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Trafficking in Persons Report 2010 - Iran

IRAN (Tier 3)

Iran is a source, transit, and destination country for men, women, and children subjected to trafficking in persons, specifically forced prostitution and forced labor. Iranian women are trafficked internally for forced prostitution and forced marriage. Iranian and Afghan children living in Iran are trafficked internally 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. Young men and Afghan boys are forced into prostitution in male brothels in southern Iran. Iranian women and girls are also subjected to forced prostitution in Pakistan, Turkey, Qatar, Kuwait, the United Arab Emirates, Iraq, France, Germany, and the United Kingdom. There are reports of women and girls being sold for marriage to men in Pakistan for the purpose of sexual servitude.

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, non-payment 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. Press 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 support two fundamental conclusions: first, trafficking within, to, and from Iran is extensive; and second, the authorities' response is not sufficient to penalize offenders, protect victims, and eliminate trafficking. Indeed, some aspects of Iranian law and policy hinder efforts to combat trafficking. These include punishment of victims and

legal obstacles to punishing offenders. In international fora, the Iranian government has objected to the principle that victims of trafficking should not be punished for crimes committed as a result of being trafficked.

Recommendations for Iran: Share with the international community efforts made to investigate trafficking offenses and prosecute and punish trafficking offenders; investigate trafficking offenses and prosecute and punish trafficking offenders, including officials who are complicit in trafficking; institute a victim identification procedure to systematically identify and protect victims of trafficking, particularly among groups such as women arrested for prostitution; and cease the punishment of victims of trafficking for unlawful acts committed as a result of being trafficked.

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. Reports indicate, however, the law remains unenforced. 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 serious crimes, such as rape. In addition, the Labor Code does not apply to work in households. The law permits temporary marriage for a fixed term (*sigheh*), after which the marriage is terminated. Some persons abuse this legal process to coerce women into prostitution; there are reports of Iranian women subjected to forced prostitution through fixed-term marriages to men from Pakistan and Gulf states. Law enforcement data is unknown; there were reports of some prosecutions for traffickers who forced Iranian girls into prostitution in the Gulf. Investigations, prosecutions, and convictions of trafficking offenders were not priorities in the country. It was extremely difficult for women forcibly held in commercial sexual exploitation to obtain justice; first, because the testimony of two women is equal to that 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. Official complicity may be a problem; human traffickers were reported to have very close links to some authorities and security agencies.

Protection

There were no reported efforts by the Government of Iran to improve its protection of trafficking victims this year. Iran did not have a process to identify trafficking victims from the vulnerable populations found in the country, and officials did not differentiate between victims of trafficking and undocumented migrants. The government reportedly punishes victims 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. In the February 2010 Trafficking in Persons Working Group in Vienna, the government stated it would not accept any recommendations calling for the absolution of trafficking victims for their crimes; the Iranian delegate said while the victim status of a woman in prostitution might be taken into account by the judge, he opposed the idea that such a woman should not be prosecuted. Most foreign trafficking victims are detained for a short period of time and then deported. Some welfare organizations may help Iranian trafficking victims. Foreign victims of trafficking do not have a legal alternative to removal to countries in which they may face hardship or retribution. According to a March 2009 report citing UNICEF and provincial authorities in Herat, Afghanistan, more than 1,000 Afghan children deported from Iran in 2008 faced poverty and were at risk for abuse, including human trafficking; there were no known efforts to identify trafficking victims among this group. In the reporting period, Iran deported very large numbers of undocumented Afghans without screening them for victimization. Previous reports indicate 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. Iran is not a party to the 2000 UN TIP Protocol.
