



Save Our Children

Investigative report on the situation of children and mothers inside prisons in Iran

Children of Imprisoned Parents International

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by Children of Imprisoned Parents International

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Images from left to right:

Women’s ward in Khorram Abad Prison, Fars News Agency, Photographer: Mohammad Mehdi Pur Arab, January 25, 2022

Gharchak Varamin Prison, Student News Agency, Photographer: Tahmineh Rahmani, March 31, 2021

Women’s ward in Isfahan Prison, ISNA, Photographer: Fatemeh Nasr, March 20, 2021

SUMMARY

This research has been conducted by the US-based non-profit organization Children of Imprisoned Parents International (COIPI) to investigate the current situation of well-being and respect for human rights of mothers and children inside prisons in Iran. This research is based on official data, reports by human rights organizations, interviews with former or current prisoners, and COIPI's previous research, which started in 2015.

This research collected evidence adequate to show how children and their mothers inside prisons in Iran have had their rights violated, including through 1) sexual violence, 2) subjection to physical and psychological harm, 3) violation of the right to health, 4) violation of the right to education, 5) inability to achieve the minimum of well-being, and 6) exploitation in propaganda. This report also challenges the positive image of the situation of children and mothers inside prison promoted by official media in Iran. Furthermore, the report shows the contradiction between official statements and official information, as well as reports by human rights organizations, regarding (A) separate wards for mothers and children and (B) kindergartens in prisons.

CHILDREN INSIDE PRISONS: SYSTEMATIC CHILD-ABUSE

Human rights organizations and witnesses have repeatedly reported tension between prisoners. According to our findings, harmful situations prevail, including but not limited to stressful conditions, over-population, lack or substandard quality of basic requirements such as food and water, lack of access to phone, lack of access to open-air yards, and problems with air ventilation and cooling systems. Former prisoners told us such conditions increase pressure on prisoners, giving rise to more tension and physical aggression. Based on this research, children witness daily tension and physical attacks between inmates, even when they live in separate wards.

A witness who has been in Qarchak Varamin Prison since fall 2021 told COIPI: "I remember a bloody fight between inmates in the ward for mothers and children and the ward on the other side. Children were witnesses to that fight. If they don't happen between the ward for mothers and children and others, there are always fights and tension in prison."

Sepideh Qolian, a labor activist held in Sepidar, Ahvaz, wrote in her book¹ that the correctional officer played a movie of Arab prisoners' forced confessions of membership in ISIS. Angered, other prisoners beat them. A girl of approximately one year of age was injured in these clashes.

Violence is not limited to clashes between prisoners. A place called "Under 8" in the women's ward in Lakan Prison in Rasht, Gilan Province, is used to torture and punish prisoners. Prisoners who violate regulations are tied to a shaft in the middle of "Under 8" by correctional officers. Based on COIPI's research, children witness this punishment.

"The mother was a drug addict trying to quit and had no patience. On one occasion, she violently threw her child to the ground, causing the child's face to swell up."

Our research also shows that some inmate mothers affected by addiction have less tolerance for their children's behavior and sometimes beat or corporally punish them.

A social worker who works with children without parents or guardians in family-based centers told us about her experience of working with children transferred from prison:

"A girl - now ten years old - was in prison until she turned four. You can see a high level of anger, insecure attachment, and hate against her mother because she physically violated her daughter. The girl suffered from depression and believed if she was valuable, her mother wouldn't have kept her in prison."

Violence against children in prison doesn't end with physical harm, corporal punishment, and witnessing fights. COIPI documented sexual violence against boys in Qarchak Varamin prison. A former prisoner held at Qarchak in spring 2018 told COIPI:

"They [the inmates] paid no attention to the little girls. But when it came to the little boys, they would get naked in front of them, they took them to the bathhouse with them, played with their genitals, attached clothespins or things like that to their genitals, and forced the children to touch their bodies. Women other than the mothers forced their breasts into the children's mouths, taught the children sexual words and asked them to repeat them, or made sexually-charged phone calls in the presence of the children."

¹ Iran Wire, 2020 :<https://issuu.com/iranwire/docs/tilapia>

A social worker in a family-based center told COIPI that after two months, she realized that a girl had been sexually abused:

“A child was aggressive and angry, and she harmed others. Because she was with her mother in prison all the time, the sexual abuse probably happened in prison. But, if prison staff had treated her immediately, or she had had access to professionals, or she hadn’t been kept in prison, her wound wouldn’t have been so deep.”

“Traces of cigarette burns can be clearly observed on the eight-year-old girl’s hands, feet, and genitals. Her mother inflicted them when she noticed the child was touching her genitals.”

Poverty not only makes mothers unable to provide for the basic needs of children but also, in some cases, such as at Qarchak Varamin and Lakan, leads them to sell their children. Getting pregnant, committing a crime, and having a baby delivered at the prison and selling the child from inside, are typical in those prisons.

COIPI also documented other forms of child abuse: exploiting them for propaganda purposes and violating their best interest. For example, a three-and-a-half-year-old child was transferred to prison at the mother’s request and with approval of prison staff, in order to be presented to court and affect the mother’s legal proceedings. In

almost two months, a calm girl turned into a child who “screams at everything and cries all the time.” COIPI’s research also shows children exploited in propaganda produced by the regime (documented in Qarchak Varamin prison and Women Ward in Lakan Prison.)

VIOLATION OF FUNDAMENTAL RIGHTS OF CHILDREN INSIDE PRISONS

Contrary to the Convention on the Rights of the Child’s principle of non-discrimination against children and the importance of protecting the rights of all children regardless of their parents’ situation², children in prison inside Iran are made victims of their mothers’ alleged crimes.

A former prisoner in the women’s ward in Bam, Kerman in the Spring of 2011: “These children just exist; you can’t see them.”

Based on human rights organizations’ reports³ and witness testimonies obtained by COIPI, the food quality in prison is deficient. In Lakan Prison, where the food is of better quality, food is served at times that disregard the needs of prisoners, and quantity is insufficient.

² Article 2 of the CRC: States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

³ HRANA, July 14, 2020: <https://www.hra-news.org/2020/hranews/a-25652/>

Prisoners must acquire essentials from shops inside prisons. Reports say these shops had overpriced, low-quality items.

Mothers who keep their children inside prisons usually face poverty. COIPI found a few prisons that give children food separate from adults. In one prison, Qarchak Varamin, from April-May 2020, infant nutrition items were not available, and diapers were expired.

A former prisoner in Lakan, Rasht: “In reality, nobody sees those children. They’re just for propaganda. When some special guests visits a prison, the staff put lovely clothes on the children, and after the show, take the clothes back.”

Unclean or unusable water is another issue that puts children’s health in danger. Based on information gathered through November 2021, around 15 children who lived in Qarchak Varamin drank the same salty water other prisoners drank. Owing to poverty, it is not possible for mothers in that prison to purchase water bottles.

A former inmate: “Air in Qarchak is not fresh, and the sun is burning. Because of the smell of wastewater, I personally didn’t use the open air yard. The sun burns your skin, even when you go out for a moment to buy something or have a quick phone call.”

Children lack access to open-air yard facilities (women’s ward in Urmia Prison), are actively prohibited from accessing such facilities (women’s ward in Amol), or must access them unsafely (women’s ward in Lakan, Rasht, whereshoes and slippers are not adequately provided).

Where open-air facilities can be accessed, air pollution in the area threatens children’s health (Qarchak Varamin Prison).

Free drug use in prisons (women’s ward in Urmia Prison) affects children’s health. Children are not only indirectly affected by adults’ drug use; they may also be born with addiction. Unfortunately, these children are imprisoned with their vulnerable mothers instead of receiving treatment.

A former prisoner: “An addicted child was on her way to quitting. We tried to convince her mother not to breastfeed her [with milk tainted by drugs]. But, the baby cried hard, and her mother gave her milk from herself and the addiction-quitting process, which came with heavy convulsions, reset.

CHILDREN IN PRISON: CHILDREN WITHOUT DIGNITY

Article two of the Convention on the Rights of the Child emphasizes that the rights of children should be protected “without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, color, sex, language, religion, political or other opinions, national, ethnic or social origin, property, disability, birth or another status.” Contrary to this, the dignity of children in women’s wards in Iran is violated for different reasons. According to Sepideh Qolian, a labor rights activist who spent months in Ahvaz prison in 2020, prison guards called children of Arab women, whose fathers had been

charged with membership in ISIS, not by their names, but with the words “Bomb,” “Grenade,” or “ISIS dog.” Such violations are not limited to security inmates. Ms. Qolian, in another testimony⁴ about the women’s ward in Bushehr prison in August 2021, spoke of disrespectful behavior against a mother and child from Afghanistan. Prison authorities prepared videos and published reports in the media dismissing Ms. Qolian’s report as “fake.”⁵ These authorities, themselves suspected of children’s right violations, cannot be relied on to verify such news. Various testimonies about the disrespectful behavior of prison authorities and the violation of children’s dignity in different times and prisons, however, lead us to believe that Ms. Qolian’s testimony is accurate.

Another instance of the violation of children’s dignity pertains to children born from a relationship out of marriage. Some of these children, who correctional officers or other prisoners refer to as “unfathered” or “bastard,” have mothers who had been charged with non-marital sexual acts (Qarchak Varamin⁶). Based on existing law, interviews with witnesses, and formal reports, another essential right of these children has likely been violated⁷: the right to be registered immediately after birth (Article 7 of the Convention of the Rights of the Child).

LACK OF SEPARATE WARDS AND KINDERGARTENS FOR CHILDREN

According to official reports⁸, mothers and their children are kept in dedicated wards called "wards for mothers." Moreover, a primary response from Iran's judicial system since 2000 has been to build kindergartens in prisons⁹. Based on official reports, there are 18 kindergartens in Iran's prisons, which are ready or almost ready to be used. Reports have appeared in Iranian media regarding some of them (Qarchak Varamin Prison and the women's ward in Dowlatabad Isfahan Prison are two examples). COIPI's research shows that some of these kindergartens comprise only a single room in a women’s ward (Qarchak Varamin and Woman wards in Lakan Rasht). In Lakan, according to testimonies by witnesses, this place is "a tiny and dark room with a short ceiling." Our research also shows that openings have been

⁴ Sepideh Qolin’s twitter account: <https://twitter.com/sepideqolliyan/status/1435927993558331393>

⁵ Mizan News Agency, September 12, 2021: mizan.news/003B1D

⁶ Student News Agency, March 31, 2021: snn.ir/003s2B

⁷ ILNA, December 18, 2021: <https://www.ilna.news/fa/tiny/news-1170927>

⁸ ILNA, January 26, 2019: <https://www.ilna.news/fa/tiny/news-719869>

⁹ Iranian Social Work Internet Magazine, October 24, 2016: <https://bit.ly/3sy44Jw>

announced for some of these facilities on multiple occasions, and it is unclear if they in fact exist. For example, in June 2015, there was a report of a kindergarten opening in the women's ward in Vakilabad Mashhad. Iran News Agency (IRNA)¹⁰, on November 5th, 2021, mentioned that "providing basic requirements to build a kindergarten" was one of the main requests local prison authorities had of the president. Another example is the kindergarten in Kerman Prison: while 2015 news indicated that the women's ward in this prison had a kindergarten, another report in 2017 mentioned the setting up of such a kindergarten, and finally, Mizan (news agency of the Iranian judiciary) reported preparations for a kindergarten in Kerman Prison as one of the judiciary's activities in 2019-2020. Official news about kindergartens in woman's wards in Iran is therefore not reliable.

Our investigation shows that some of these kindergartens were closed on the pretext of COVID-19

A former prisoner: "In 2018-2019, when there was no corona, kindergarten in Qarchak Varamin was closed. I believe the kindergarten is closed because no social workers want to work in the prison, given the little money and facilities they provide.

(women's wards in Kachoi, Karaj, Lakan Rasht, and Qarchak Varamin women's prison).

COVID-19 protocol (including limits on entries and exits from prisons) is not implemented, and some inmates afflicted with the virus do not

receive an effective response from officials; kindergarten closures, therefore, seem to be motivated by something else.

Based on the information COIPI gathered, in most cases, basic educational supplies like playing cards, painting notebooks, and toys are limited or furnished by other cellmates (women's ward in Bam, Kerman). In some cases, these items are of poor quality (Qarchak Varamin) or not functional (women's ward in Lakan Rasht).

Evidence shows parenting or anger management training is not offered to mothers in prison.¹¹ (There is no library in the women's ward in Amol and Lakan Prisons, and there is an absence of reports indicating such training in women's wards.)

¹⁰ IRNA, November 5, 2021: irna.ir/xjGwd9

¹¹ Article 24 of the CRC, part 2: (e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents.

In most prisons, children not only live in general wards with other prisoners (women's wards in Amol, Sepidar, Ahvaz, Bushehr, and Urmia) but also, in some cases, it is impossible to segregate mother-child wards from other prisoners' entirely (Qarchak Varamin).

CONCLUSION

In this research, we interviewed a social worker who works with children without caregivers, including some children who have spent years in prison. We also talked with former prisoners who witnessed the situation of mothers and children in prisons. These sources have mentioned several negative impacts of keeping children in prisons: aggressive behavior or antisociality, high levels of stress and fear, nightmares, enuresis, and lack of verbal knowledge, besides psychological and physical effects due to sexual, physical and psychological abuse, such as insecure attachment, anger management issues, lack of confidence, self-blame, shame, and anxiety disorder - burdens they may carry into adulthood.

There is limited research available on the situation of children inside prisons. One study¹² conducted in 2001 came to the same conclusion. Based on that research, "33% of children who live in prison have psychological disorders and show the symptoms of verbal difficulties. One-third of these children have mild or serious psychological disorders. Infectious diseases, including urinary infection, also affect children in prison and 13% of children who have been monitored have signs of child abuse."

This research by COIPI also shows that children in prison not only do not receive education pertinent to critical stages of child development, but are also affected by different forms of abuse and neglect and the effects of living in a stressful situation with a lack of high quality necessary nutrition and improper learning.

Article 523 of the Criminal Procedure Code bans removing children from their mothers until they reach two years of age, except in special circumstances. Article 158 of the most recent version of the Executive Regulation of the Prison Organization, implemented on May 18th, 2021¹³, meanwhile, foresees that the Prison Classification Council can decide whether children between 2 and 6 can stay in prison or not. Based on COIPI's research, in Urmia Prison in 2019, a child was kept in prison until the age of 7, and she went to school from a prison in the countryside.

¹² Iranian Social Work Internet Magazine, October 24, 2016: <https://bit.ly/3sy44Jw>

¹³ Laws and Regulations Portal of Iran, May 18, 2021: <https://dotic.ir/news/9347>

Contrary to claims by the judicial officials of the Islamic Republic of Iran, it is not usual for children to live in such conditions alongside incarcerated mothers. In a few states in the United States of America¹⁴, Canada¹⁵, and some European countries¹⁶, facilities are provided for children, usually up to 2 years old, to stay with their mothers in a location separate from prisons. Such arrangements are based on children and mothers' right to be together in the first years of development. These facilities, don't have any contact with general prisons and, at the same time, provide for all children's needs, including food and health. There are educational programs for children, their mothers, and correctional officers, and each mother and child have a dedicated, independent space.

The road to an ideal solution is long and costly. Still, we believe that by applying the Convention of the Rights of the Child first and foremost - including the Article 19¹⁷ protection of all children from all forms of abuse and harm – as well as the international rules and laws to protect the rights of prisoners¹⁸, there are different ways to support these children at low or no cost. COIPI stands beside other non-profit and human-rights organizations who believe in modifying the law (such as the Islamic Penal Code), intervention in social challenges such as drug use and addiction, respecting people's decisions regarding their sexual relationships, and protecting the rights of freedom of expression. We believe in reducing the number of criminal offenses and potential charges, with an eye toward decreasing the prison population and minimizing prison's adverse effects on children and their mothers. COIPI also believes in using alternative punishments such as social services or house arrest for many crimes mothers have committed, to keep them and their children in a less harmful environment. Finally, COIPI believes there is a need to monitor children's conditions inside prisons through independent human rights organizations, independent

¹⁴ For example: <https://www.npr.org/2018/12/06/663516573/programs-help-incarcerated-moms-bond-with-their-babies-in-prison>

¹⁵ <https://www.csc-scc.gc.ca/politiques-et-lois/768-cd-en.shtml>

¹⁶ For example: <https://www.gov.uk/life-in-prison/pregnancy-and-childcare-in-prison>

¹⁷ Article 19 of the CRC: States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

¹⁸ The UN Standard Minimum Rules for the Treatments of Prisoners: https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf

media, and non-profit organizations. We recommend these measures to ensure that international¹⁹ and national laws and orders²⁰ are implemented, the rights of children and their mothers are not violated, and such children are not further affected, directly or indirectly, by the prison situation. COIPI is also convinced by global research that keeping children in prison after the age of two should be prohibited by law. Like other children's rights activists and the UN Committee on the Rights of the Child²¹, COIPI also believes that in the absence of close family members, a child with a mother in prison should be taken care of in a family-based organization or by temporary guardians, rather than by institutions such as the State Welfare Organization of Iran. Finally, we reiterate that preventing corruption and financial abuse (e.g., at Lakan Rasht, denying essential health and food needs of prisoners, against the backdrop of a lack of knowledge of rights and laws) and revising laws and making it possible for inmates to have equal access to alternative punishment, is both necessary and low-cost. Moreover, infrastructure reform, development of urban margins and undeveloped areas, and poverty and discrimination alleviation, which are primary drivers of incarceration, are part of the state's responsibilities and should not be the reason for violations of children's rights.

COIPI started documenting the situation of children and their mothers in Iran's prison in 2014. We also searched for the best practices used by different countries and raised awareness. COIPI, in its recent research (February 2022), gathered information on 37 women's wards all over Iran by referring to official news and reports by Iran's Prisons Organization; news agencies such as Mizan, IRNA, Fars, and Tasnim; and some semi-official reports, such as the online magazine of the Iranian Association of Social Workers. The information pertaining to 12 instances, including the harmful situation of children in prison, has been published in the past 12 months. We also cited reports from human rights organizations, such as Human Rights Activists News Agency – HRANA, Kurdistan Human Rights Network, and HENGAW Organization for Human Rights. We get support from Kurdistan Press Agency – Kurdpa. We interviewed three professionals, including Musa Barzin, a lawyer; Ali Divsalar, an expert in child protection in crisis situations and documentary filmmaker; and a social worker. We interviewed five former or current inmates, including Fatemeh Davand, Sepideh Farahan, and Atena Da'emi, and we indirectly interviewed three other

¹⁹ UN Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders with their Commentary: https://www.unodc.org/documents/justice-and-prison-reform/Bangkok_Rules_ENG_22032015.pdf

²⁰ Laws and Regulations Portal of Iran, May 18, 2021: <https://dotic.ir/news/9347>

²¹ <https://www.ungeneva.org/en/news-media/meeting-summary/2021/09/le-comite-des-droits-de-lenfant-conclusion-debat-general-sur>

prisoners, including Sahar Sana'i (Beirom Abadi), in seven prisons in different cities and provinces. We continue our research and welcome any collaboration and contribution in further research or investigative journalism about the situation of children and mothers in Iranian prisons.