



Impact and role of conventions on children's rights

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Abstract

The rights of the child are part of human rights issues that need serious support from the international community. Given the need to address child rights issues at the community level, this paper examines the rights of the child, adopted by the United Nations General Assembly in 1989 as the Convention on the Rights of the Child. It is an effective step in protecting the rights of children. In addition, this article refers to the position of some countries, including the Islamic Republic of Iran, towards the Convention on the Rights of the Child.

Keywords: Children's Rights, Human rights, Children's convention, Children's community



Introduction

Man needs physical, mental, economic, and security for his social life. Children, whose foundation of physical, mental, and social development begins in the first years of life, need special support and care, given their special physical and mental condition. These measures should be tailored to the concept and format, and given the support of children to be able to exercise their rights directly; In such a way that adults fully feel the obligation arising from their support.

Attention to the rights of the child is not only the issue of modern societies but also in the religion of Islam, attention has been paid to the rights of the child (respect for the child, avoidance of violence and abuse of children, justice and non-discrimination) (2) According to published information, the situation of children in current societies is worrying. According to UNICEF (1989-1990), 3,000 children under the age of five die every day from malnutrition and preventable diseases; Nearly one hundred million children are deprived of primary education programs; Half of the children in developing countries do not have access to drinking water; Half a million mothers die each year during pregnancy and childbirth; More than 100 million children around the world make a living through dangerous work, often under deadly conditions; More than a million people (most of them children) are deprived of their homes and lives, and so on.

Violations of children's rights in developing countries are mostly due to poverty, while in the West, moral problems and weak family foundations violate children's rights. However, it is always the Western countries that put pressure on Third World countries regarding the violation of children's rights. (4)

Yes! The importance of this matter is not hidden from anyone who should know the rights of children and strive for their realization. Accordingly, this paper examines the 1989 Convention on the Rights of the Child.

Before examining the convention, we refer to the historical background of the said convention.
A) Historical background of the Convention on the Rights of the Child (5)

The issue of children's rights is not a new one. It dates back to the post-World War I era. One of the early proponents of child rights was Eglantine Jeb, founder of Save the Children in England in 1919. Was. He believed that children were the victims of misguided economic policies and political and military mistakes and that in many cases they were sacrificed for political issues. After the end of the First World War, in 1924, due to the consequences of the war and the injuries inflicted on children in this way. The Geneva Declaration of the Rights of the Child focused on nutrition, health, and housing for war-torn and displaced children and their protection against the physical and psychological damage caused by war. The establishment of the International Children's Fund (UNICEF) in 1946, Was an important step in addressing the rights of children around the world. According to a UN General Assembly resolution, UNICEF was established after World War II to free fourteen European countries from poverty, hunger, disease, homelessness, and displacement. Also, the Universal Declaration of Human Rights (8) 1948. Was also another source for the Convention on the Rights of the Child; Because this declaration includes all human beings, regardless of their characteristics, which of course includes children as well.



In 1959. The Declaration of the Rights of the Child (9) was adopted by the United Nations General Assembly, which, laid the foundations of the Convention on the Rights of the Child, as well as the 1965 International Convention on the Elimination of All Forms of Racial Discrimination. (10) International Covenant on Civil and Political Rights, 1966. (11) and the Convention on the Minimum Age of Child Labor 1973. (12), issues related to children's rights have been raised.

Two Optional Protocols to the Convention on the Rights of the Child were adopted in 2000: the Optional Protocol to the Convention on the Rights of the Child on the participation of children in war (13) and the Optional Protocol to the Convention on the Rights of the Child on the sale, prostitution and child pornography. (14)

The draft Convention on the Rights of the Child, initiated by Poland and unanimously approved by Professor Adam Lubatka of Poland (who drafted the Convention on the occasion of the International Year of the Child) in 1989, was unanimously approved. (16) consists of an introduction and 54 articles. Article 41 deals with the rights of the child and Article 13 deals with how it is implemented in each country. To date, 191 of the world's 193 countries have acceded, and only the United States and Somalia have not acceded to the convention. (17) The main purpose of this Convention is to create a better life for children and to strive for their harmonious and balanced development in the basic areas of physical, mental, emotional, psychological, and social development, and to achieve this goal, the four basic axes of development, Has focused on survival, support, and participation. (18)

b) A look at the Convention on the Rights of the Child

the definition and concept of the child

According to the convention, human beings under the age of 18 are considered children. In this definition, the end of childhood is marked; But the beginning of childhood is not mentioned. (19) It may be said that this is obvious and the beginning of childhood is from the time of human birth, but some have said: "This idea is not acceptable from the point of view of Islam; "Because according to Shiite jurisprudence, the beginning of a child is from the moment of fertilization." (20) But it seems that this objection to Islam can be criticized; Because Islam has by no means referred to the stage of "sperm coagulation to birth" as "child". Although from this period, he has gradually been given special support, not as a "child", but as a "fetus". Numerous verses of the Qur'an (21) and jurisprudential books confirm this.

For the embryonic period, Islam established fixed and precise rights in the fields of civil rights and protection rules (22) and during this period, not only has the fetus itself been protected, but also the mothers, because of that fetus. Pay attention.

The interests of the child

are emphasized in paragraph 1 of Article 3 of the Convention, the protection of the interests of the child in all actions taken by public or private social welfare institutions, courts, executive authorities, or legal bodies; However, it is not clear what is meant by the best interests of the child and what the criteria are for recognizing it. (23) Paragraph 2 of the same article also emphasizes the welfare of children, taking into account the rights and duties of their parents, and places the responsibility for ensuring it on the parties to



the Convention. In paragraph 3, the guarantee of proper implementation of child safety and health by the relevant organizations is the responsibility of the countries party to the Convention. Of course, the Convention does not specify an enforcement guarantee for the failure of States to do so. (24) The realization of the rights of the child In Article 4 of the Convention, States are guided by the exercise of economic and social rights, and to better fulfill this role, the possibility of international cooperation is envisaged.

Parental Responsibility

Under Article 5 of the Convention, States Parties are required to respect and respect the rights and responsibilities of parents or their legal guardians for the proper upbringing of the child. Recognition of an inherent (natural) right Article 6 1 1 of the Convention recognizes the inherent right of every child to life, and Article 2 guarantees the creation of maximum opportunities for the survival and development of children.

Protecting the personal identity of the child, including having a name and nationality in Article 7 of the Convention, registering the birth of a child, having a name, acquiring citizenship and, if possible, identifying parents and custody of children by parents and coercive or legal guardians, The rights of the child are recognized, and by paragraph 2 of this article, the applicability of the said cases, especially in the case of children at risk of displacement by member states, is certain.

A noteworthy point in this article of the Convention is the acquisition of the citizenship of the child. Does a child under the age of 18 have independence in acquiring citizenship? And is the child's independence in acquiring citizenship to support him? How can a child under the age of 18 decide such an important issue independently (even in exceptional cases such as war, addiction, and parental moral incompetence? Such independence is not only not in the best interests of the child, but also the best interests of the child. This independence is also incompatible with Iranian domestic law; Because according to domestic law, independence in acquiring citizenship is after reaching the age of 18 years. (25) The child should not be allowed to do so, even in exceptional cases; Instead, a replacement should be considered for acquiring his citizenship.

Childhood identity

Article 8 of the Convention recognizes the identity of the child, including nationality, name,d family ties, as inalienable rights of the child, and if the child is deprived of those rights, States Parties will provide prompt protection and assistance.

Join the family

Article 10 of the Convention, which deals with Article 9, provides that, first, the request of a child or his or her parents to enter or leave the country for family reunification shall be made positively and in a humane manner by the State party to the Convention. It should be done quickly and such a request will not have any consequences for the applicant and their members. Second, if the child and his or her parents live in separate countries, they have the right to have regular, personal contact and direct contact with their parents. Third, to leave and enter another country, their rights must be respected, unless it is detrimental to national security, public order, public morals or the freedoms of others, or other rights recognized in the



Convention.

Prohibition of child trafficking

Article 11 prohibits child trafficking, and States Parties shall take appropriate measures to combat the transfer and trafficking of children and the non-return of children (residents) abroad.

Freedom of opinion of the child

Article 12 of the Convention states that, first, children who can form their own opinions may freely express their opinions on all matters and their opinions shall be valued. Second, to give children the opportunity to express their views at all stages of the judicial and executive proceedings by their representative within the framework of the laws of the respective country. Article 13 sets out restrictions on freedom of opinion. Article 14 also emphasizes freedom of thought, religion, and belief, and the child's parents and guardians are required to guide the child in exercising these rights.

One of the drawbacks of the previous material is the lack of supervision and control over the behavior of such children. If a child, under the right to liberty, obtains information that is completely contrary to his or her beliefs and is not subject to any supervision or control but is also prohibited (Article 16 - paragraphs 1 and 2), does this cause mental and psychological confusion? Why not? (26) This unconditional freedom does not conform to Islamic standards; Because Islam, in its educational recommendations, has considered abstinences in the etiquette of socializing, hearing, saying, and seeing, while the Convention on the Rights of the Child has endorsed this kind of freedom. (27) Of course, some have sought to moderate the above views to some extent and have stated:

"What the Convention grants to children under the heading of freedom of thought and religion are that the child should not be unreasonably pressured to perform certain religious rites and should be given Thallo weduidd by his parents in some way. "To grow up, after reaching the age of puberty, to adhere freely to belief and faith, and to choose the religion that will be the religion of the parents, with a realistic vision." (28)

Social liberty

Under Article 15 of the Convention, the right to peaceful assembly and association is the right of the child, and states shall recognize it as toxic, and in the exercise of these rights, other than those permitted by law or restrictions to protect interests. National security or public safety, public order and health, and the morality and right to liberty of others are essential, there are no restrictions.

Protecting the privacy of the child

Article 16 of the Convention prohibits unlawful and arbitrary interference with the private and family affairs and even correspondence of the child and even calls on governments to provide enforcement safeguards against such acts. It is noteworthy that this substance is used; That is, even parents, for the sake of the child's morals or even for the sake of public health, cannot do so; It seems that this lack of parental involvement and unlimited independence of the child in such a situation, not only does not benefit and support the child, but will have side effects on the



child.

Access to relevant content and information

In Article 17 of the Convention, States Parties shall, to promote the culture and sound awareness of the child, in particular through the mass media, provide the child with access to information and content from a variety of national and international sources, in particular matters relating to welfare. Social, spiritual, or moral, aphysicalanntal health can be guaranteed. Article 18 Recognizing the Common Responsibility of Parents While recognizing the shared responsibility of parents in maintaining physical, mental and social, and mystical well-being, member states are required to provide the necessary legal institutions, facilities, and services to achieve this goal. Provide. This is especially true for children with working parents.

Prohibition of child abuse

Article 19 of the Convention prohibits, firstly, all forms of physical and mental violence, harm or abuse, negligence or negligence, ill-treatment or publicity, including sexual abuse, and, secondly, the protection measures of State parties. Membership has been emphasized in various legal, executive, social, and educational ways.

Orphans and children deprived of their families Under Article 20 of the Convention, which is set out in three paragraphs, first, the deprivation or deprivation of a child of a family is generally prohibited. Second, in the event of such an incident, countries should consider alternative care for such children; Including the appointment of a guardian and trustee in Islamic law; Adoption or, if necessary, sending the child to care institutions, and thirdly, in dealing with such an issue, special attention has been paid to continuing the child's upbringing, ethnicity, religion, culture, and language.

Child adoption

In addition to Article 20, which addresses the issue of adoption, Article 21 of the Convention reiterates that countries that recognize and authorize the adoption system must give priority to the best interests of the child. And make regular rules and regulations that prevent the child from being abused and exploited.

That adoption is not accepted in Islam (30) and the Convention is contrary to the rules of Islam, but it should be noted that the Convention itself explicitly requires countries that respect the rights of adoption to recognize the adoption system. . Therefore, it does not **contradict the rules of Islam**.

Displaced and refugee children

Article 22 of the Convention, first, addresses the issue of the child's asylum with a parent or other person and urges state parties to comply with human rights standards or other humanitarian instruments. Second, in the case of asylum without parents, try to track down the parents or other family members of the child reniand to reunite thefamily members. Third, if the parents and family members are not found, treat him or her as a child who has been temporarily or permanently deprived of the family environment. (31) The remarkable point in this article is that, firstly, refugee and asylum are not defined and it is not clear who is called a refugee and only the refugee child is supported, without giving any



specific rules and criteria for identifying a refugee child. Be. Second, asylum has its own set of rules and regulations, but guaranteeing a child's right to asylum, even with another who leads to separation from the parents (absolutely), entails the exclusion of an emotional relationship with the parents. And only in an emergency can asylum be considered valid, provided it is not possible with the parents. But in other circumstances and cases where the laws of the countries allow asylum, in general, separation and separation from the parents cannot be considered a provider of the best interests of the child. (32)

Education and its objectives

In Article 28, the right of the child to education is recognized (33) and in addition, primary education is free for all. Also in this article, the development of various forms of secondary and higher education is considered (35). And in Article 29, the goals of educational programs are mentioned in five headings, and it seems to be criticized because it does not mention the cultivation and promotion of moral values and religious beliefs. Children of Ethnic and Religious Minorities Article 30 of the Convention addresses the children of ethnic and religious minorities, and such persons shall have the right to enjoy their own culture, teachings, practices, and language. (36)

Recreation and cultural activities

Article 31 refers to the cultural-artistic dimensions, including all areas that provide entertainment and relaxation and, as a result, the development of appropriate creativity of the child, and member states are obliged to respect and provide and They have developed such a right.

Child labor

Article 32 of the Convention addresses child labor and the age and conditions of child labor, and calls on States to refrain from the economic exploitation of the child and any work which is detrimental to him or her or which causes him or her to drop out of school; Or to be harmful to his physical, mental, moral and social health, and to ensure this purpose, to approve and implement the minimum age and maximum working hours and other guarantees of its implementation.

Drugs

Article 33 prohibits child abuse for the production, distribution, and use of narcotics and stimulants, and calls on member states to take measures to prevent such acts. Prohibition of Torture and Principles of Prosecution

Article 37 of the Convention contains several significant issues that member states are **required to comply with:**

1. Torture and the death penalty and life imprisonment are prohibited for children under 18 years of age. To of the main reasons for the refusal of the United States to accede to this Convention is the same paragraph of Article 37; In 25 US states, the death penalty applies to children under the age of 18, and in many cases, the death penalty has been carried out.
- 2- Arresting, detaining, or imprisoning a child illegally and arbitrarily is prohibited and has been used as a last resort, and in case of imprisonment, he should be treated with respect and humanity.
3. The child has the right of immediate access to legal counsel or other necessary assistance,



as well as the right to challenge the lawfulness of his or her imprisonment before a court or other competent authority.

The point that is not mentioned (and should have been made) in this article is that despite the fact that the Convention applies to children, there is no definition of juvenile delinquency and also to some of the progressive principles of criminal law. No attention has been paid to delinquent children; Among these cases, new methods of security and training measures, amnesty, etc.

Armed wars

According to Article 38 of the Convention, states must first respect the rights of the child in times of armed conflict. Second, to refrain from employing children under the age of 15 in armed conflict. Third, to support children who have been affected in some way by the effects of the war.

Observance of justice

Article 40 of the Convention deals with the issues and principles and procedure of criminal proceedings of juvenile delinquents, and countries are required to observe the general principles of fair trials and the principle of innocence and humane treatment of the accused, and the principle of legality of crime and punishment. We do not have the rule of law and the secrecy of juvenile delinquency, and at the same time, children's prisons should be separated from adults.

Preference for more effective laws

According to Article 41, none of the articles of the Convention shall affect the domestic or international law in force in the Member States which is more effective in the interests of the child.

These were some of the most important articles on the general rights of children, which were briefly stated. Articles 42 to 46 of the Convention deal with the organization of the implementation of the described articles, and in this regard, a committee called the "Committee on the Rights of the Child" has been set up to examine the progress made by the member states in implementing the provisions. Examines countries' reports in this regard. The subject of the last section of the Convention, which includes Articles 46 to 54 of the Convention, Horwich and acceded to this Convention, discusses the stages of States' accession and the application of amendments to it. A noteworthy point in these articles is the authority of the reservation or reservation rights of the states when signing or ratifying the convention to declare the reservation and non-observance of some of its articles. Paragraph 2 of Article 51 also states that "the right of conditions which are contrary to the purpose of the Convention is not accepted. It is not clear, however, who is the authority and authority to determine the contrary to a conditional right with the purpose of the Convention. (42) In addition, the issue of referring disputes in the interpretation and application of the provisions of the Convention to arbitration or the International Court of Justice, which was raised in some of the aforementioned conventions, has remained silent in this convention. (43)

C) Status of some countries regarding the Convention on the Rights of the Child As mentioned above, out of 193 countries, 191 countries have signed and ratified the Convention on the Rights of the Child and only the United States and Somalia so far have not ratified the convention. The reason for the non-ratification of the Convention is the violation



of parental authority by the Convention, the absence of the death penalty for persons under 18 years of age (which in 25 US states provided for the death penalty for such persons), the issue of law (which only covers political and civil rights And recognized the issue of jurisdiction (which US federalism prevents from joining the convention; although Brazil, Germany and, Mexico, despite being federal, have ratified the convention). (44) The Philippines, which ratified the Convention in September 1990, (45) has changed or amended its laws to some extent in line with the Convention. For prostitution and child trafficking, new laws have been passed or the minimum working age of children has been revised in aby convention. But in this country, the juvenile justice system has not been reformed and child legal experts and counselors have not been trained. Regarding the legal registration of children, new measures have been taken regarding the problems of children (prostitution, conscription, work, child abuse, etc.). Units have been set up to collect statistics and information.

Sri Lanka, which ratified the Convention on the Rights of the Child in August 1991, passed new laws in 1995 on child sexual abuse, child labor, and adoption, raising the military age from 15 to 18 years. . It also included the Universal Declaration of Human Rights in its curriculum. Nepal, which ratified the Convention in October 1990, amended its child labor laws to designate one child welfare officer for all 75 regions of the country. In Vietnam (1990) on the laws relating to the juvenile justice process, the training of judges, police, and legal experts in accordance with the Convention, revisions, and child protection committees have been established at the provincial and regional levels. France, which ratified the Convention on the Rights of the Child in September 1990, revised the juvenile criminal justice system and adopted new laws under Article 12 of the Convention in 1993, as well as the education on the rights of the child through the mass media. , Especially the right of children to consult a lawyer in urgent cases. In Brazil, almost half of the country's 5,000 municipalities have a child rights council, and 1,000 special guardianship councils have been established to protect children at risk, as well as the National Movement for the Protection of Street Children. The country is formed. Colombia, which ratified the Convention on the Rights of the Child in February 1991, has selected national and provincial inspectors to monitor the situation of children, as well as to raise public awareness of the Convention on the Rights of the Child through the media. Groups, organizations, and schools, are done by the government. Portugal, which ratified the convention in October 1990, revised the working age of children and included a human rights declaration in its curriculum. In connection with children's problems (prostitution; recruitment, work, child abuse, etc.). It has established units to collect statistics and information in this country. These cases were a summary of the work that has been done to implement the Convention on the Rights of the Child in some countries. It is worth noting that some states have accepted the Convention on the Rights of the Child with certain conditions, in article 51 of the Convention, and have declared their non-compliance with certain cases by declaring the right to bet. The most detailed betting rights apply to Germany, the United Kingdom, the Vatican, and Belgium. For example, the Belgian Government has stated that Article 2 1 1 of the Convention on Non-Discrimination in the Execution of Rights interprets that does not mean that children of foreign nationals should be treated in the same way as Belgian nationals, and Given the same rights as



Belgian citizens. A reasonable legal distinction between nationals and foreign nationals is not discrimination. Articles 13 and 15 concerning freedom of expression and association, and the declaration of association, shall be subject to the restrictions, conditions, and provisions of Articles 10 and 11 of the European Convention on Human Rights. Or the Vatican Government declared: The phrase "family planning education" under paragraph 2 of Article 24 with the interpretation that it is acceptable by methods consistent with ethical standards; That is to say, it is a natural method, it accepts and also accepts Articles 13 and 28 related to education, Article 14 related to freedom of religion and Article 15 related to freedom of association in such a way that the fundamental and inalienable rights of parents are protected.

Or the country of Egypt declared: Since Islamic law is one of the most important sources of the laws of Egypt and in Islam, despite the various ways to protect children, there are no rules of adoption, so , Explicitly declares the right to the related materials. In addition to the above, other countries have declared their right to the Convention on the Rights of the Child, including Jordan, Morocco, Kuwait, Algeria, Iraq, Pakistan, Afghanistan, Qatar, and Syria, which have avoided The details are not mentioned.

d) Iran and the Convention on the Rights of the Child The Islamic Republic of Iran is one of the countries that signed the Convention on the Rights of the Child on September 5, 1990 and ratified it in August 1994. The Government of the Islamic Republic of Iran, at the time of signing the Convention, has declared the right to bet as follows: "When declaring, declare such a conditional right." Considering that according to Article Seventy-seven of the Constitution, treaties, treaties, agreements,ments and international agreements must be approved by the Assembly, the Islamic Consultative Assembly, in a single article, shall accede to It ratified the Convention with the general condition that it is not required to comply with Islamic norms and domestic law. The text of the single article read: "Provided that its provisions shall not be observed in any case and at any time that conflicts with domestic laws and Islamic norms." Nevertheless, the Guardian Council, in its Theory No. 5760 - 4/11/1372 to the Majles, has clearly stated the cases of the Convention's opposition to the norms of Sharia; The specific cases of the Guardian Council were paragraph 1 of Article 12 (freedom of opinion) paragraph 1 of Article 13 (freedom of expression) servant 2 Article 13 (restrictions on the said right) paragraph 1 Article 14 (freedom of thought and belief) paragraph 3 of Article 14 (Restrictions on the mentioned right) Paragraph 2 of Article 15 (Restriction on the right to freedom of association and participation in them) Paragraph 1 Article 16 (Prohibition of interference in personal and family affairs) Paragraph 1 Part 1 Article 29 (Orientation) Child education). The Islamic Consultative Assembly, after receiving the opinion of the Guardian Council, instead of providing the specific cases of the Guardian Council, by amending a small phrase in the text of the single article (the phrase "be or" after the word "Islamic" and before Added the word "to be placed") and approved it, and in fact with this phrase, the Guardian Council accepted a general right of protection and approved the resolution of the parliament; In such a way that "and ... provided that its provisions in any case and at any time are in conflict with domestic laws and Islamic norms or are not to be observed by the Government of the Islamic Republic of Iran. This condition implies that the Government of the Islamic Republic of Iran, by joining the Convention, does not seek to adapt its laws to the provisions of the Convention and amend it, but implements its laws and in the future It also makes and implements laws that



it deems appropriate, and in any case, wherever the provisions of the Convention are found to be inconsistent with current or subsequent domestic laws, these provisions are not binding on the Government of the Islamic Republic of Iran, and that is the case. Many countries have objected and find this genefoundcondition unacceptable and inconsistent with the Convention. Of course, some believe that by including such a condition, the Iranian government has accepted and acknowledged that there is not and should not be a fundamental contradiction between domestic law and the provisions of the Convention, and only in minor cases, domestic law and Islamic norms are preferable. And an argument to the contrary would be a breach of purpose.

This was a summary of the position of the Islamic Republic of Iran regarding the Convention on the Rights of the Child. However, it should be noted that the ratification of the Convention on the Rights of the Child in Iran does not mean that the rights of the child were not observed in Iran in the past, but there were laws and regulations before the ratification of the Convention to protect the rights of the child. It has been. Of course, laws (after the ratification of the Convention) have been passed in Iran that is an important and effective step in protecting the rights of the child, including the provision of special procedures for juvenile delinquents under the age of 18 in the Code of Criminal Procedure. Approved in 1999, revision of the Civil Code on the age of marriage was approved by the Expediency Council in 1381 (amendment of Article 1041 BC). , Revision of Article 1169 AH. ρ. Regarding child custody, approved by the Expediency Council (December 2003, based on the fact that the age of custody, both boys and girls, is up to seven years old with the mother) and another important law, "Child and Adolescent Protection Law" approved 5/29/1381, which consists of nine articles. According to Article 1, persons under the age of 18 enjoy the legal protection protection law. The law prohibits any harassment of children and adolescents that endangers their physical or mental health. According to Article 3 of this law, any purchase, sale, exploitation, or employment play, meant of children for the purpose of committing wrongdoing, such as trafficking, is prohibited and the perpetrator, in addition to compensation, will be sentenced to the prescribed punishment. According to Article 4, any physical or mental harm, harassment or torture of children, and intentional disregard for their mental and physical health and prevention of their education is prohi bareed. In addition, child abuse is considered a general crime. There is no need for a private plaintiff (Article 5 of the law) and individuals, institutions and centers that are in some way responsible for the care and custody of children are obliged to inform the competent judicial authorities for prosecution as soon as they observe child abuse. As noted, most of the articles of the Convention on the Rights of the Child are enshrined in this law, and this indicates the legislator's sensitivity to the issue, which is commendable. Although the convention has its strengths and weaknesses, it has its drawbacks.



Conclusion

In the overall evaluation of the 1989 International Convention on the Rights of the Child, it should be noted that the principles set out in this convention reflect the basic needs of children as well as the responsibilities of the family, society, and government to meet their needs and include implementing measures to protect children and. Although the convention has its strengths and advantages, it, in turn, has its drawbacks, including the lack of innovation and initiative in some materials, the lack of definition of juvenile delinquents, the lack of attention to some of the world's progressive principles, the existence of "Right of protection" for countries, ambiguity and in some cases, lack of definition of a refugee child. The Convention also covers issues such as inheritance of children from parents, political rights of the child, sports rights, child marriage, illegitimate children of minors, parental rights of the child, eligibility for economic activity, and performance. Transactions, criminal and civil liability for their actions, etc. Despite all the shortcomings and shortcomings of the Convention, in terms of comprehensive provisions on the rights of the child, has met the expectations of human society in the protection of children, and most countries after Since the ratification of the Convention, in their own country, they have gradually amended or changed their laws and regulations. The Islamic Republic of Iran is one of these countries that has developed new regulations on child protection.



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