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## Human Rights Council

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**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by the Verein Sudwind Entwicklungspolitik, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2017]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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## **The Status of “Children of Work and Street” and “Unsupervised Street Children” in the Islamic Republic of Iran**

According to Iran’s Constitution, both before and after the 1979 Revolution, the State is responsible for welfare of unsupervised children. This means no individual has the right to claim the supervision on them unless authorized by the state.

This report identifies three categories of children who are not protected as specified under Iran’s Constitution and the UN Convention of the Right of Child which the Islamic Republic of Iran has ratified.

### **Definition**

“**Children of Work and Street**” is a term used for individuals between the ages of 7 to 18. However, the majority of children of work and street are between 10 to 18 years of age. These children often live within destitute households, under minimum supervision and little support from family members but they still have a family member to go to. They work either full-time or part-time to contribute to the economy of the household. This group of children often earn a living through, begging, selling small items on the streets, or work in sweatshops and private households. Although some may attend regular day school or evening classes, others may abandon studying altogether. There are no official statistics to clarify their situation.

“**Unsupervised Street Children**” are divided to two age groups: infant to 7 years of age and those between 7 to 18 years of age with no family members to provide for their basic needs including shelter. They are left to fend for themselves, often in hostile street environment that is unsuitable and unsafe for a vulnerable child. They are prone to diseases and other dangers such environments carry with them.

According to the Iranian laws, “begging” on the street is forbidden and if a child is forced to beg alongside an adult, it is a visible “offence”. Therefore, the police can act to stop the offence without permission from the judiciary. Over the years, every once in a while, especially when the number of begging and unsupervised children increases, and people complain, the police make arrests. However, since there are no provisions to keep and rehabilitate these children, children are released back to their harsh and unsuitable living environments later.

Street children who are used as beggars, 50% boys and 50% girls, are often under the age of 12 years old. These children often live in colonies called “Ghorbatis” or “Gypsies”. The situation in these colonies is not only horrifying but inhumane and in breach of the right of children as a human beings. On the streets, younger children are controlled and managed by older children who often control specific areas. Children under 6 years old, who cannot beg independently, are often bought or hired by addicted women. These women always have an infant or a toddler on their laps, who never move, play or even cry. They also sell these children for profit to anyone who offers money. People, who wish to adopt a child, do not accept the cost of adopting these children due to fear of the children being infected with infectious diseases such as AIDS. Potential adoptive parents are also aware that lack of official documentation may lead to legal issues for them in the future. Therefore, these children are mostly sold for criminal activities.

Children’s rights activists have repeatedly urged the authorities to deal with street children and separate them from criminal gangs but the police response has been tied to the orders issued from a higher authority such as the State governor.

### **Collection and Rehabilitation of Street Children**

The process to collect and rehabilitate street children in the Islamic Republic of Iran is as follows:

The State governor or city governor has to issue the order to the police. The police, under the supervision of State Welfare Organisation, as the authorized by the State, collect children from the street. To rehabilitate street children, coordination must be made with the City Municipal and its relevant departments, dealing with Street Children. When a

large number of children are to be collected, “Organisation of Crisis Management” in the Ministry of State and “Department of Social Pathology” in the Ministry of Cooperatives, Labour and Social Welfare need to coordinate and collaborate as well to achieve the most satisfactory outcome for these children. However as this process is too complicated it does not work.

State Welfare Organization of Iran and different bodies that work with Department of Social Pathology receive significant amount of donations and financial support from the citizens and other philanthropists. However, the children, who are meant to receive these funds, are the least benefactors of such funds as they continue to reside on the streets. And the sums of money donated are misused due to lack of proper audits and transparency.

Addressing issues facing Street Children are more complicated than expected. The officials reiterate that the law recognises the “State Welfare Organisation” as the body responsible for Street Children. Recent government documents name the Department for Social Pathology, within the Ministry of Cooperative, Labour and Social Welfare as the responsible organizations. A look at the streets and squares of the big cities in Iran exhibit the fact that despite spending enormous budgets, time and energy on conferences and meetings to define the concept, type and nature of the 3 types of children on the street, comparing and contrasting their situation with international laws, or interpreting the definition of a child’s age in the Islamic context by all these organisations, bureaus and departments over the years, the real situation on the ground is getting worse each year. In the mean while, the number of children who have been begging on the streets in the cold of winter and the heat of summers and suffered physical, sexual and psychological abuse and maltreatment are increasing.

### **Health situation of Street Children**

In a conference held in the year 2015, the head deputy of Social Affairs Department of the State Welfare Organisation in Tehran Province reported that according to studies, %21 of street children have had sexual experiences<sup>1</sup>, of which %11.3 were same sex experience and %24.1 with both sexes. The average age in which girls on the street had been exposed to sexual activity is 12.5 years and for boys is 13.7 years of age. Sexual experiences at such an early age and in such hostile environment increases the danger of sexually transmitted diseases such as Hepatitis and AIDS.

There are no statistics on the prognosis, of Street Children as adults. In addition, there are no statistics of children who were murdered, disappeared or those who were involved in drugs, trafficked abroad or were sold for their organs.

### **Harassment of children’s rights activists**

Despite all the shortcomings in the State’s apparatus in dealing with the miserable situation of street children, volunteers, Children’s activists and children’s advocacy NGOs are banned to enter this area. The condition to get a registered status for working with street children depends on the approval of security police, intelligence ministry, revolutionary guard’s intelligence, police and the justice department. Personal data of those who request to obtain access to children are collected and it may take years before a reply, if any, is given to the applicant. In case a NGO starts providing services immediately after submission of their request and before receiving confirmation, they are often harassed and detained under various charges. Over years, a large number of children’s rights activists had been detained and released with heavy bails or sent to prison, detained in solitary confinement, and their families had been under pressure by different security apparatus of the Islamic Republic of Iran. The State is reluctant to cooperate with the independent NGOs as they believe such organizations might work against the national interests of the country by bringing more light on the real situation of street children and the poor governance specially in this regard.

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<sup>1</sup> Although the officials deny using the word rape in such cases, children rights activists in Iran insist that the right word here is not “sexual experience” but “rape” and “sexual abuse”.