/en/features/5829>

³⁴ See more: Civil society report to the CRC, 2016, Coalition Impact Iran, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCRC%2fNGO%2fIRN%2f19809&Lang=en

³⁵ CRC/C/IRN/CO/3-4, para. 87, <https://undocs.org/en/CRC/C/IRN/CO/3-4>

³⁶ HIV Positive Patients' Experience of Receiving Health Care Services: A Phenomenology Study in Iran <https://openaidjournal.com/VOLUME/12/PAGE/150/FULLTEXT/>

³⁷ National Center for Biotechnology Information Publications, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6858798/>

³⁸ World Health Organisation, <http://www.emro.who.int/emhj-volume-25-2019/volume-25-issue-10/i-am-hiv-positive-but-i-am-a-human-being-qualitative-study-on-experiences-of-stigma-in-health-care-centres-in-the-islamic-republic-of-iran.html>

³⁹ National Center for Biotechnology Information Publications, <https://pubmed.ncbi.nlm.nih.gov/24808803/>

⁴⁰ National Report, UPR 2019, Islamic Republic of Iran, <https://undocs.org/A/HRC/WG.6/34/IRN/1>

⁴¹ UNHCR, <https://www.unhcr.org/news/stories/2019/12/5defcb6f4/afghan-children-learn-side-side-iranian-peers.html>

⁴² Radio Farda, <https://en.radiofarda.com/a/children-with-iranian-mothers-foreign-fathers-to-receive-citizenship-30652718.html>

highest number of children in street situation.^{43 44 45} This may be explained by the remaining difficulties that the Afghan and refugee population face to integrate the Iranian society, notably due to economic hardship,^{46 47 48} limited access to governmental services caused by the restrictions related to the *Amayesh* refugee status,^{49 50} or the language barrier.⁵¹ Finally, although the Islamic Republic of Iran took a number of steps to better address child abuse and violence against children,⁵² the Government did not refer specifically as to how these mechanisms address abuses and violence in the case of children in street situation and how redress and remedies are tailored to their various situations and needs.

The Committee on the Rights of the Child has identified structural causes of the emergence of children in street situations, which include “inequalities based on economic status, race and gender”. These factors are further exacerbated by poverty and inadequate social protection, forced migration and displacement, family violence as well as intolerance and discriminations.⁵³ Although the government has been engaging in steps to address the aforementioned issues, which may indirectly improve the conditions of children in street situations, these measures have not been taken as part of a comprehensive strategy to protect children in street situation and reduce their number in particular. Although the State Welfare Organisation provide services for children in street situation, there is little information to suggest that such services are specifically tailored to the needs and various situations of children living and or working in the street. Regardless, the lack of recent official information and disaggregated data relating to children in street situation in the Islamic Republic of Iran hinder the potential establishment of a comprehensive and effective strategy to address, prevent and reduce the phenomenon.

Recommendation Status:

This recommendation has **NOT** been implemented.

⁴³ Moradi, A.; Sajadi, H.; Mohagheghi, H.; Vameghi, M.; Hoseini, S.; Ghaed, Gh. (2015) Social Health of Child Labourers in Non-Profit Centers for Promoting Children’s Rights in Tehran in 2014, Iranian Journal of Rafsanjan Medical University, 14: 977-988. [in Farsi] referenced in Transnationality of Child Poverty: The Case of Iranian and Afghan Street Children in Tehran, Research paper published on Research Gate,

https://www.researchgate.net/publication/318729333_Transnationality_of_Child_Poverty_The_Case_of_Iranian_and_Afghan_Street_Children_in_Tehran

⁴⁴ U.S. State Department Human Rights Report 2019, Iran, <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/iran/>

⁴⁵ Transnationality of Child Poverty: The Case of Iranian and Afghan Street Children in Tehran, Research paper published on Research Gate,

https://www.researchgate.net/publication/318729333_Transnationality_of_Child_Poverty_The_Case_of_Iranian_and_Afghan_Street_Children_in_Tehran

⁴⁶ Radio Farda, <https://en.radiofarda.com/a/children-of-undocumented-afghan-refugees-exploited-in-iran/29596142.html>

⁴⁷ Paper commissioned for the 2019 Global Education Monitoring Report, Migration, displacement and education: Building bridges, not walls, <https://www.alnap.org/system/files/content/resource/files/main/UNESCO-Final-Background-Paper.pdf>

⁴⁸ UNHCR, <https://www.unhcr.org/news/briefing/2019/12/5dea18ac4/support-needed-refugee-education-iran.html>

⁴⁹ Human Rights Watch, <https://www.hrw.org/news/2013/11/20/iran-afghan-refugees-and-migrants-face-abuse>

⁵⁰ Radio Farda, <https://en.radiofarda.com/a/children-of-undocumented-afghan-refugees-exploited-in-iran/29596142.html>

⁵¹ Radio Farda, <https://en.radiofarda.com/a/afghan-refugee-children-denied-education-due-to-government-inaction/29579021.html>

⁵² Islamic Republic of Iran response, Universal Periodic Review, 2019, <https://undocs.org/en/A/HRC/43/12/Add.1>

⁵³ General Comment No.21 on children in street situations, Committee on the Rights of the Child, CRC/C/GC/21, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC/C/GC/21&Lang=en