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2011 Trafficking in Persons Report - Iran

Iran (Tier 3)

Iran is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Iranian women are trafficked internally for forced prostitution and forced marriage. Iranian and Afghan children living in Iran are trafficked within the country for commercial sexual exploitation – sometimes through forced marriages, in which their new "husbands" force them into prostitution and involuntary servitude as beggars or laborers to pay debts, provide income, or support drug addiction of their families. There are reports of women and girls being sold for marriage to men in Pakistan for the purpose of sexual servitude. Young men and Afghan boys are forced into prostitution in male brothels in southern Iran or to Afghan and Pakistani warlords. Iranian women and children – both girls and boys – are also subjected to sex trafficking in Pakistan, Turkey, Qatar, Kuwait, the United Arab Emirates, Bahrain, Iraq, France, Germany, and the United Kingdom. Some NGOs report that religious leaders and immigration officials are involved in the sale of young girls and boys between nine and 14 years old to men in Gulf states, particularly Bahrain, for commercial sexual exploitation. According to these sources, a young girl or boy could be sold for \$15 to \$20 or, in Iran, for as little as \$5. The main purchasers of child prostitution in Iran include truck drivers, religious seminaries, and Afghan immigrant workers. Afghan women, boys and girls are also trafficked through Iran to the Persian Gulf for commercial sexual exploitation.

Men and women from Pakistan, Bangladesh, and Iraq migrate voluntarily or are smuggled to Iran, or through Iran, to other Gulf states, Greece, and Turkey seeking employment. Some subsequently are subjected to conditions of forced labor or debt bondage, including through the use of such practices as restriction of movement, nonpayment of wages, and physical or sexual abuse. In Iran, reports indicate victims primarily work in the construction and agricultural sectors, although this type of forced labor may have declined over the past year due to the economic crisis. There are reports that women from Azerbaijan and Tajikistan travel to Iran to find employment and subsequently fall victim to forced prostitution. Tajik women transit Iran and are forced into prostitution in the UAE. NGO reports indicate criminal organizations, sometimes politically connected, play a significant role in human trafficking to and from Iran, particularly across the borders with Afghanistan and Pakistan in connection with smuggling of migrants, drugs, and arms. There are nearly one million Afghans living in Iran, some as refugees and others as economic migrants, who are vulnerable to conditions of human trafficking.

The Government of Iran does not fully comply with the minimum standards for the elimination of trafficking, and is not making significant efforts to do so. Lack of access to Iran by U.S. government officials impedes the collection of information on the country's human trafficking problem and the government's efforts to curb it. The government did not share information on its anti-trafficking efforts with the international community

during the reporting period. Publicly available information from NGOs, the press, international organizations, and other governments nonetheless indicate that the government is not taking sufficient steps to address its extensive trafficking challenges. The government did not report any law enforcement efforts to punish trafficking offenders and continues to lack any semblance of victim protection measures. Victims of trafficking are, by government policy, detained and deported if foreign, or simply jailed or turned away if Iranian, further compounding their trauma. The Government of Iran has made no discernible efforts to address widespread government corruption that facilitates trafficking in Iran. For these reasons, Iran is placed on Tier 3 for a sixth consecutive year.

Recommendations for Iran: Significantly increase efforts to investigate trafficking offenses and prosecute and punish trafficking offenders, including officials who are complicit in trafficking; institute a victim identification procedure to systematically identify victims of trafficking, particularly those among vulnerable populations such as persons in prostitution, children in begging rings, and undocumented migrants; offer protection services to victims of trafficking, including shelter and medical, psychological, and legal assistance; cease the punishment of victims of trafficking for unlawful acts committed as a result of being trafficked; and increase transparency in government anti-trafficking policies and activities through public reporting on these.

Prosecution

No reliable information was available on human trafficking investigations, prosecutions, convictions or punishments during the past year. A 2004 law prohibits trafficking in persons by means of the threat or use of force, coercion, abuse of power or of a position of vulnerability of the victim for purposes of prostitution, removal of organs, slavery, or forced marriage. The prescribed penalty under this law reportedly is up to 10 years' imprisonment, which is sufficiently stringent, but not commensurate with penalties prescribed under Iranian law for other serious crimes, such as rape. The Constitution and Labor Code both prohibit forced labor and debt bondage; the prescribed penalty of a fine and up to one year's imprisonment is not sufficient to deter these crimes and is not commensurate with prescribed penalties for other serious crimes, such as rape. In addition, the Labor Code does not apply to work in households. NGO sources report that these laws remain unenforced due to lack of political will and widespread corruption. According to these sources, government officials rarely make efforts to investigate trafficking offenses and traffickers, if found, are able to pay bribes or use connections to avoid punishment. When traffickers are sentenced to prison terms, their sentences are often short to avoid overcrowding of prisons and because Iranian authorities reportedly do not view human trafficking as dangerous to the public. There were no reports of government officials being investigated or punished for complicity in trafficking offenses during the reporting period.

Protection

The Government of Iran made no discernible efforts to protect victims of trafficking during the reporting period, but rather, took steps to punish them. Iran continued to favor direct deportation of foreign victims of trafficking over protection; during the reporting period, Iran deported very large numbers of undocumented Afghans without attempting to identify trafficking victims among them. The government did not have a process to identify trafficking victims among vulnerable populations found in the country, and officials did not differentiate between victims of trafficking and undocumented migrants. The government also reportedly punished victims of sex trafficking for unlawful acts committed as a direct result of being trafficked, for example, adultery and prostitution. There were reports that the government arrested, prosecuted, and punished several trafficking victims on charges of prostitution or adultery. It is unknown how many victims may have been subjected to punishment during the reporting period for such acts committed as a result of being trafficked. It was extremely difficult for women forcibly held in commercial sexual exploitation to obtain justice; first, because under Iranian law the testimony of two women is needed to contest adequately the testimony of one man, and second, because women who are victims of sexual abuse are vulnerable to being executed for adultery, defined as sexual relations outside of marriage. Most foreign trafficking victims are detained for a short period of time and then deported. Child victims of trafficking may, on rare occasions, be sent to

orphanages, but it is reported that these children are often abused there and returned to society without protection. Some welfare organizations may help Iranian trafficking victims, but their efforts are not supported by the government. Foreign victims of trafficking do not have a legal alternative to removal to countries in which they may face hardship or retribution and the government does not encourage victims to assist law enforcement authorities as they investigate and prosecute trafficking cases.

Prevention

There were no reports of efforts by the Government of Iran to prevent trafficking during the past year, such as campaigns to raise public awareness of trafficking, to reduce demand for commercial sex acts, or to reduce demand for child sex tourism by Iranians traveling abroad. There was no improvement in the transparency of the government's reporting on its own anti-trafficking policies or activities and no discernible efforts to forge partnerships with international organizations or NGOs in addressing human trafficking problems. Government complicity in trafficking is a serious impediment to anti-trafficking efforts in Iran and remains unaddressed by the Iranian government. Iran is not a party to the 2000 UN TIP Protocol.
