

In 2012, 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. The 2012 anti-trafficking law, which proscribes penalties for both sex and labor trafficking, entered into force, and the Government announced the formation of the Central Committee to Combat Trafficking in persons. Despite these efforts, the Government continues to lack programs that specifically target children in the worst forms of child labor, particularly 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 engage in the worst forms of child labor, some in 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, 2013.(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, some in armed conflict.(3-5) Although evidence is limited, information suggests that some children are forced to beg by criminal gangs, and those who beg in the capital city are particularly vulnerable to illegal armed groups engaged in trafficking and terrorist organizations that recruit children.(6-9)

Although the significance is unknown, children in some parts of Iraq 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, 4, 10-12) Anecdotal evidence suggests that children work in dangerous conditions on construction



sites.(4, 13) There are also reports that children in Iraq work in dangerous activities in agriculture.(3, 4, 14) Children working in agriculture may use dangerous machinery and tools, carry heavy loads, and apply harmful pesticides.(14, 15)

Sunni and Shiite militias, as well as al-Qaeda in Iraq, reportedly recruit and use children to gather intelligence, to act as couriers, and to plant improvised explosive devices.(5, 16-20) Anecdotal evidence suggests boys were found manning checkpoints in association with the armed civil defense forces known as Awakening Councils.(5) Since 2009, the Ministry of Defense has been responsible for integrating Council members into state security forces or other government agencies.(5, 21) Research found no evidence of the Government purposefully recruiting children into the Iraqi armed forces.

Children, particularly girls, are subject to commercial sexual exploitation, some as a result of trafficking.(19, 22-26) Reports indicate that children are trafficked within the country as well as to other countries in the region.(22, 24, 27, 28) In some cases, girls are subject to commercial sexual exploitation through the traditional institution of temporary marriages.(4, 24, 29) This practice involves a dowry paid to the girl's family and an agreement to dissolve the marriage after a predetermined length of time.(24, 30)

There are reports of children working on the streets, but specific information on hazards is unknown.(3, 4, 31-34)

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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 the minimum age for hazardous work at 18.(35) Article 91.2 of the Coalition Provisional Authority Order Number 89 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.(35) Instruction No. 19 of 1987 includes additional prohibitions on hazardous labor for children, barring children from working with lead or toxic substances, in construction, and at tanneries or in any other place of employment that is hazardous to the health or morals of the child.(36)

International Conventions and Selected Laws on Child Labor and Education

	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	12
	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.(31, 35) 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.(31, 35)

Order No. 89 prohibits slavery and similar practices, including forced labor, child trafficking, and illicit activities such as drug trafficking.(35)

The Constitution prohibits trafficking of women and children, as well as the sex trade.(37) The Penal Code prohibits the enticement of children under 18 years into prostitution and provides for up to 10 years of imprisonment for violations.(28, 38) Order No. 89 outlaws child prostitution and child pornography; violations are punishable by imprisonment.(35)

In 2012, the Government passed the 2012 anti-trafficking law, which entered into force on April 23. The law proscribes penalties for both sex and labor trafficking and replaces portions of the labor and penal codes.(9, 24, 39) Penalties for both sex and labor trafficking offenses range from temporary imprisonment and a fine of at least \$4,290 to a death sentence, which applies when trafficking results in the death of the victim. Article 6 of the law specifically proscribes life imprisonment and a penalty of at least \$12,897 for sex trafficking and forced prostitution offenses involving children by a third party.(39) Additional laws passed prior to the enactment of the 2012 anti-trafficking law can also be used to prosecute trafficking-related crimes, including the Labor Law (Law No. 71 of 1987), the Juvenile Welfare Act (Law No. 76 of 1983), the Human Organ Transplantation Law (Law No. 85 of 1986), the Anti-Prostitution Law (Law No. 8 of 1988), the KRG Family Violence Law (Law No. 8 of 2011), and provisions in the Iraqi Penal Code (Law No. 111 of 1969).(39) The law also establishes a legal framework for the Government to provide comprehensive protection and assistance for trafficking victims, including the establishment and operation of state-run shelters, financial assistance, and medical and psychosocial treatment for victims.(7)

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.(40) 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.(35)

Article 34 of the Constitution guarantees Iraqis the right to free education at all levels.(37) Children in Iraq are required to attend school until age 12.(41) 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. Access to education was reportedly a challenge due to school fees, especially for noncitizen children who are exempt from receiving free tuition, and issues related to transportation, especially in rural areas.(4)

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

Institutional Mechanisms for Coordination and Enforcement

A ministerial committee composed of the Ministry of Labor and Social Affairs (MOLSA), the Ministry of Education, the Ministry of Foreign Affairs (MFA), and the Ministry of the Interior (MOI), coordinates government efforts to combat child labor.(7, 8, 19) According to the MFA, the committee met several times during 2012.(8)

The Child Labor Unit within the Labor Inspectorate of MOLSA is responsible for enforcing child labor regulations.(8, 22) Furthermore, the MOI and the MOLSA collaborate with the Confederation of Trade Unions and the Iraqi Industries Federation to administer inspection campaigns.(19) 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) Research did not uncover information on the number of labor inspections conducted, particularly in the sectors in which children are known to work, or the number of labor inspectors employed during the reporting period. However, 14,000 children were reportedly found in illegal labor activities throughout the three provinces that comprise the Iraqi Kurdistan Region (IKR).(4, 8)

The MOLSA and the MOI also collaborate on a Joint Committee to coordinate the implementation of measures for removing and rehabilitating street children.(19) The MOI provided education and vocational training to youth removed from the streets and placed in juvenile facilities or orphanages.(8) Reportedly, the Joint Committee meets quarterly.(8)

In 2012, the Government announced the formation of the Central Committee to Combat Trafficking in persons (CCCT), an inter-ministerial committee led by the MOI, to oversee implementation of the 2012 anti-trafficking law and to serve as the national coordinating body on trafficking in persons. The 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.(7, 9) The CCCT met seven times during the reporting period and conducted several activities such as drafting, reviewing, and approving guidelines for the implementation of the 2012 anti-trafficking

law, and formed subcommittees at the governorate level to oversee implementation of the 2012 anti-trafficking law in the provinces.(7, 9)

The MOI also established the Anti-Trafficking Department and for the first time ever began compiling statistics on human trafficking cases. The MOI reported that for 2012 it investigated four cases of human trafficking involving a total of seven minors and that in each case the children were reunited with their families.(7, 8) No additional information was available about the cases.(8)

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.(35) Information was not available 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

In 2012, the MOI established a hotline for trafficking victims that is reportedly routed directly to the MOI's Anti-Trafficking Department. In addition, MOI supported 16 Family Protection Units around the country, which includes services for children who are victims of trafficking.(7)

MOLSA, in partnership with the Iraqi Red Crescent and Living Light International, is developing a pilot project to provide access to school for children who work in the dump yards. The project will target 15-20 girls ages 8-13 years and provide participants with transportation, a daily meal, and wage.(42) Information suggests the project was to be implemented in 2012, but research was unable to determine whether the pilot project was active during the reporting period.(8, 42) Research did not uncover the existence of other programs that specifically target children in the worst forms of child labor, particularly children used in armed conflict.

The Government continues to support 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.(19) The Government continues to participate in programs focused

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on the needs of vulnerable populations, including internally displaced persons and refugees.(8, 43) 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 providing 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.(43) 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, 2012
	Increase the age of compulsory schooling to at least 15, the minimum age for work.	2009, 2010, 2011, 2012
Coordination and Enforcement	Conduct child labor inspections in areas where children are known to work.	2011, 2012
Policies	Conduct research on the prevalence of the worst forms of child labor to determine whether better-targeted policies and services are necessary.	2012
Social Programs	Implement programs to address the worst forms of child labor.	2010, 2011, 2012
	Implement programs to demobilize and reintegrate children engaged in conflict.	2009, 2010, 2011, 2012
	Assess the impact that existing social programs, including those geared toward internally displaced persons and refugees, have on child labor.	2011, 2012

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