

Criminal Protection of Street Children and Adolescents In Iran and the Three Countries of Algeria, Lebanon and Tunisia

*Hadi Rostami**
*Hassan Bavi***
*Ali Molabeigi****

DOI: 10.22096/law.2022.136793.1762

[Received Date: 20/12/2021 Acceptance Date: 16/06/2022]

Abstract

Children are easy prey for all kinds of injuries due to their special physical and mental conditions. Some of them, like street children, in addition to the above conditions, are at greater risk of victimization and delinquency due to the dangerous situation around them. Governments therefore take protective policies towards these children with a different perspective. These include Algeria, Lebanon and Tunisia. Implementing and comparing their plans with the Iranian government further demonstrates the basis for some of the necessary reforms in the field of domestic legislation. The most important findings of this study are increasing the age of children to expand the protection of children against being on the streets, providing financial facilities and medical services to the child's family, criminalizing non-declaration of being on the streets, extending the responsibility of helping street children to citizens, etc. The present article has been done analytically-descriptively in two parts: pre-street support and post-street support.

Keywords: Street Child; Criminal Protection; Prevention; Supportive Measures; Intensification of Punishment.

*Assistant Professor of Criminal Law and Criminology, Department of Law, Faculty of Literature and Humanities, BuAli Sina University, Hamadan, Iran. "Corresponding Author"

Email: h.rostami@basu.ac.ir

**Master of Criminal Law for Children and Adolescents, Allameh Tabatabai University, Tehran.
Email: bavihasan@yahoo.com

***Ph.D. Student of Criminal Law and Criminology, Faculty of Law and Political Science, Allameh Tabatabai University, Tehran, Iran.
Email: keykhosrow71@yahoo.com



Bibliography

A) *Books and Articles*

- Atrot, Warda. "Socialization of unschooled children in the streets". Master thesis, University of Algiers, 2003.
- Bavi, Hassan. "Comparative study of criminal protection of children and adolescents in Iranian and Egyptian law". Master's thesis, Allameh Tabatabai University, 1397. [In Persian]
- Ben Osman Nasreen Enas. "Child interest in the Algerian family law". Master Degree, Abi Bakr Belkayer University of Tlemcen, 2009.
- Bolshloush, Mokhtaria. "The phenomenon of street children and its reflection on society, a field study of a sample of children in the Center for Care and Re-education". Master Thesis, Algeria University, 2012.
- Bouhajjar, Sana. "Skin Factors of a Child Working in Algeria". Ph.D. diss., University of Mohamed Khedir Biskra, 2016.
- Chaysari, Krieg Sak Kitty. *International Criminal Law*. Translator: Hossein Aghaei Janatmakan, Ch 1, Tehran: Jangal, 2013.
- El-Hawary, Ben Issa. "*Family Conflict and its Relationship to the Displacement of Children*". Master thesis, Oran University, 2014.
- Elian Daher, Karen. "A social phenomenon that has existed through the ages and its increasing rates raise questions". *The Academy of Social and Human Studies*, no. 9, (2019): 1-50.
- François Renochi, Jean, and Christian Courten. *Criminal Law of Children and Adolescents*. Translated by Behzad Razavifard and Khadijeh Beheshti, vol. I, Tehran: Mizan, 2016.
- Ghasemi, Afsaneh et al. "Social Demographic Characteristics of Street Children and Factors Related to Their Streetization, a Study of Rapid Assessment of the Situation in Kermanshah". *Social Studies and Research in Iran*, vol. 8, no. 1, (1398): 114-87. [In Persian]
- Hamedi, Atefeh. "Legislative-Executive Requirements of Iran's Criminal Policy towards Street Children in the Light of Interpretive Theory No. 21 of the Committee on the Rights of the Child". M.Sc. Thesis, Allameh Tabatabaei University, 2017. [In Persian]
- Iqbal, Muhammad Bashir, and Jumaa Salma Mahmoud. *Social work and family and childhood care*. The Modern University Office, Alexandria, under one year.

- Jaafar Ali, Muhammad. "The Deviant Events". First edition, the University Institution for Studies, Publishing and Distribution, the Algerian Institution, N.D.
- Jafari, Amin, and Ali Molabeigi. "Iran's Legislative-Judicial Criminal Policy on Sexual Crimes against Children in the Light of International Documents". *Criminal Law and Criminology Studies* 48, no. 2, (2015): 257-274. [In Persian]
- Jami, Layla. "Legal Mechanisms for the Protection of Street Children in Algerian Legislation". *The Academy of Social and Human Studies*, no. 9 (2013): 140-175.
- Jamili, Khair Khalil. *Deviant behavior in the context of backwardness and progress*. Modern University Office, Alexandria, 2019.
- Lachtar, Rabia. "Social Perceptions of Street Children". Master thesis, Algiers University, 2009.
- Madani Ghahfarkhi, Saeed, and Amir Hamzeh Zeinali. *Pathology of children's rights in Iran*. vol. I, Tehran: Mizan, 2010. [In Persian]
- Marzouki, Karim. *Homelessness in Tunisia: A Limited Phenomenon on the Rise*. The Modern University Office, Algeria, 2017.
- Mohamed, Sayed Fahmy. *Street Children: An Urban Tragedy in the Third Millennium*, The Modern University Office, 2000.
- Nobahar, Rahim, and Fatemeh Saffari. "The Necessities of Criminology for the Protection of Street Children". *Journal of Criminal Law* 8, no. 2, (2017): 211-231. [In Persian]
- Rajabipour, Mahmoud. *Principles of Developmental Oriented Social Prevention of Juvenile Delinquency*. Vol. 1. Tehran: Mizan, 2012. [In Persian]
- Rezazadeh, Fatemeh, and Majid Amouzad Khalili. "Understanding the phenomenon of street work children and the effective causes of its occurrence". *the first international conference of social sciences and sociology of Kharazmi Institute of Science and Technology*, (2015): 1-45. [In Persian]
- Shahbazi, Omid, and Hassan Bavi. *Criminal Procedure for Children and Adolescents*. Vol. 1, Tehran: Judiciary Publications, 1398. [In Persian]
- Vamaghi, Marviah et al. "Rapid Assessment of the Situation of Street Children in Tehran". *Quarterly Journal of Social Studies and Research in Iran*, vol. 4, no. 1, (2015): 33-57. [In Persian]

Vamghi, Marwiah and others. "Combined study and rapid assessment of the situation of street children and the characteristics of their work in Tehran". *A Study of Social Issues in Iran*, no. 18, (2015): 391-417. [In Persian]

Wadih Shakour, Jalil. *Children present and working in the streets in Lebanon: Characteristics and Jamm*. Research and Consultation Institute, Lebanon, 2015.

Zeinali, Amir Hamza, and Mohammad Baqer Moghaddasi. "Victim of the right to security and information in the criminal process". *Journal of Legal Research*, no. 57, (2012): 227-271. [In Persian]

B. Documents

Order No. 66-155, June 8, 1966, which includes the amended and supplemented Criminal Procedure Code of 2007 AD.

Order No. 66-156, June 8, 1966, which includes the amended and supplemented Penal Code of 2015 AD.

Shamara Law 92, 9 November 1995 in the matter of the Tunisian Child Protection Law.

Shamara Law 422 corrected June 6, 2002, in the case of Hemat, Kodkan, in opposition to the law, or in danger (Lebanon).

Law No. 12-15, July 15, 2015, relating to the protection of the child.