

Iraq

In 2011, Iraq made a minimal advancement in efforts to eliminate the worst forms of child labor. The extent to which continued insecurity has affected efforts to address child labor is unknown. While the Government announced the launch of a project to eliminate child labor and the formulation of a new Ministerial committee to fight child labor, it appears the project was not implemented and that the committee was not operational. The Government continues to lack programs that specifically target children in the worst forms of child labor, particularly for children working on the streets or those used in armed conflict. Further, 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. Children continue to be engaged in the worst forms of child labor in street work and armed conflict.

Statistics on Working Children and Education

Children	Age	Percent
Working	5-14 yrs.	12.4 (875,794)
Attending School	5-14 yrs.	69.6
Combining Work and School	7-14 yrs.	9.9
Primary Completion Rate		65.2

Sources:

Primary completion rate: Data from 2007, published by UNESCO Institute for Statistics, 2012.(1)

All other data: Understanding Children's Work Project's analysis of statistics from MICS3 Survey, 2006.(2)

Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children are engaged in the worst forms of child labor in Iraq, many in street work and some in armed conflict.(3, 4) Children working on the streets may be exposed to multiple risks, including severe weather, vehicle accidents and criminal elements. Some children reportedly encounter these dangers while engaged in street commerce, shining shoes, washing cars and begging.(3-9)

In some regions of Iraq, children reportedly work in hot and polluted brickyards, making clay bricks. Children working in brickyards often lack protective gear and are exposed to contaminated gases released during production.(3, 10-12) Children reportedly work in dangerous conditions in automobile shops and on construction sites.(4, 13, 14)



Although evidence is limited, there is information indicating that children in urban areas scavenge in dump yards to collect items that may later be sold. In addition to illness from exposure to toxic substances, children may experience physical hazards and psychological damage. Laborers in this sector also experience stigmatization, exploitation and harassment.(15, 16) It is also reported that children in Iraq work in dangerous activities in agriculture.(3, 4, 17) Work in agriculture can involve using dangerous machinery and tools, carrying heavy loads and applying harmful pesticides.(17)

Sunni and Shiite militias, as well as al-Qaeda in Iraq, recruit and use children as fighters and suicide bombers. They also use children as spies to gather intelligence, and as couriers and for planting improvised explosive devices.(3, 13, 18-26) Although information is limited, there is some indication that children are also used to construct bombs.(25)

Children are exploited in the commercial sex industry, some as a result of trafficking.(26-28) Gangs target young boys and girls for sexual exploitation and for sale into prostitution.(9, 27) Reports indicate that children are trafficked within the country as well as to other countries in the region.(27-30) Women and girls are trafficked internally for sexual exploitation through the traditional institution of temporary marriages.(4, 28, 31) In practice, the bride's family receives a dowry, but, instead of making a true marriage commitment, an agreement is made to dissolve the marriage after a predetermined length of time. This practice has been used to force some brides into prostitution.(4, 28)

Laws and Regulations on the Worst Forms of Child Labor

The 1987 Labor Law, as amended by the Coalition Provisional Authority Order Number 89, sets the minimum age for employment at 15 and prohibits anyone under age 18 from engaging in hazardous work.(32) Article 91.2 outlines categories of work considered hazardous, including work underground, underwater, in an unhealthy environment or where a child is unreasonably confined to the premises, and where children are required to use dangerous machinery or handle heavy loads.(32) Instruction No. 19 of 1987 includes additional prohibitions on hazardous labor for children, barring children from working with lead, toxic substances or in construction, and at tanneries or in any other place of employment that is hazardous to the health or morals of the child.(33)

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	15
	Minimum Age for Hazardous Work	18
	Compulsory Education Age	11
	Free Public Education	Yes

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.(5, 32) 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.(5, 32)

Order No. 89 prohibits slavery and similar practices, including forced labor, child trafficking and illicit activities such as drug trafficking.(32)

The Constitution prohibits trafficking of women and children and the sex trade.(28, 34) The Penal Code prohibits the enticement of children under 18 years into prostitution and provides for up to 10 years of imprisonment for violations.(30, 35) Law No. 8/1988 on combating prostitution comprehensively prohibits prostitution, including uses of persons for prostitution.(27) Order No. 89 outlaws child prostitution and child pornography; violations are punishable by imprisonment.(32) The Penal Code does not directly address or establish penalties for human trafficking, although child trafficking is punishable by up to 3 months of imprisonment under Order Number 89.(32)

Coalition Provisional Authority Order No. 22, Creation of a New Iraqi Army, sets the minimum recruitment age at 18 and specifies recruitment to be voluntary.(36) Order No. 89 prohibits forced and compulsory recruitment of children for use in armed conflict and outlines the punishment for enlisting children into armed service.(32)

Article 34 of the Constitution guarantees Iraqis the right to free education at all levels.(34) Children in Iraq are required to attend school until age 11. The 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.

Because the Iraqi Constitution allows for semi-autonomy within the Kurdistan region of Iraq, it is unclear whether child labor laws also apply in this area.(34)

Institutional Mechanisms for Coordination and Enforcement

In 2011, the Government reported that a ministerial committee was created to coordinate government efforts to combat child labor. The Committee is comprised of the Ministry of Labor and Social Affairs (MOLSA), the Ministry of Education and the Ministry of the Interior (MOI) and the Agency for the Welfare of Childhood, Women and Health.(26) Research found no evidence that the ministerial committee was active during the reporting period.

The Child Labor Unit (CLU) within the Labor Inspectorate of MOLSA is responsible for enforcing child labor regulations.(27) Furthermore, the MOI and the MOLSA collaborate with the Confederation of Trade Unions and the Iraqi Industries Federation to administer inspection campaigns.(26) It is unclear how these two efforts are separate in practice. An inspection service, established through

MOLSA, is responsible for ensuring the private and public sectors are in compliance with child labor laws.(4) There is no information available on the impact of the inspection service or on whether it was active during the reporting period. Further, during the reporting period, the Labor Inspectorate did not register any cases of children involved in trafficking, forced or compulsory recruitment for armed conflict, or hazardous work.(26)

The MOLSA and the MOI also collaborate as a Joint Committee to coordinate the implementation of measures for removing and rehabilitating street children.(26) There was no information suggesting that this Joint Committee was active in 2011.

A government committee comprised of the Ministry of Human Rights, the Ministry of Foreign Affairs, the MOI and the MOLSA monitors human trafficking and makes recommendations, although it has no authority to implement these recommendations.(37)

The MOIs of both the Iraqi and Kurdish Regional Governments (KRG) are responsible for enforcing anti-trafficking laws.(27) The Government of Iraq did not prosecute any cases of human trafficking during the reporting period.(28)

Government Policies on the Worst Forms of Child Labor

Coalition Provisional Authority Order No. 89, which amended the Labor Code, lays out government policy to address the worst forms of child labor. The order 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.(32) Information was unavailable

to determine if any government actions were taken in response to this order during the reporting period.

Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

Although information is limited, there is some information that the Government of Iraq adopted a project to eliminate child labor in 2011.(26) Research found no evidence this project was implemented or active during the reporting period. No information on the details of the project was made available. Further, research did not uncover the existence of other programs that specifically target children in the worst forms of child labor, particularly children working on the streets or used in armed conflict. The extent to which the current security situation affects program implementation is unknown.

In 2011, the Government of Iraq implemented informal education systems, including evening school programs and “fast education modes,” to encourage children ages 12 to 18 years who had dropped out of school to continue their education.(26) The Government of Iraq continues to participate in programs geared to the needs of the most vulnerable populations, including internally displaced persons and refugees.(38) These marginalized groups are often more susceptible to the worst forms of child labor. The programs, funded by the Governments of Australia, Japan, the Netherlands and the United States, include the provision of psychosocial services specifically for at-risk children in several governorates. As part of the program, the 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 any of these programs has an impact on child labor does not appear to have been addressed.

Based on the reporting above, the following actions would advance the elimination of the worst forms of child labor in Iraq:

Area	Suggested Actions	Year(s) Action Recommended
Laws and Regulations	Provide legal protection for children working in family businesses and on the streets.	2009, 2010, 2011
	Increase the age of compulsory schooling to at least 15, the minimum age for work.	2009, 2010, 2011
	Ensure that legislation explicitly prohibits the trafficking of children and that the penalties reflect the gravity of the crime.	2009, 2010, 2011

Area	Suggested Actions	Year(s) Action Recommended
Coordination and Enforcement	Operationalize the established coordination mechanisms such as the ministerial committee to fight child labor, the joint committee to address the issue of street children, and the committee to monitor human trafficking.	2011
	Develop procedures for the newly formed Ministerial Committee to proactively coordinate government efforts to combat the worst forms of child labor.	2011
	Conduct child labor inspections including areas where children are known to work.	2011
Social Programs	Implement the adopted project to eliminate child labor.	2011
	Implement programs to address the worst forms of child labor, particularly in street work.	2010, 2011
	Implement programs to demobilize and reintegrate children engaged in conflict.	2009, 2010, 2011
	Conduct a national survey on child labor to assess the impact of existing programs on addressing the worst forms of child labor.	2011

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