

Executive instruction of article 4 on supporting the unattended children ACT passed on 13/09/2013

The consular officers throughout the world, regarding the request of taking custody of Iranian nationals, in line with article 4 of supporting ACT on the unattended children passed on 13/09/2013 by Iran's parliament as well as the article 3 of Executive Code of the article 36 of this approved ACT by the council of ministers, subject to the following items will issued the request of applicants to the office for registration of personal identity and more coordination:

A) The people who accordance with the law can request to take custody the unattended children

Regarding the article 5 of supporting on the unattended children ACT following people can request to take custody the unattended children and adolescents:

- 1) The couples who has passed more 5 years from their marriage and have an issue to childbirth, given that one of them has at least more than 30 years old. (number 2 in enclosed, complementation of individual profile sheet)
- 2) The couples with having children, given that, one of them have at least more than 30 years old (number 3 in enclosed, complementation of individual profile sheet).
- 3) The Girls and Women Without Husband, with having at least 30 years old, exclusively have the female guardianship right (number 4 in enclosed, complementation of individual profile sheet of the girls or the women without husband)

Explanation 1: In the event that with recognition of Forensic organization exist no possibility to childbirth, the applicants will be exempt from the paragraph 1 of this executive instruction

Explanation 2: If the applicants of guardianship be one of the relatives of children, the court with getting the order of state welfare organization and with considering the children's expediency can exempt them from some settled conditions.

Explanation 3: The priority to undertake the guardianship respectively is as follows: 1-the couple without children 2-the girls and women without husband 3- finally the couples have children

Explanation 4: the applicants who are less than 50 years old, rather than others benefit from equal conditions.

Explanation 5: Issuing the request and making the files and following it can be performed through the applicants or their lawyer.

B. The conditions of the applicants to request the guardianship

- 1) Iranian citizen
- 2) Believe in Islam or other religious stipulated in Iran's constitution
- 3) No criminal conviction
- 4) Financial ability
- 5) Having a good mental and physical health and operational ability to take care the children
- 6) No addiction to narcotic substances and alcohol
- 7) Moral competence
- 8) Lack of affliction to contagious disease

C. Required personal conditions

- 1) Iran's national
- 2) There is no way to recognize their parents
- 3) Their parents have passed a way
- 4) The children who their guardianship has granted to the state welfare organization, about 2 years other relatives don't refer to state welfare organization for grating guardianship
- 5) Based on the court's vote, their parents haven't required competencies to support from the children

Explanation 1: In case of influx of applications and equal condition, the selecting of guardianship will be lucky drawing.

Explanation 2: All of the children and adolescents who are less than 16 years old, based on the verification of court will be included in the process of child adoption.

D. The conditions and how to acting out at embassies or international agencies

If the eligible applicants, refer to the official agencies and deliver their request to guardianship, at first their shall complete initial interview sheet which includes aforementioned 3 groups at first A (Enclosed 1) and after sign and fingerprint by the applicants this sheet is endorsed by the charge of embassies, then accordance with the applicant's condition in classification of announced groups. The mentioned sheet with the

image of identity of card is sent to the organization for individual registration. In fact the purpose of accomplishment and sending of this sheet is checking the social, economic and family conditions of the applicants. After receiving the all documents the request will forward to state welfare organization (the office for public relations and international relations). If the state welfare organization be agree with the initial request of the applicants to find an appropriate case for them, the proceeding will announce to the related agencies to complete the process, it should be noted that the copy of all document of applicants will be keep in the files of applicants.

Required documents

- 1) Request of the applicants
- 2) Copy of all sheet of identity card
- 3) Copy of military services card or exemption card
- 4) Copy of marriage deal of the applicants
- 5) Copy of last academic level
- 6) Copy of ownership document of housing lease
- 7) Copy of Certificate of employment
- 8) Copy of health insurance card of the applicants
- 9) Copy of Certificate of infertility for the couples which is affirmed by the legal agencies.
- 10) No addiction record
- 11) Reports of social working and child adoption consultants about the social, economic and family condition of the applicants which has been confirmed by eligible centers. In this report, the authorities of resident country of the applicants shall announce that the applicants have the condition of permanent custody of the children clearly and commit until growing up the child by 18 years old, will have a supervisory system on the condition of child as well as in specific period of time based on the regulations of state welfare organization of Iran, will send the related reports to child adoption center.
- 12) Certification of criminal record of the applicants which has been confirmed by the related authorities.
- 13) Whole of documents of applicants should be translated into Persian language by formal translators.

Explanation (1): selection of province to make a file for applicants will be based on either selection of applicants or recognition of department for children and adolescents affairs.

Explanation (2): Presence of applicants is obligatory to take part in session of child adoption committee of state welfare organization of Iran, court and meeting with the child and other legal process.

Explanation (3): If the court issued its consent to grant the guardianship of children, in this regard temporary guardianship (six months) will be granted to the applicants by the order the court.

Explanation (4): If the regulations of resident country of the applications impede to enter the children during mentioned period of time, in this regard, the application should inside the country announce the place of child during this six monthly caring at home, it should be noted that considered place to keep him must be confirmed by the expert of state welfare organization.

Explanation (5) : If the parents of children passed away or be recognized as untrustworthy individuals , in this regard other Iranian nationals at that country such as their relatives who tend to accept the

guardianship of the children can request to guardianship of children , the process of child adoption is like previous process but, at time of accepting the children presence of them isn't obligatory in our country and they should refer to related agencies of Iran at that country.

E. Measures taken of the agencies after issuing the order of taking custody and deliver of children

1) Receiving permanent reports on social working process of the children after delivering the child to the applicants from authorized centers of child adoption in that country about the healthy condition of the children with considering following notes in below, this report will be sent to the state welfare organization of Iran during temporary biannual monthly, after issuing the finalized order by 3 years biannually and after 18 years old, annually and should send these reports to state welfare organization.

A) Physical health of child with the indicators like checking up, natural growth based on his age, vaccination based on the age, nutrition.

B) Social and mental health of child with the indicators like psychologically emotional relationship with the parents, psychologically emotional relationship with the friends and the teachers, recreational activities, artistic activities,

C) Child's general hygiene with the indicators like the hygiene of child's living place

D) Child's academic activities with the indicators like academic achievement, satisfactory to school, relationship with the classmates, participation in extracurricular plans of school

F) Child's welfare facilities with the indicators like child's room, the toys, child's game in free time.

2) If the property of attendants be aboard, the agencies should follow up the financial commitments of the attendants to keep the benefits of child, and should sent related documents to the state welfare organization.

3) Following up the activities related to long life insurance for the children and sending the related documents to state welfare organization.

4) In case of any incidents including, passing way, divorce, remarriage of the attendants, getting marriage of the attendants who be single, abuse with the children, the whole of process should be informed to the state welfare organization.