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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 its anti-trafficking capacity, is not making significant efforts to do so; therefore Iran remained on Tier 3.

Despite the lack of significant efforts, the government took some steps that may prevent trafficking of vulnerable populations, including creating pathways for some undocumented Afghan children to enroll in school and providing temporary immigration relief and the ability to access basic services to some undocumented Afghan adults who registered for the government's headcount initiative.

However, during the reporting period there was a government policy or pattern of employing or recruiting child soldiers and human trafficking. 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. In addition, the government brought spurious trafficking charges against LGBTQI+ activists, undercutting the government's efforts to hold sex and labor traffickers criminally accountable. The government forced or coerced children to join Iranian security and anti-riot forces to suppress ongoing political protests in the country. The government also recruited – through coercion – former Afghan Special Forces members to fight for the Iranian-backed militia in Yemen with promises to retain their legal residency status after they sought visa extensions to remain in Iran. In previous reporting periods, the government forced or coerced children to fight for Iranian-led militias operating in Syria and provided financial support to militias fighting in armed conflicts in the region and recruiting and using child soldiers. The government has never reported efforts to disarm, demobilize, and reintegrate child soldiers, nor has it reported investigating, prosecuting, or convicting officials complicit in the recruitment or use of child soldiers. The government failed to identify and protect trafficking victims among vulnerable populations and continued to deport or detain Afghan adults and children without screening this highly vulnerable population for trafficking indicators.

PRIORITIZED RECOMMENDATIONS:

- Cease the forcible and otherwise illegal recruitment of children for paramilitary organizations in Iran and of adults and children for combat in Yemen and cease support for armed militias that recruit and use child soldiers in Iraq, Syria, and Yemen.
- Ensure victims are not inappropriately penalized solely for unlawful acts committed as a direct result of being trafficked.
- Amend the 2004 law to bring the definition of trafficking in line with international law.
- Cease targeting of non-traffickers through spurious politically motivated trafficking charges.
- While respecting due process, investigate, prosecute, and convict traffickers – particularly complicit government officials – and seek adequate penalties for convicted traffickers, involving significant prison terms, as appropriate.
- Institute nationwide procedures to proactively identify trafficking victims, particularly among vulnerable populations such as persons in commercial sex, children who experienced homelessness or used the streets as a source of livelihood, and undocumented migrants, including children.
- 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 UN TIP Protocol.
- Screen any North Korean workers for signs of trafficking and refer them to appropriate services, in a manner consistent with obligations under UN Security Council resolution 2397.

PROSECUTION

The government did not report anti-trafficking law enforcement efforts, and officials continued to perpetrate trafficking crimes with impunity, including the coerced recruitment and use of children and adults 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 crime 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 crime involved an adult victim and a penalty of 10 years' imprisonment if the crime 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 of 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 of imprisonment was not sufficiently stringent. In the previous reporting period, the government reported drafting an amendment to the 2004 anti-trafficking law and submitting the legislation to Parliament for adoption; the amendment reportedly focused on the definition of trafficking and included aggravating punishments for crimes against women and children. The government did not report if the amendment passed Parliament by the end of the reporting period.

Officials continued to conflate human trafficking and migrant smuggling, and the government did not report providing anti-trafficking training to its officials. Efforts to address sex and labor trafficking were either nonexistent or not widely publicized. Courts accorded legal testimony by women half the weight accorded to the testimony by men, thereby restricting female trafficking victims' access to justice. The government did not report any statistics on investigations, prosecutions, convictions, or sentences of traffickers. However, in September 2022, the government announced it convicted and sentenced two LGBTQI+ female activists to death on charges of human trafficking and "corruption on earth;" according to media and human rights organizations, the latter term is often used to describe attempts to undermine the Iranian government. Media sources and an international organization reported the trafficking charges stemmed from the activists' work to help other LGBTQI+ persons leave Iran to escape persecution; Iranian media reported the activists were arrested for allegedly trafficking women for the purposes of commercial sex to Erbil. An international organization and several NGOs condemned the sentencing and called the charges baseless; observers expressed concern the government arbitrarily detained, ill-treated and prosecuted the women on the discriminatory basis of sexual orientation and gender identity. The government's politically motivated use of human trafficking charges to target non-traffickers undercut the government's efforts to hold sex and labor traffickers criminally accountable.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year.

The government allegedly coerced former Afghan Special Forces members to fight for the Iranian-backed Houthis in Yemen to keep their legal residency status in the country after they sought visa extensions to remain in Iran. In previous reporting periods, observers reported Iran's Islamic Revolutionary Guard Corps (IRGC) and the Iranian Basij Resistance Force (Basij), a paramilitary force subordinate to the IRGC – through force or coercive means – recruited and used migrant and

refugee children, as well as Iranian children, for combat in IRGC-led and commanded militias in Syria. In October 2022, an Iranian lawmaker reported the Basij force recruited and used children to quell ongoing political protests in Iran during the year; media sources reported the lawmaker justified the use of children through the Basij's governing regulations. In March 2023, media confirmed the IRGC and its affiliated paramilitary Basij force extensively used children aged 12-17 as security and anti-riot forces in several cities and provinces during 2022 and early 2023; children were trained in November 2022 and January 2023 in mosques across the country in suppressing urban crowds using shields, riot gear and batons. Moreover, in a November 2022 interview, a leader in the Basij organization named the Student Basij as a force used to suppress protests.

Despite such reports, the government has never reported investigating, prosecuting, or convicting officials complicit in the recruitment or use of child soldiers. Neither the government nor media reported if the government had taken any action on past allegations of official complicity in condoning and facilitating commercial sex involving both adults and children, including cases of sex trafficking as well as allegations of official complicity in the coercive recruitment of adults into Iranian-led and supported militias in Syria, Iraq, and Yemen. In the previous reporting period, observers reported IRGC and Basij forces were actively recruiting – through coercion and deception – Afghan migrants and refugees for combat in IRGC-led and commanded militias in Syria, a practice that likely continued during the reporting period.

PROTECTION

The government did not report efforts to identify or 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 committed as a direct result of being trafficked, such as commercial sex offenses and immigration violations. Female victims of sexual abuse, including sex trafficking victims, faced prosecution for adultery, defined as sexual relations outside of marriage and punishable by death. As in previous years, the government continued a pattern of human rights abuses of punishing potential adult and child sex trafficking victims through lashings, public shaming, forced confessions, imprisonment, and the death penalty. In April 2022, an international organization reported Iranian authorities detained and deported approximately 65 percent of newly arriving Afghans; the government did not make efforts to screen for or identify trafficking victims among this highly vulnerable population. According to the international organization, authorities later arrested both documented and undocumented Afghans who had successfully entered Iran. While in government custody, some of those detained migrants – including children – experienced severe physical abuse, lack of food and water for extended periods of time and were denied access to medical care, including to care for gunshot wounds sustained from Iranian authorities at the border.

The government did not provide protection services specifically for trafficking victims. Iran's state welfare system did not provide adequate coverage or protection to the most vulnerable populations in the country, including children and individuals 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. 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 maintained minimal, but inadequate efforts 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. The government did not report efforts to prevent the IRGC's recruitment and use of children to fight in the Iranian-led and funded Fatemiyoun Brigade deployed to Syria, and both media and a government official reported the use of children in Basij security forces to quell ongoing political protests during the year. The government has never reported efforts to disarm, demobilize, and reintegrate child soldiers nor action to hold officials accountable during the year, including an Iranian lawmaker, who, in October 2022, justified the recruitment and use of children by the Basij militia through its governing regulations.

In the previous reporting period, the government publicly reported the Ministry of Interior established an anti-trafficking commission to lead development of policies, strategies, and programs while monitoring activities related to trafficking; the government did not report whether the commission was operational or what actions it took, if any, during the reporting period. 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 organize 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. A human rights organization reported Iranian authorities repeatedly forcibly returned vulnerable Afghans during the year – including by opening fire on adults and children attempting to cross the border into the country. Between April and June 2022, the government engaged in a “headcount exercise” for undocumented Afghans, which reportedly allowed all of the 2.6 million individuals who participated in the exercise to receive temporary protection against deportation through October 2022, possibly preventing some exploitation of this vulnerable population, including trafficking. An international organization reported, however, that undocumented Afghans who did not participate in the exercise due to lack of awareness or because they arrived in Iran after the exercise ended were vulnerable to forced return, as the government confirmed individuals that did not participate in the exercise were subject to immediate deportation.

Children of undocumented Afghans continued to have difficulty obtaining legal documentation, which increased this population's vulnerability to trafficking. In 2019, a 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 their 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 be 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. Since the nationality law became active, the government reported more than 80,000 applications had been filed; of those applications, 14,000 children obtained nationality as of September 2022, allowing them to enroll in school and access basic services. Additionally, an international organization reported the government issued several announcements to encourage undocumented Afghan children to enroll in school during the year; however, observers noted the limited scope of implementation of the initiative contributed to some undocumented children being unable to successfully complete pre-registration processes, likely due to lack of information, administrative challenges, and lack of capacity in schools. Despite these limited efforts, an international organization reported the number of child laborers continued to increase during the reporting period due to lack of education and a decline in the economic welfare of Afghan families who entered Iran at a higher rate than in previous years. Iran is not a party to the UN TIP Protocol.

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 continuing decline of the Iranian economy, as well as serious and ongoing environmental degradation, have significantly exacerbated Iran's human trafficking problem, particularly for vulnerable and marginalized communities such as ethnic and religious minority groups, refugee and migrant populations, LGBTQI+ persons, and women and children. Iranian and some foreign women and girls, as well as some men and LGBTQI+ persons, are highly vulnerable to sex trafficking in Iran. Although commercial sex is illegal, commercial sex and sex trafficking are endemic throughout the country. 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, and religious clerics are allegedly involved in or turn a blind eye to sex trafficking crimes. 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 enter commercial sex, where traffickers subsequently force or coerce these women to remain. 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. In 2022, one media source reported LGBTQI+ persons increasingly enter the commercial sex industry due to isolation from family, inability to find employment, and lack of legal protections. "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 and forced labor, including domestic servitude. Child marriage of Iranian and some foreign girls is prevalent 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. The most recent available report noted 7,323 marriages of girls 10-14 years of age were registered in the spring of 2020 – and had increased by 23 percent by the summer of 2020, reporting 16,381 marriage registrations of girls younger than 15 years of age. Iranian women, boys, and girls are vulnerable to sex trafficking abroad, including in Afghanistan, Armenia, Georgia, Iraq (including the Iraqi Kurdistan Region), Pakistan, Türkiye, and the United Arab Emirates (UAE). Traffickers confiscate sex trafficking victims' passports and threaten them with violence or execution if they return to Iran. Some reports also suggest collusion between traffickers in Dubai and Iranian police, the IRGC, and the Basij. Nationals from Saudi Arabia, Kuwait, and Qatar reportedly purchase sex from Iranian women in Dubai, including trafficking victims. Iranian women are also vulnerable to sex trafficking in Türkiye. 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 operations.

Iranian and Afghan children who are experiencing homelessness or use the streets as a source of livelihood in Iran are highly vulnerable to forced labor, and experts suggest child trafficking has increased in recent years. In 2021, an Iranian official stated that the number of child laborers has increased significantly due to the pandemic and the related economic downturn, and that some children are forced to work for traffickers. Official Iranian statistics indicate there are three million children working in Iran, but 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 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. In July 2022, a media source reported organized gangs in Tehran operated waste, recycling, and disposal centers and exploited Afghan and Iranian children for cheap labor; these children are subject to unsanitary working conditions, withheld wages, and reportedly forced to live in garbage separation centers. In September 2022, media and international organizations reported

an increase in the number of child laborers in Iran; further, one children's rights activist reported an increase in "scavenger children." Undocumented and unaccompanied Afghan children from Herat, Afghanistan, close to the Iranian-Afghanistan border, make up the majority of "scavenger children;" these children are highly vulnerable to sexual and physical abuse and unprotected by authorities given their undocumented status. 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.

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 organized gangs force some children, including Afghan children, to engage in crimes, 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 employers who force them to work. The increase in Afghans entering Iran following the Taliban's takeover in August 2021 likely includes a greater number of unaccompanied and undocumented Afghan children seeking employment in Iran, which may increase their vulnerability to exploitation.

Foreign workers, including Pakistani migrants and Afghans are highly vulnerable to forced labor and debt-related coercion in Iran. In the wake of the Taliban seizing control of Afghanistan in August 2021, reports indicate an increase in the number of undocumented Afghans entering Iran. As of January 2023, the government reported three million Afghans live in Iran; as of February 2023, the UN reported there were 750,000 Afghans registered as refugees in Iran. In addition to registered refugees, the government hosts 627,000 Afghans who hold Afghan passports and Iranian visas, 2.6 million Afghans who participated in a headcount exercise and received a headcount slip, and an estimated 500,000 undocumented Afghans. Undocumented Afghans face increased vulnerability to economic and social hardships and exploitation, including trafficking. In October 2022, an NGO reported Afghans not registered as refugees who had arrived during previous decades of conflict in their home country continued to be denied access to an asylum system or access to registering as a refugee in Iran; they continued to face extreme restrictions in access to employment, education, and healthcare and continue to live under the threat of deportation. Afghans frequently travel illegally through Iran en route to Türkiye, 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 to forced labor using debt-based coercion, restriction of movement, non-payment of wages, and physical or sexual abuse. Employers continue to 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. In April 2022, a media source reported 95 percent of migrant workers in Iran were on temporary contracts; in May 2022, an Iran-focused NGO reported at least 45,462 workers – including Iranian and foreign workers – were owed overdue salaries; an increase of 10,000 over the number reported in 2021. Traffickers subject Afghan migrants, including children, to forced labor in construction and agriculture in Iran. North Korean nationals working in Iran may be operating under exploitative working conditions and display multiple indicators of forced labor.

Iranian authorities continue to force and coerce Afghans, including children, as well as some Pakistani migrants and Syrian nationals and Iranian children, into armed groups in the region. Several credible sources continue to widely report the IRGC and Basij coerce Afghan men residing in Iran to fight in the Iranian-led and funded Fatemiyoun Brigade deployed to Syria. In 2021, media sources continued to report Afghans in Iran were deceived by the IRGC to join the Fatemiyoun Brigade through promises of a monthly salary and an Iranian residency permit, and were subsequently sent to Lebanon for military training upon recruitment. However, Afghans who return from war are refused residency in Iran and remain undocumented or return to Afghanistan,

where they fear persecution by the Taliban for alleged association with the Fatemiyoun Brigade. Additionally, the government also allegedly coerced former Afghan Special Forces members to fight for the Iranian-backed Houthis in Yemen to keep their legal residency status in the country after they sought visa extensions to remain in Iran.

The Basij also reportedly recruits and trains Iranian children who are deployed to Syria. In October 2022, an Iranian lawmaker reported the Basij force began recruiting and using children to quell ongoing political protests in Iran during the year. In March 2023, media confirmed the IRGC and its affiliated paramilitary Basij force extensively used children aged 12-17 as security and anti-riot forces in several cities and provinces during 2022 and early 2023; children were trained in November 2022 and January 2023 in mosques across the country in suppressing urban crowds using shields, riot gear and batons. Moreover, in a November 2022 interview, a leader in the Basij organization named the Student Basij as a force used to suppress protests. 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 militias 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. The Iranian government also supports the Houthis – an armed group operating in Yemen – through training, providing lethal support and advising drone and missile programs, which continue to recruit, train, and use child soldiers in combat in Yemen.