

# Iraq

## MINIMAL ADVANCEMENT

*In 2013, Iraq made a minimal advancement in efforts to eliminate the worst forms of child labor. Increasing insecurity and violence in the country has affected efforts to address child labor. Despite these challenges, the Central Committee on Trafficking in Persons met six times, and counted among its activities lobbying Parliament for improvements to the Anti-Trafficking Act 2012 and establishing a trafficking shelter protocol. The Government adopted new standards for children's education that emphasize inclusiveness and participation. However, children continue to engage in the worst forms of child labor, including through recruitment and use by illegal armed groups. The compulsory education age is lower than the minimum age for entrance to work, leaving children who are no longer required to be in school and not yet permitted to work particularly vulnerable to the worst forms of child labor. The Government continues to lack programs that target children in relevant worst forms of child labor, particularly those used by armed groups.*



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Iraq are engaged in the worst forms of child labor, some through recruitment and use by armed groups. (1-6) Table 1 provides key indicators on children's work and education in Iraq.

**Table 1. Statistics on Children's Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	5.3 (454,330)
Attending School (%)	5-14 yrs.	75.0
Combining Work and School (%)	7-14 yrs.	4.2
Primary Completion Rate (%)		66.3

Source for primary completion rate: Data from 2007, published by UNESCO Institute for Statistics, 2014.(7)

Source for all other data: Understanding Children's Work Project's analysis of statistics from MICS4 Survey, 2011.(8)

The newly analyzed results of the 2011 Multiple Indicator Cluster Survey (MICS) included in Table 1 show that the percentage of working children ages 5 to 14 has dropped by over half since the previous survey, conducted in 2006. School attendance increased, and the number of children combining work and school dropped over this 5-year period.

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

**Table 2. Overview of Children's Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Planting, weeding, hoeing, and transporting rice,* wheat,* orchard fruit,* and vegetables* (3)
	Herding water buffalo* (3)
	Fishing,* activities unknown (3)
Industry	Making bricks* (1, 3, 4, 9)
	Begging (4, 10, 11)
Services	Construction, activities unknown* (12)
	Street work, including selling goods, cleaning windshields, washing cars, begging, shining shoes (3, 4, 10, 13, 14)
	Working at gas stations* and auto repair shops (1, 4, 10, 12)

**Table 2. Overview of Children’s Work by Sector and Activity (cont)**

Sector/Industry	Activity
Services	Scavenging at dump sites* (15) Forced begging (4, 6, 11)
Categorical Worst Forms of Child Labor‡	Soldiering, including intelligence gathering, couriership, planting improvised explosive devices, acting as a suicide bomber (1-6, 9, 16-18) Commercial sexual exploitation sometimes as a result of trafficking (4, 6, 19-25)

\* Evidence of this activity is limited and/or extent of the problem is unknown.

‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a)-(c) of ILO C. 182.

Sunni and Shiite militias, as well as al-Qaeda in Iraq and the Islamic State of Iraq and the Levant, reportedly recruit and use children to gather intelligence, to act as couriers, and to plant improvised explosive devices.(2, 5, 6, 9, 17, 18, 25) During 2013, UNICEF reported that 400 children were found to be engaged in violent activity on behalf of nongovernmental militias.(4) Research found no evidence of the Government recruiting children into the Iraqi armed forces.

Throughout the country, girls are subject to commercial sexual exploitation by their families, who seek financial gain through the traditional institution of temporary marriages.(1, 4, 6, 19, 26) This practice involves a dowry paid to the girl’s family and an agreement to dissolve the marriage after a predetermined length of time.(14, 19, 27, 28) In the Iraqi Kurdistan Region (IKR), child commercial sexual exploitation was reported to be on the rise due to a large increase in Syrian refugees.(4)







Access to education is a challenge due to armed violence targeting teachers or in proximity to schools; school fees, especially for noncitizen children who are exempt from receiving free tuition; and issues related to transportation, especially in rural areas.(1, 4, 9, 29)

Increased insecurity and violence in the country was reported to have had a deleterious effect on Government efforts to combat human trafficking and to protect human rights.(4, 6) According to Government officials and international observers, efforts to combat child labor have been similarly impacted.(28)

## II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Iraq has ratified all key international conventions concerning child labor (Table 3).

**Table 3. Ratification of International Conventions on Child Labor**

Convention	Ratification
 ILO C. 138, Minimum Age	✓
 ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
 UN CRC Optional Protocol on Armed Conflict	✓
 UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established relevant laws and regulations related to child labor, including its worst forms (Table 4). The Iraqi Kurdistan Government does not observe the provisions on child labor in the central government’s labor laws and has drafted a child labor law unique to the region that is pending consideration of the Iraqi Kurdistan Parliament.(28)

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	15	1987 Labor Law as Amended by Coalition Provisional Authority Number 89 (30)
Minimum Age for Hazardous Work	Yes	18	1987 Labor Law as Amended by Coalition Provisional Authority Number 89 (30)
List of Hazardous Occupations Prohibited for Children	Yes		1987 Labor Law as Amended by Coalition Provisional Authority Number 89, Instruction 19 of 1987 (25, 30)
Prohibition of Forced Labor	Yes		1987 Labor Law as Amended by Coalition Provisional Authority Number 89 (30)
Prohibition of Child Trafficking	Yes		Constitution, 1987 Labor Law as Amended by Coalition Provisional Authority Number 89, Juvenile Welfare Act (Law No. 76 of 1983), Human Organ Transplantation Law (Law No. 85 of 1986), Anti-Prostitution Law (Law No. 8 of 1988), KRG Family Violence Law (Law No. 8 of 2011), Penal Code (Law No. 111 of 1969), Anti-Trafficking Act (2012) (9, 30)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Constitution, 1987 Labor Law as Amended by Coalition Provisional Authority Number 89, Penal Code, Anti-Prostitution Act (2011) (30)
Prohibition of Using Children in Illicit Activities	Yes		1987 Labor Law as Amended by Coalition Provisional Authority Number 89 (9)
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	Yes	18	Coalition Provisional Authority Order No. 22–Creation of a New Iraqi Army (9)
Compulsory Education Age	Yes	12	Constitution (31)
Free Public Education	Yes		Constitution (31)

\* No conscription or no standing military.

Order No. 89 sets employment conditions for children age 15 and older, including work hours, medical examinations and annual leave policies; it also provides for the creation of a register of employed young persons.(10, 30) Children employed in family enterprises are exempt from the Order’s requirements, which may put these children at greater risk for involvement in the worst forms of child labor.(10, 30) The CEACR has stated that penalties for violating the Order’s provisions on the worst forms of child labor are insufficient.(25)

Forced labor is prohibited by the Constitution.(31) However, the Penal Code only provides for punishment if the perpetrator is a public official. The Government is reportedly drafting revisions to the Labor Law that would extend penalties to anyone convicted of imposing forced labor.(16, 32)

Article 34 of the Constitution guarantees Iraqis the right to free education at all levels.(31) Children in Iraq are required to attend school until age 12.(33) The low compulsory education age leaves children ages 12 to 15 vulnerable to the worst forms of child labor, as they are not required to be in school but are not permitted to work either.

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Labor and Social Affairs (MOLSA)	Enforce child labor laws and regulations through its Child Labor Unit.(9) Conduct research on child labor.(34, 35) Operate shelters for human trafficking victims, including minors.
Ministry of Interior (MOI)	Enforce criminal laws on the worst forms of child labor. Collaborate with MOLSA, the Iraqi Industries Federation, and the Confederation of Trade Unions to conduct inspection campaigns.(9, 25) Run an Anti-Trafficking Department that compiles statistics on human trafficking cases.(9, 25, 35)

Law enforcement agencies in Iraq took action to combat child labor, including its worst forms.

### *Labor Law Enforcement*

MOLSA has two to three inspectors per province who are assigned to investigate child labor, as well as all other labor violations.(9) In 2012, the most recent period for which data is available, MOLSA reported that 88 businesses had been closed for child labor violations. In 2013, the MOLSA Child Labor Unit Chief attended a UNICEF training on the worst forms of child labor.(9) Subsequently, MOLSA increased its cooperation with UNICEF on efforts to collect data on the problem.(28) Research did not uncover information on the number of labor inspections conducted or the number of labor inspectors employed during the reporting period. Research found no information on funding, violations found, or penalties imposed to enforce child labor laws during the reporting period.

### *Criminal Law Enforcement*

In February 2013, the case of a gang accused of forcing women and girls to work in brothels was sent to Iraq's criminal court system.(6, 11) The Government funded and participated in numerous anti-trafficking trainings for law enforcement, the judiciary, and other officials throughout the reporting period.(6) Although in 2012 the Government compiled and reported statistics on trafficking in persons for the first time, it did not provide this information for 2013.

## IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
Interministerial Committee on Child Labor	Coordinate overall government efforts to combat child labor. Members include MOLSA, MOI, the Ministry of Education (MOE), and the Ministry of Foreign Affairs (MFA).(9)
Joint Committee on Street Children	Coordinate the implementation of measures for removing and rehabilitating street children. Members include MOLSA and MOI.(9)
Central Committee on Trafficking in Persons (CCCT)	Oversee implementation of the 2012 Anti-Trafficking Act and serve as the national coordinating body on trafficking in persons. CCCT includes representatives from the Ministries of Health, Finance, Migration and Displacement, Labor and Social Affairs, Human Rights, and Justice; the State Ministry for Women's Affairs; the Council of Ministers Secretariat; and the High Commission on Human Rights.(11, 36)

Limited sources indicate the Interministerial Committee on Child Labor and the Joint Committee on Street Children were active in 2013, though research did not identify their specific activities.(9, 14) The CCCT met six times, despite a security situation that compelled it to institute a rotating chairmanship to protect the personal safety of its representatives. Its activities included advocating for Parliament to strengthen trafficking laws and establishing a protocol for shelters providing services to trafficking victims.(6)

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Iraq has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
Coalition Provisional Authority Order No. 89	Lays out government policy to address the worst forms of child labor. Order 89 calls for programs to be designed to prevent the engagement of children in the worst forms of child labor, to provide direct assistance for the removal of children in these labor situations, and to ensure the children have access to basic education.(30) During the reporting period, the Government adopted new standards for children's education (developed with support from UNICEF) that emphasize inclusiveness and participation.(4)

**Table 7. Policies Related to Child Labor (cont)**

Policy	Description
National Action Plan on Human Rights (NAP)	Establishes goals and discrete steps to be taken in specific timeframes to “promote and protect human rights as a core value,” in line with recommendations adopted by Iraq following its submission to the Universal Periodic Review as a party to the UN Declaration of Human Rights. NAP recognizes Iraq’s obligations to international conventions, including the CRC and its optional protocols and ILO C.182 and C.138, and states that such conventions may be applied in Iraqi courts.(37) Sets an action plan to fulfil a proclaimed “right to education” in Iraq, including through financial incentives to families living in poverty to encourage completion of primary and secondary level education.(28, 37)

## VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

In 2013, the Government of Iraq funded programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

**Table 8. Social Programs to Address Child Labor**

Program	Description
Hotline for Victims of Trafficking‡	MOI hotline for victims of human trafficking that is routed directly to MOI’s Anti-Trafficking Department.(36)
Child Rights Hotline*	Kurdistan Regional Authority-operated hotline to receive calls for advice or complaints with respect to children’s rights. The hotline received 8,149 calls in 2013.(28)
Informal Education*‡	Government-supported informal education systems, including evening school programs and “fast education modes,” to encourage children ages 12 to 18 years who have dropped out of school to continue their education.(21)
Vulnerable Populations	Australian, Japanese, Dutch, and U.S. Government-funded programs implemented by IOM to focus on the needs of vulnerable populations, including internally displaced persons and refugees, who are often more susceptible to the worst forms of child labor.(35, 38) Include providing psychosocial services specifically for at-risk children in several governorates. Government monitors and assesses the needs of internally displaced persons and returnees to the country to offer assistance and protection, including from trafficking.(38)

\* The question of whether this program has an impact on child labor does not appear to have been addressed.

‡ Program is funded by the Government of Iraq.

Research found no evidence of programs to address specific forms of child labor such as children used or recruited by armed groups, or those engaged in street work, construction, brickmaking, or agriculture.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Iraq (Table 9).

**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Laws	Increase the age of compulsory schooling to at least 15, the minimum age for work.	2009 – 2013
	Provide legal protection for children working in family businesses.	2009 – 2013
	Increase penalties for violations related to the worst forms of child labor.	2013
	Amend the Penal Code to make penalties applicable to any forced labor violation, regardless of whether the perpetrator is a public official.	2013
Enforcement	Conduct child labor inspections in areas where children are known to work.	2011 – 2013
	Make data publicly available on funding levels, violations found, and penalties imposed to enforce child labor laws.	2013
	Resume reporting official statistics on the enforcement of anti-trafficking laws, and disaggregate data on child victims.	2013



**Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Social Programs	Implement programs to address relevant child labor sectors in Iraq, such as street work, commercial sexual exploitation, construction, brickmaking, and agriculture.	2010 – 2013
	Implement programs to demobilize and reintegrate children engaged in armed groups.	2009 – 2013
	Expand programs to increase access to education, particularly at the primary level.	2013
	Assess the impact that existing social programs have on child labor.	2011 – 2013

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