

## Social cultural rights of children under “convention per on the Rights of the Child” with emphasis to Iranian law

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**Abstract:** Rights of the child one of the main problems of legal systems in the world in the present day and even some children's rights as human rights to know, due to this and the necessity of funds to child rights issues in domestic and international scope, the present article examines the social and cultural rights, children's rights, especially the Convention on the rights of the child in the legal system's internal. Research this article is analytical findings suggests that the international scope of articles 6, 7, 12, 13, 14 and 24 to 32 of the CRC and the local community environment 306 of the penal code Act 1392 and 622, 715 and 716 of the act (suspended) act 1375 and article III of the constitution and other laws other instances of social and cultural rights, children's rights and Islam are at particular reference to children's rights and in addition In order to observe some cases it has placed emphasis. [Fatemeh Ahadi , AlirezaBabamiri, MohannaLatifi. **Social cultural rights of children under “convention per on the Rights of the Child” with emphasis to Iranian law.** *N Y Sci J* 2015;8(3):1-6]. (ISSN: 1554-0200). <http://www.sciencepub.net/newyork>. 1

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### 1. Introduction

Children of the steps fundamental life each man In the society if the phase to the well by and the to the way appropriate back head with the community full of the people will that capabilities necessary for the life In the condition desired to are in the Indeed childhood period that man elapsed the up to of the children biological to the community members conversion b; Children are the future of society, which leads to health, education and community health. So in any way that human personality is made of the same character will be featured. Due to the problems they actually pay attention to the social problems which eventually solve the problem of children's communities. Everything you need to start with children, character, social, cultural, economic, political and human beings are formed from childhood, so true to the way human society is required to take the children to get special attention.

Everyone absolutely not good, not bad, but he's willing to be good or bad, or that the environment is affected somewhat dominant second sample. Most important of these is the family atmosphere that will underpin the behavior of the child. The period of childhood fun, games and mischief during the period when people are animals that are at that point and are coordinated with the appropriate period, that some of the underpinning philosophy of life, and some to the introduction of other the know, it would appear that the fact that childhood is the most crucial. In the between

people to the First name children existence are that tithe are you alone not of the law own defense and the of the it advocated them. They to the intermediate period restrictions natural and the social more of the other classes society vulnerable been and the risks physical, Mental and the educative they to threat well this legislator, Parent and the organizations international are that it should of the law children defense and the possible run desired and the as well warranty run it to prepared them.

In the rules different countries and the conventions global in the case children to the way different decision by the leaflets in the case children nominees announced global law children act 1959 and the convention law children act 1989 organization nations united is in 191 countries the world To the it joined, Republic Islamic Iran also in the year 1383 interpolation right condition general to the this convention important international annex. In principle twenty and the first the law basic and the as well rules civil and the criminal country also partial of the provisions support in the this background come is each several with deficiencies and the defects is child protection cannot be limited only to the legal system, it is also important so that the divine teachings of Islam and the most complete and one of this school of it to the teacher and emphasizes the respect and dignity they have one attractive the protection of the law children of the heavenly, Time proposed by that any institution, organization or conventions international

for the defense of the Law children existence no however, according to children's rights in general and support the right of the things that he has special importance during the last few years, including the rights of the child are the cultural and social in the legal system of domestic and international pointed out that it appears from the researchers did not actually discuss scientific inquiry, while the two issues are very important. It should not lose sight of the fact that the convention on the rights of the child, the law of Islam and the outlook is perceived value to these two categories.

#### **Problem has been expressed and the need for research**

In the dominant communities with the sensitivity special to the children look to why That mostly children and the adolescents to not the only to the title capital by the main it communities in the view to are but to the title the key the most seal featured the future tool it society to the count to the class-based development and training in the application framework that supports efficient and documented in accordance with the principles and norms of society is set up and implemented. That's why experts believe that children be made to the Humane society of the same order as the character's personality and color to your will.

The legal doctrine is a special look into this issue and even the Prophet (r) and the great religious orders in the footsteps of the great prophet strict believers to respect the rights of the child and the humane treatment of his order, and to consider It is clear that children's problems and issues related to dam the current reporting period and emerging issues, but has a long history of previous period as the majority of the scholars of rights of the opinions are divided.

#### **Motivation and choice of subject matter**

Since the CRC, including treaties that Iran has joined it. In this research, we attempt to highlight the importance and impact of social and cultural rights of children in the country and the relevant aspects of the study was to find ways to educate their children, which is promising to provide health and their health and caused.

#### **Literature and records of research**

About literature and history research can be said that in the context of children's rights in the internal and external extensive studies have been carried out by researchers from the social and cultural rights, in particular the part of the study period, even the period mentioned worthy be done. With regard to this, we refer to a number of books and articles.

#### **-From formulation to implementation of the CRC 2**

**- Convention on the rights of the child and the operation of its internal law of 3**

**- According to the United Nations Convention on the rights of the child 4**

**- Children's rights in Iran 5**

**- CRC and reservation of 6**

**- Islam and the rights of the child 7**

**- Law on the protection of children and contrasting views on the 8**

However, with consideration also featured the resources fibrous actually seen any social and cultural rights of children to be careful to not mention. While it's coming period is to a great extent depends on these two factors.

#### **Aspects of innovation research**

It is true that in academic environments and by different researchers, research and numerous studies have been conducted on children's rights, but it seems to be, titles, and studies are the content of that according to the survey period cultural of community children as one of the most important issues in domestic law and the CRC, especially from the perspective of comparative legal doctrine has been done.

On public spotted that of the one party this topics cultural is that character social one the children to for the future to the and the this matter to demands that more of the ago to the this theorem attention to and the of the party other this issues social that children in the future it and to understand and take action in line with the will of God, we are here is that, instead of investigating, and rehash the delinquency of children or issues that are hurting the most basic needs and rights, social and cultural rights are indeed more attention from researchers in this paper are based on the same period to explore the internal law of multilateral and CRC exact Iran and partial matching them together to get a good result and the modern period.

#### **The question before the survey**

As we know, there is no need for any investigation of countless questions put in mind of the writer and society is not. In other words, we seek to find answers to questions, and discover the facts ahead.

#### **Research purposes**

The main purpose of this paper, a detailed analysis of the domestic laws concerning social and cultural rights of children with CRC and express the views of teachers and the rights of domestic and foreign experts and provide comprehensive recommendations in this regard is.

#### **Generally, the specific objectives of this paper are:**

1. Convention on the rights of the Child
2. Cultural rights of the child
3. Social rights of the child
4. Review of religious teachings on the rights of the child

#### **Concepts and history of children's rights**

The concept of research is often seen as the key. Early investigators have tried to define the terminology

to identify them and their field of study and action. So those are the topics addressed in the definitions of basic terms.

### **1. The right**

As we talk about children's rights and the concept of two distinct featured child rights and made it is relevant to definitions words delve. In this section we will discuss the topics of the definition of rights.

### **2. Define the**

Featured a single word to word meaning 'rights and sustainable, right, right, against falsehood, justice, duty, right off the meal, certainly the 9 -fixed, going over to the right, optional that nature, The law Or Custom To the someone data is, Right word handling, duty, Assignment, and the name of the names of God is a constant current of 10.

### **3. Defining the rights of the child**

Iran's legal system is defined as the world's dominant legal system is discussed, Startup era childhood in the law Iran instead discussion and the investigation and the thinking there. To recognize start up era childhood law Iran to the view reaches study period substances of the law civil court nominees enjoying shipping of the some rights, To understanding law statutory Iran very resourceful way.

In law Iran and the law civil, start up era childhood with the childbirth the beginning so that one of the experts on the subject say: minor's Minor collector and the In the term Legal, minor to the One statement the that of the view age to the physical development and the before is mental necessary to life social.

### **4. Definition of the child in the CRC**

As a child in the domestic legal system and jurisprudence and is considered an important aspect of the study period in the global environment of the issues is considered an important and valuable the intellectuals and the authorities in this regard to comment have what about the children are integrated into a comprehensive document accepted by the international community has adopted the convention on the rights of the child is 1989.

Of the view the convention purpose of the children individuals' human below 18 years is unless the according to the law able implementation in the case children, age maturity lower diagnosis data 11.

### **5. Defining cultural rights**

Responsible crush cultural rights as a set of universally accepted right now is extremely important and has a variety of effects has. Comprehensive coverage of the world today is to observe and ensure the rights recognized in the context of respect for cultural diversity, and full respect for the realization of other fundamental areas of human rights 12.

### **6. Definition of social rights**

It seems equally not easily be comprehensive definition of cultural rights, social rights are not unanimous definition provided. It seems that to obtain the definition of social rights must define the name of several related especially to provide privacy and the definition of its payment.

### **7. Law private**

Right private, Optional is that each personal in the equal other people there the phrase other, Law private - like right ownership and the preemption - relationship is that person with the individual or property certain find the and the in the result this relationship, A series authority it to are the hand bring that other people required to the observance.

### **8.1 Rights general**

Right public related to the character man and the supervisor to the relationships government and the people in. For In other words, Law general - like right life, Lawsuit and the freedom - Necessary period character human is and the time period individuals it should Of the It have are and the everyone in the each where that is it should too of the this law benefit.

### **8. Law political**

Right political, optional is that person to the cause it can in the rule national self participant. Coming phrase other, law political - as right the company the elections, right nationality and the tenure jobs government - legal is that nationals one the country are and the in the formation or office government and the resources general partnership to 13.

### **9. Civil rights - political**

With the assumption that individuals adult wise In the conditions normal both possible decision wisely are and the both run free decisions Their in the case children with the attention to the that each two ago assumption before the serious below question copper crush foundations theoretical ethical law children dimension different ratio to the foundations theoretical law individuals the adult. In indeed principle purpose to be man that fruitful period it respect to the dignity and the dignity human is in the people adult wise to the form the whole grade able image is. Outcome purpose circuit respect to the independence individual and freedom selection individuals as expression right fate and the in the indeed to the formality get to know dignity human subjects.

### **10. Economic rights**

What in the topics before forgiveness providing one justification ethical and the theoretical in the design system legal children topics civil political and the cultural is. Beside justification above the note required is the value life that interpreter it in the literature law human right life is, Own on independent another ethical there, Explain it intuition ethical human life children to the similar individuals adult worthwhile

and the as a result, To children similar adults right life teller. Right life human beings never cannot transplantation with the rationality they explain and the justification back. Value life human value independent is that intuition our ethics free of the freedom selection individuals sentence to the value it and the.

### **11. Child rights in international instruments**

Each several conventions law the children in the living room present most document between international in the earth featured protection of the children and the adolescents to is but documents the other both are that to the protection of the this cortex great social paid have and the to the view to reaches check glancing several document both necessary is let's take a look at it.

### **12. Declaration on the rights of the child**

Formulation and adoption of the declaration of rights of the child relationship can be one of the basic steps to protect the rights and freedoms of children and the recognition of their rights to be considered. While taking the first step and the last step in this direction is not however undoubtedly of great importance in regard to the rights of the child enjoys.

Declaration on the rights of the child, the first legal action to protect the rights of the child in 1924 by the UN general assembly, 14 were taken.

## **2. Assessment of children's rights in the CRC, Iran and Islamic law**

### **2.1 The situation of children's rights in the CRC**

There are a bunch of children's rights as members of human society have been recognized by numerous international institutions in Essen. Universal declaration of human rights in the second paragraph of article featured his 25 provides: "(a)... (b) To be and the son to be, Use of the help and the assistance special to require it. The children whether result marital legal is and other legal, of the support social equal have and the "15 The declaration on the rights of the child Act of 1959 in its first article declares that" the child two of the all law inserted in the declaration have. The time period children without exception and the discrimination and the without in the view to take race, color language religion views political and other beliefs, Origin social and national, Wealth birth and the and properties individual others and family subject the law are "16 and the median period 2 CRC Act 1989 states:" 1. States party convention legal to that in the convention in the....

### **2.2 Adoption of the convention on the rights of the child**

Obvious to everyone that the smallest institution and the institution of the family is the natural and fundamental element of little known 17, And in many cases will be referred to as the heart of human societies, it is clear that raising children in their natural

family environment for providing the most benefits to the welfare and happiness of, he will be income.

That is why the government pursuant to Article 20 of the CRC reporting period have been committed to the extent possible and strive to care for the child temporarily or permanently his family and the benefits that the order to his fate deprived 18.

### **2.3 Adoption of legal status in Islam and Iran**

Legal and ethical teachings of Islam to support many orphans there many verses and hadiths about the rights of orphans is that few of them are mentioned.

### **4.2 Investigate instances of child rights in the legal system and the CRC with emphasis on social and cultural rights**

One of the best examples and in the context of children's rights, social and cultural context that has attracted much attention from researchers. To date there has not been much attention and scientific inquiry and lawyers are unaware of it, according to the study psychology and sociology chassis and legal ultimately becomes clear that these are important enough to cover the other fields.

Child rights in the domestic legal system are taken into consideration and not only lawyers are specialized in this regard are different religions, but in view of the importance of childhood and adolescence, and the various stages of effect of direct evaluate and examine the context and emphasis on respect for the rights of all children.

### **5-2 Instances of child rights**

Children and the adolescents in the process growth and the maturity and the then of the It for the sign in to the society with needs basic and if to the needs real they in the era childhood and the adolescence attention not what the many losses other able reparative on society imposition will. In indeed this needs of the law children of is that it should thereto attention the. Needs the children in the lambs of the time of the other time property and the importance great there? In this between law the children not the only to the title one homework on testament period parent Is, But society (power general) also with the development systems support and the regulatory ratio to the rights right children to the title vulnerable classes society of the it defense and the planning aim to do to direction catching up to the purpose of transcendental of the result of it for the this group case attention the To the.

### **6.2 Right to life**

Attention to the law children and the this thought that children shall of the law specific and the proportional with the terms and conditions have to and the sign in it to the coverage areas international to the evening enlightenment (century XVIII) returns. This how thinking of the. There from was that in during years for many, Children victim poverty, Policies false

economic and the conflicts armed were and the law. They in to hazard were 20.

### **7-2 Right to a name and nationality**

One of the bounties God the human beings power language and the expression is that with the instrument with the fellows own relationship established we and the demands own to the addressed transferred and the with the she does relationship. Speed transmission implications own issue important is that words and the words in the it role basic are and the in the therefore, Nomenclature for the things and the individuals invention was up to with the each first name specified and the of the realization and the intellection purpose of the wrong prevention.

### **8-2 Fun and games to children**

One of the most basic rights of children and adolescents is the fun and games, they played the fictional world of his spirit, and finally according to play the do his full spent the. Snatch English proverb says, "If a child does not always make you work and depriving them of play and exercise, you stupid sequel to 21".

### **9-2 Study social and cultural rights of children in the CRC**

As examples investigated the rights of the child and the international convention on the rights of the child noted that the majority of countries to consider the domestic laws of that you agree to lives of children in the consideration of and standardization of the taking and will. In the meantime, while honoring other child rights issues that are important to the field of social and cultural rights of children.

### **10-2 Social and cultural rights of children's rights in Iran**

Although, according to rumors, saying the issue of child abuse within their country during the uptrend, but always respecting the rights of children in various areas of major concern and responsible Whelan's is. Because they know he is responsible crushed la Islam over other issues regarding order placed with other children, and secondly as rudder future owners of the codification and legislators will consider the future of. The rights of the general problem of proper training and education on healthy he will be accompanied by a disciplined society.

### **11-2 Social and cultural rights of children to Islam**

Islam and the Quran as heavenly as the most complete, the most comprehensive books on earth and symbol of the faith, in several cases the rights of the child and the social and cultural issues. Islam's attitude is particularly important in terms of day-to-day needs and solves their problems, because every time the answer was.

### **Discussions**

One of the most important and challenging legal systems of the world in the present age, Children's

rights issues. It also gave the most respected jurists, legal provisions principles and human rights are considered. Man during his life several times over his post that seems to be most important during childhood and adolescence, because the child of the steps fundamental life each man in the society if the phase well by and the to the way appropriate back head with the community full of the people will that capabilities, necessary for the life in the position desired to are in the indeed childhood period is a period that man spent the up to of the childhood biological to the part of social transformation is Children are the future of society, education health and social health has caused them. So he created the character in any way that human beings have the same character. Due to the problems they actually pay attention to the social problems which eventually solve the problem of children's communities. On the basis both in the system juridical and the both system legal internal and the both within between international in the to identification law this cortex and the protection and the watch of the it law, Measures legal Andy idea and the orders by that on basis studies form from and the blog above to the this the result I note that in the context of the international environment based on the median period 1 CRC, a child, the human population is under the age of 18 years unless under the law applicable to the child, the age of puberty is detected, the definition of convention comprehensive definition of the concept of childhood, because although the convention marked the end of childhood, but the onset of childhood, Is silence. The silence of the convention on the means different harvest will be. One that this matter of the axiom that was and the need to the determination had not and the that child living born to was to the means start up childhood that was and the case the next the action abortion embryo in the some of the countries matter allowed treatment to was and the in the indeed one of the way by control birth that was to the because it means the boundary for the wall was allowed to take an action. Child or the child is not defined in the penal code, but only expressed in Article 146 that minors are not criminal responsibility in Article 147 of the law period, puberty for girls is 9 lunar years for boys and 15 lunar years and this is in fact the definition of legal and juridical limits for children. The number of lawyers in the definition of the child is: Minor to the one statement the of the view age to the physical development and the mental necessary to life social before is. Law cultural and the social that to the title basis the work in the this research to is in the any one of the documents between international and the even system law internal definition notes but the way general and the form of the contents materials rules law cultural in the indeed right on do and enjoy free access without discrimination, cultural activities in

each area of learning different culture, including language, creed religion customs and values and traditions that can be individual, social group or various forms of literature art, information and communication, production and technology music language, dress food lifestyle and.... Manifested and expressed. "CRC in Articles 24 to 32 of the examples mentioned that the most important social and cultural rights are the right to life education and the right to citizenship, right to freedom of intellectualities of religious devotion. The convention on the of illegitimate children's rights in Islam, we find that there is a contradiction between them. Conventions equality the whole children to the title people of the society human on basis principle lack discrimination between individuals man caps iodine the data and the attempted into the goals own that inspired by of the documents between international the past been loyal stay and the law same for the children natural and the other children distinguish. Of the opposite the law transition Islam and the to the consequently it Iran building to the materials that root in the morality there asked is such children to with the other children in the one rank the because equality law she does with the children from of the marriage to the house featured denial necessity formation the family is in the indeed Islam is called to thereby provide a guarantee to prevent the relationships between men and women. Conventions discussion adoption to on unlike system legal internal and the juridical to the formality known that was with the observance the provisions related to the son adoption it should under supervision authorities competence with legal implementation and the according to rules and the regulations is that the cause it law the children son read to the best payment up to mine slow. B the way general and the Short of the examples law cultural and the social in the conventions law the children, System legal internal and the juridical to power to the right life and the life on basis paragraph 1 article 6 conventions and the article 306 the law punishment Islamic approved 1392 and the materials 715 , 716 and the 622 the law punishment Islamic ( promotion) year 1375 mention closed that right life and the life children important and the with the value treatment by to the species the that assault to the it cause apply punishment by heavy will that was and the in the next juridical both sin treatment by and the right to have first name and the life onbasisarticle7 and the 8 conventions and the materials 16 , 19 , 20 and the 48 the law record direction protection identity and the identification they necessary and the necessary that was and the of the viewpoint juridical both right the children on parent. That was direction selection

first name worthy and the on basis paragraph 1 article 12 and the 13 and the article 14 conventions mention by that only of the viewpoint legal it should in the about freedom religion accuracy further to was and the childhood that father Muslimism to the convenience fails ratio to the hanger and the or determination religion the reaction the and the right to education is also featured on the basis of article 28 and 29 of the convention and paragraph 3 of article III of the constitution and article 52 of the fourth development plan, cited with the this description that resources religious in the chapter importance training and the learning very speech overall, up to a place that this shim featured upbringing and the education to the title one of the transcendental the most goals prophets measured by is and the of the viewpoint Quran also person described to the description science wit excellence is and the rightful place there.

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