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IRAN: Tier 3

The Government of Iran does not fully meet the minimum standards for the elimination of trafficking and, even considering the impact of the COVID-19 pandemic, if any, on the government's anti-trafficking capacity, is not making significant efforts to do so; therefore Iran remained on Tier 3. During the reporting period, there was a government policy or government pattern of recruiting and using child soldiers, as well as complicity in sex trafficking of adults and children with impunity. Government officials continued to perpetrate and condone trafficking crimes with impunity, both in Iran and overseas, and did not report law enforcement efforts to address the crime. The government continued to force or coerce children and adults to fight for Iranian-led militias operating in Syria, and it continued to provide financial support to militias fighting in armed conflicts in the region that recruited and used child soldiers. In addition, the government failed to identify and protect trafficking victims among vulnerable populations and continued to treat trafficking victims as criminals, including child sex trafficking victims. Victims continued to face severe punishment, including death, for unlawful acts traffickers compelled them to commit, such as engaging in commercial sex and immigration violations.

PRIORITIZED RECOMMENDATIONS:

Cease punishing trafficking victims for unlawful acts traffickers compelled them to commit, such as engaging in commercial sex and immigration violations. • Cease the forcible and otherwise illegal recruitment of adults and children for combat in Syria and cease support for armed militias that recruit and use child soldiers in Iraq, Syria, and Yemen. • Amend the 2004 law to bring the definition of trafficking in line with international law. • While respecting due process, investigate, prosecute, and convict sex trafficking and forced labor perpetrators – particularly complicit government officials – and sentence convicted traffickers to significant prison terms. • Institute nationwide procedures to proactively identify trafficking victims, particularly among vulnerable populations such as persons in commercial sex, street children, and undocumented migrants. • Offer specialized protection services to victims of all forms of trafficking, including shelter and medical, psycho-social, and legal assistance. • Develop partnerships with and allow for the registration of civil society and international organizations to combat trafficking and to help provide essential protection services to victims. • Increase transparency of anti-trafficking policies and activities. • Become a party to the 2000 UN TIP Protocol.

PROSECUTION

The government did not report anti-trafficking law enforcement efforts, and officials continued to perpetrate trafficking crimes with impunity, including sex trafficking of adults and children and the coerced recruitment and use of adults and children in armed conflict in the region. Iranian law did not criminalize all forms of trafficking. A 2004 law criminalized trafficking in persons by means of threat or use of force, coercion, abuse of power, or abuse of a victim's position of vulnerability for purposes of prostitution, slavery, or forced marriage. Inconsistent with the definition of trafficking under international law, the law required movement to constitute a trafficking offense and required a demonstration of force, fraud, or coercion in child sex trafficking cases. The law did not encompass all forms of labor trafficking. The prescribed penalty under this law included up to 10 years' imprisonment if the trafficking offense involved an adult victim and a penalty of 10 years' imprisonment if the offense involved a child victim. Both penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for kidnapping. The 2002 Law to Protect Children and Adolescents criminalized buying, selling, and exploiting children; the punishments for such crimes were six months' to one year imprisonment and a fine, which were neither sufficiently stringent nor commensurate with other serious crimes such as kidnapping. The labor code criminalized forced labor and debt bondage, but the prescribed penalty of a fine and up to one year imprisonment was not sufficiently stringent. Courts accorded legal testimony by women only half the weight accorded to the testimony by men, thereby restricting female trafficking victims' access to justice. Moreover, female victims of sexual abuse, including sex trafficking victims, faced prosecution for adultery, defined as sexual relations outside of marriage and punishable by death.

The government continued to conflate human trafficking and smuggling crimes, and efforts to address sex trafficking and forced labor crimes were either nonexistent or not widely publicized. The government did not report statistics on investigations, prosecutions, convictions, or sentences of traffickers. In April 2020, Iranian media reported the government, with the assistance of an international organization, arrested an Iranian national for suspected sex trafficking of Iranian girls in Malaysia over a three-year period. Iranian police reportedly extradited the alleged trafficker from Malaysia and arrested an unknown number of other accomplices in Iran. Influential Iranian officials reportedly guaranteed the safety of the alleged traffickers by helping them avoid earlier arrest and secured the release of some of the victims being detained by the Iranian police and returned them to the traffickers over the three-year period. The government did not report the status of this case at the end of the reporting period; however, Iranian media reported that the alleged traffickers were referred to the courts for prosecution. The government did not report providing anti-trafficking training to its officials.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year. The government condoned or directly facilitated commercial sex involving both adults and children, including clear cases of sex trafficking, throughout Iran and in neighboring countries. Observers continued to report that Iran's Islamic Revolutionary Guard Corps (IRGC) and the Iranian Basij Resistance Force (Basij), a paramilitary force subordinate to the IRGC, continued to actively recruit and use – through force or coercive means – migrant and refugee children and adults, as well as Iranian children, for combat in IRGC-led and commanded militias in Syria. According to a statement made by an IRGC official in October 2019, the IRGC may have recruited child soldiers from 3,700 student Basij bases in Khuzestan province, and these child soldiers were likely still engaged with the IRGC during the reporting period.

PROTECTION

The government failed to identify and protect any trafficking victims. Official government involvement in trafficking crimes and authorities' abuse of trafficking victims continued unabated. The government reportedly continued to punish sex and labor trafficking victims for unlawful acts traffickers compelled them to commit, such as engaging in commercial sex and immigration violations. As in previous years, the government's continued pattern of human rights abuses against victims of sexual abuse and persons in commercial sex resulted in the government severely punishing potential adult and child sex trafficking victims through lashings, public shaming, forced confessions, imprisonment, and the death penalty. The government also continued to detain and deport Afghan migrants, including children, who did not comply with Iranian officials who recruited them – through coercive means – to fight for Iranian militias abroad. Some detained migrants experienced severe physical abuse, including sexual abuse of young girls, while in government custody, which at times resulted in lack of food and water for extended periods of time and extortion. In 2020, the government deported 325,000 Afghans and did not make efforts to screen for or identify trafficking victims among this highly vulnerable population. Furthermore, in November 2020, the government introduced legislation to impose fines and severe prison terms – up to 25 years – on undocumented migrants and allow security officers to open fire at vehicles suspected of transporting them, an approach that would harm potential victims among this vulnerable population and disincentivize their consultation with law enforcement to report trafficking crimes or seek assistance. Authorities also reportedly arrested street children and sent them back to camps pending deportation or to detention centers; between 60 to 80 percent were estimated to be foreign nationals, some of whom may have been trafficking victims.

The government did not provide protection services specifically for trafficking victims. Iran's state welfare system did not provide adequate coverage nor protection to the most vulnerable populations in the country, including children and persons engaged in commercial sex. Foreign trafficking victims were unable to access assistance from the welfare system. The government did not report providing support to or partnering with NGOs that offered limited services to populations vulnerable to trafficking. Furthermore, the government harassed some NGOs working with vulnerable populations, and it arrested and imprisoned some activists under national security charges or for "spreading propaganda against the system." The government did not encourage trafficking victims to assist in the investigation or prosecution of traffickers and did not provide witness support services. The government did not provide foreign trafficking victims legal alternatives to their removal to countries in which they may face hardship or retribution.

PREVENTION

The government failed to prevent trafficking. The government's persistent lack of efforts to prevent official complicity in trafficking crimes further exacerbated trafficking in the country and the region. The government did not make efforts to reduce the demand for commercial sex acts in Iran or child sex tourism by Iranian citizens traveling abroad; on the contrary, Iranian officials were reportedly actively involved in the promotion of commercial sex, including cases of sex trafficking. The

government did not take measures to prevent the IRGC's recruitment and use of children to fight in the Iranian-led and funded Fatemiyoun Brigade deployed to Syria. Furthermore, the government did not take action to hold accountable officials, including the current Minister of Education, who in previous reporting periods promoted the recruitment and use of children to fight for Iran in Iraq.

Iran is not a party to the 2000 UN TIP Protocol. The government did not have a national anti-trafficking coordinating body; the government did not report dedicating resources to address human trafficking or the provision of anti-trafficking training to its diplomatic personnel. The government did not improve transparency on its anti-trafficking policies or activities, nor did it implement anti-trafficking awareness campaigns. Hardline elements within the regime routinely stymied efforts to amend relevant existing laws or introduce new measures to improve the government's ability to prevent or address the country's pervasive trafficking problems. Children of unregistered Afghans continued to have difficulty obtaining legal documentation, which increased this population's vulnerability to trafficking. In June 2020, a new nationality law entered into force that stated Iranian women married to foreign men were able to transmit citizenship to their children; this was not automatic, however, as it required the mother to submit an application on behalf of her children. Human rights activists reported concerns, that the nationality law required the Intelligence Ministry and the Intelligence Organization of the IRGC to certify that no "security problem" existed before approving citizenship for children born to Iranian mothers with non-Iranian fathers; this vaguely defined security provision could have been used to arbitrarily disqualify applicants if they or their parents were seen as critical of the government, further increasing this population's vulnerability to trafficking due to lack of citizenship documentation. Due to the pandemic, the government required students to register for online schooling with their national identification number, which undocumented children did not have, further heightening their vulnerability to labor exploitation and trafficking.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Iran, and traffickers exploit victims from Iran abroad. The ongoing worsening of the Iranian economy, as well as serious and ongoing environmental degradation in Iran, have significantly exacerbated Iran's human trafficking problem, particularly for vulnerable and marginalized communities such as ethnic minority groups, refugee and migrant populations, and women and children. Iranian and some foreign women and girls, as well as some men, are highly vulnerable to sex trafficking in Iran. Although prostitution is illegal in Iran, a local NGO estimated in 2017 that prostitution and sex trafficking are endemic throughout the country, and reports estimate sex traffickers exploit children as young as 10 years old. The government reportedly condones and, in some cases, directly facilitates the commercial sexual exploitation and sex trafficking of adults and children throughout the country; Iranian police, IRGC, Basij, religious clerics, and parents of victims are allegedly involved in or turn a blind eye to sex trafficking crimes. The demand for commercial sex reportedly occurs in large urban centers, including the major pilgrimage sites of Qom and Mashhad; reportedly Iranian, Iraqi, Saudi, Bahraini, and Lebanese women in these locations are highly vulnerable to sex trafficking. Poverty and declining economic opportunities lead some Iranian women to willingly enter commercial sex; traffickers subsequently force or coerce these women to remain in commercial sex. Some Iranian women who seek employment to support their families, as well as young Iranian women and girls who run away from their homes, are vulnerable to sex trafficking. "Temporary" or "short-term" marriages – for the purpose of commercial sexual exploitation known as "*sigheh*" – lasting from one hour to one week are reportedly widespread in Iran and take place in so-called "chastity houses," massage parlors, and private homes. These arrangements are reportedly tightly controlled, condoned by the state, and regarded highly by religious leaders to allow men to sexually exploit female and male Iranians, as well as Chinese, Thai, and other victims, including children. Afghan girls are vulnerable to forced marriage with men living in Iran, which frequently leads to their victimization in sex trafficking, forced labor, and domestic servitude. Child marriage of Iranian and some foreign girls is reportedly increasing in Iran and is most widespread among communities in lower-income areas of large cities, often with the consent of parents; girls in these marriages may be at risk of sex trafficking or domestic servitude. North Korean nationals working in Iran may have been forced to work by the North Korean government.

Iranian women, boys, and girls are vulnerable to sex trafficking abroad, including in Afghanistan, Armenia, Georgia, Iraq, the Iraqi Kurdistan Region (IKR), Pakistan, Turkey, and the United Arab Emirates (UAE). In 2018, a prominent Iranian NGO reported a rise in the number of Iranian nationals in commercial sex in nightclubs in Tbilisi, Georgia, including some child sex trafficking victims; pimps and madams in Tbilisi reportedly confiscate victims' passports and physically abuse and threaten victims. The media continued to report in 2018 an increase in young Iranian women in commercial sex in Dubai; some of these women are trafficking victims, whose pimps confiscate their passports and threaten them with violence or execution if they return to Iran. Some reports also suggest collusion between pimps in Dubai and Iranian police, the IRGC, and the Basij. Nationals from Saudi Arabia, Kuwait, and Qatar reportedly purchase sex from Iranian women in commercial sex in Dubai, including trafficking victims. Reports suggest that Iranian women are also vulnerable to sex trafficking in Turkey, particularly in Turkish cities close to the Iranian border. According to IKR press reports in 2018, more than 2,000 young Iranian women and girls entered the IKR in 2018, many of

whom are victims of sex trafficking in cafes, hotels, and massage centers. According to a regional scholar, traffickers reportedly use Shiraz, Iran, as a transit point to bring ethnic Azeri girls from Azerbaijan to the UAE and exploit them in sex trafficking rings.

Iranian and Afghan refugee children, street children, and orphans in Iran are highly vulnerable to forced labor, and experts suggest child trafficking is increasing in Iran. A local Iranian official stated that the number of child laborers in streets has increased significantly due to the pandemic and the related economic downturn and that some of these children work under the supervision of profiteers and traffickers. Official Iranian statistics indicate there are three million children working in Iran, but Iranian media suggest there are approximately seven million children sold, rented, or sent to work in Iran. Most of these children are reportedly between the ages of 10-15 years old, and the large majority are foreigners with no official identification documents. The number of children working in transport, garbage and waste disposal, “dumpster diving,” car washing, brick factories, construction, and the carpet industry reportedly continues to increase; these children experience abuse and withheld wages and may be exposed to infectious diseases, all indicators of forced labor. Young Afghan children, mainly boys, are forced to perform cheap labor and domestic work, which often involves debt-based coercion, restriction of movement, non-payment of wages, and physical or sexual abuse, all of which are trafficking indicators. Organized criminal groups target children for child begging rings in Iran. Criminal groups kidnap or purchase and force Iranian and migrant children, especially undocumented Afghan children, to work as beggars and street vendors in cities, including Tehran. These children, who may be as young as three years old, are routinely subjected to physical and sexual abuse and drug addiction. Orphaned children are vulnerable to criminal begging rings that maim or seriously injure the children to gain sympathy from those passing on the street. Poor families “rent” their children by the day to criminal groups that force the children, some as young as five years old, to beg in the street; if the children do not collect a specified amount of money by the end of the day, the groups force children to work in illegal workshops or exploit them in commercial sex. Reports indicate that organized gangs force some children, including Afghan children, to engage in unlawful activities, such as drug trafficking and smuggling of fuel and tobacco. Some Afghan children, ranging from ages 14-17, use smugglers to transport them from Afghanistan to Iran in search of work; once in Iran, smugglers turn the children over to Iranian employers who force them to work.

Foreign workers, Pakistani migrants, and Afghan migrants and refugees are highly vulnerable to forced labor and debt-related coercion in Iran. The UN estimates as many as three million Afghans live in Iran and reports there are 951,142 Afghans registered as refugees in Iran. In addition to registered refugees, the government hosts an estimated 450,000 Afghans who hold Afghan passports and Iranian visas and an estimated 1.5 to two million undocumented Afghans. Undocumented Afghans face increased vulnerability to economic and social hardships and exploitation, including trafficking. Afghan refugees and migrants frequently travel illegally through Iran en route to Turkey, making them ineligible to receive state assistance and vulnerable to abuse and exploitation. Organized trafficking groups subject Pakistani men and women migrants in low-skilled employment, such as domestic work and construction, to forced labor using debt-based coercion, restriction of movement, non-payment of wages, and physical or sexual abuse. Increasingly, employers seek adjustable work contracts for registered foreign workers where employers deny workers their benefits and coerce them to work overtime, increasing the workers’ vulnerability to forced labor. Traffickers subject Afghan migrants, including children, to forced labor in construction and agriculture in Iran.

Iranian authorities continue to force and coerce Afghan migrants, including children, as well as some Pakistani migrants and Iranian children, into armed groups in the region. Several credible sources continue to widely report the IRGC and Basij coerce male adult and child Afghans residing in Iran, including boys as young as 13 years old, to fight in the Iranian-led and funded Fatemiyoun Brigade deployed to Syria. Officials threaten these individuals with arrest and deportation to Afghanistan. The Basij also reportedly recruits and trains Iranian children who are deployed to Syria. Sources also indicate the government exploits undocumented and impoverished Pakistani adults living in Iran to fight for the IRGC-led Zaynabiyoun Brigade in Syria. According to a November 2020 media report, the IRGC reportedly established three centers located in Al Mayadin to facilitate recruitment and training of Syrian youth from Dayr az Zawr to fight in IRGC and affiliated militia in Syria. Established in 2019, the largest center reportedly houses 250 children between the ages of 13-18 years; the children undergo three months of training in preparation for combat. In addition, the Iranian government provides funding to militias operating in Iraq and to Asa’ib Ahl al-Haq (AAH) and Harakat Hezbollah al-Nujaba (HHN), which recruit, train, and use child soldiers in combat in Iraq, Syria, and Yemen. According to an Iraq-based observer, the Iranian government also provided funding to the militia Abu Fadhl al-Abbas Brigades, which used children in combat on the front line in Fallujah, Iraq, in 2016.



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Austrian Red Cross Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD)	Wiedner Hauptstraße 32, 1041 Wien T (Telefon) +43 1 589 00 583 F (Fax) +43 1 589 00 589 info@ecoi.net	Contact Imprint & Disclaimer F.A.Q. Data Protection Notice
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