

In 2015, Iraq made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government adopted a new Labor Law, which establishes a new complaint mechanism at the Ministry of Labor and Social Affairs to receive and investigate child labor complaints. The Government also provided financial support for low-income families with the condition that their children remain at school. However, children are engaged in the worst forms of child labor, including in armed conflict. Child labor laws are not sufficiently enforced and criminal law enforcement information remains unavailable. The Government continues to lack programs that target children in relevant worst forms of child labor, particularly those used by armed groups.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Iraq are engaged in the worst forms of child labor, including in armed conflict.(1-9)
Table 1 provides key indicators on children's work and education in Iraq.

Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	5-14 yrs.	5.3 (454,330)
Attending School (%)	5-14 yrs.	75.0
Combining Work and School (%)	7-14 yrs.	4.2
Primary Completion Rate (%)		66.7

Source for primary completion rate: Data from 2007, published by UNESCO Institute for Statistics, 2015.(10)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Multiple Indicator Cluster Survey 4, 2011.(11)

Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

Sector/Industry	Activity
Agriculture	Production of rice,* wheat,* orchard fruits,* and vegetables* (12, 13)
	Herding water buffalo* and other livestock* (12, 13)
	Fishing,* activities unknown (12, 13)
Industry	Making bricks* (6, 12, 14, 15)
	Working in steel factories* (15)
	Working in plastic recycling factories* (14)
Services	Street work, including selling goods, washing cars, sweeping the streets,* picking up trash,* begging,* and shining shoes* (12, 13, 15-18)
	Working at gas stations and auto repair shops (6, 13, 16, 19)
	Scavenging at dump sites* (13, 20)
Categorical Worst Forms of Child Labor†	Forced begging sometimes as a result of human trafficking* (2, 7, 21)
	Domestic work as a result of human trafficking* (2, 22)
	Use in armed conflict, sometimes as a result of forced recruitment (1-9)
	Commercial sexual exploitation sometimes as a result of trafficking (2, 15, 22-25)

* Evidence of this activity is limited and/or extent of the problem is unknown.

† Child labor understood as the worst forms of child labor per se under Article 3(a)–(c) of ILO C. 182.

Iraq

MODERATE ADVANCEMENT

Da'esh (also known as the Islamic State of Iraq and the Levant (ISIL)) recruited children and used them in combat operations, including as informants, human shields, suicide bombers, bomb makers, executioners, in creating propaganda materials, and manning checkpoints.(1-3, 6, 8) In 2015, *Da'esh* continued to abduct boys and forced them to participate in military training.(26) *Da'esh* also continued forced military training of boys abducted in Iraq in 2014, who were then trafficked to Syria.(27, 28) UN and media reporting indicate that armed groups involved in the conflict against *Da'esh* recruited and used children in combat, including as part of the Popular Mobilization Forces.(1, 4, 8) Research found no evidence of the Government recruiting children into the Iraqi Security Forces.(6) According to UN reports, in June 2015 the Ministry of Youth and Sports sent a letter to all directorates encouraging the use of youth clubs for military training of children.(29)

Throughout the country, some girls are subjected to commercial sexual exploitation by their families, who seek financial gain through temporary marriages.(2, 24) This practice involves a dowry paid to the girl's family and an agreement to dissolve the marriage after a predetermined length of time.(30) *Da'esh* fighters subjected girls, primarily from the Yezidi community, but also from other ethnic and religious groups, to commercial sexual exploitation, forced marriages, or forced domestic work in Iraq and Syria.(21, 31-33) Limited evidence points to trafficking of girls from Iran into the Iraqi Kurdistan Region for commercial sexual exploitation.(7)




Children faced barriers accessing education because of attacks on schools, including the targeting of teachers and school personnel, and the use of schools as shelters by internally displaced persons (IDPs) and as detention centers by *Da'esh*.(5, 22, 25) As of August 2015, approximately 42 percent of Syrian refugee children remained out of school in Iraq.(34) For these refugees, the majority of whom live in the Kurdistan Region, access to education was limited because of school-related costs, such as transportation and uniforms, as well as security concerns, and language issues because most classes in the Kurdistan Region are taught in Kurdish and not Arabic.(35)

In 2015, Iraq continued to witness large-scale violence perpetrated by *Da'esh*. As of June, Iraq hosted more than 295,000 refugees and asylum seekers, from Syria and elsewhere, and more than 3.9 million IDPs, including children.(36) Refugee and IDP children are more vulnerable to child labor.(6)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Iraq has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

Convention	Ratification
 ILO C. 138, Minimum Age	✓
ILO C. 182, Worst Forms of Child Labor	✓
 UN CRC	✓
UN CRC Optional Protocol on Armed Conflict	✓
UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	✓
 Palermo Protocol on Trafficking in Persons	✓

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

Standard	Related Entity	Yes/No	Age	Related Legislation
Minimum Age for Work	Iraq and Kurdistan Region	Yes	15	Article 90.1 of the Labor Law (37)
Minimum Age for Hazardous Work	Iraq and Kurdistan Region	Yes	18	Articles 90.2 and 91.1 of the Labor Law (37)

Table 4. Laws and Regulations Related to Child Labor (cont)

Standard	Related Entity	Yes/No	Age	Related Legislation
Prohibition of Hazardous Occupations or Activities for Children	Iraq and Kurdistan Region	Yes		Article 91.2 of the Labor Law; Ministry of Labor's Instruction 19 of 1987 (37, 38)
Prohibition of Forced Labor	Iraq	Yes		Articles 91.3(a) and 91.4 of the Labor Law; Articles 1 and 6 of the Law to Combat Human Trafficking (37, 39)
	Kurdistan Region	Yes		Articles 91.3(a) and 91.4 of the Labor Law (37)
Prohibition of Child Trafficking	Iraq	Yes		Articles 91.3(a) and 91.4 of the Labor Law; Articles 1 and 6 of the Law to Combat Human Trafficking (37, 39)
	Kurdistan Region	Yes		Articles 91.3(a) and 91.4 of the Labor Law (37)
Prohibition of Commercial Sexual Exploitation of Children	Iraq and Kurdistan Region	Yes		Articles 91.3(b) and 91.4 of the Labor Law; Articles 399 and 403 of the Penal Code (37, 40)
Prohibition of Using Children in Illicit Activities	Iraq and Kurdistan Region	Yes		Articles 91.3(c) and 91.4 of the Labor Law (37)
Minimum Age for Compulsory Military Recruitment	Iraq and Kurdistan Region	N/A*		
Minimum Age for Voluntary Military Service	Iraq and Kurdistan Region	Yes	18	Section 6(2) of the CPA Order 22 (41)
Compulsory Education Age	Iraq	Yes	12‡	Articles 8.1.1 and 11.1 of the Education Law; Article 1.3 of the Law on Compulsory Education (42, 43)
	Kurdistan Region	Yes	15	Articles 6 and 10 of the Kurdistan Regional Government Ministry of Education Law (44)
Free Public Education	Iraq	Yes		Article 34.2 of the Constitution; Article 9 of the Education Law (42, 45)
	Kurdistan Region	Yes		Article 10 of the Kurdistan Regional Government Ministry of Education Law (44)

* No conscription (41)

‡ Age calculated based on available information

The Kurdistan Regional Government (KRG) must endorse laws passed by the Government of Iraq after 1991 for such laws to enter into force in the Kurdistan Region, which comprises the provinces of Erbil, Dahuk, and Sulaymaniyah.(21, 46) Because the KRG has not endorsed the Law to Combat Human Trafficking, it is not enforced in the Kurdistan Region.(44, 47) Research could not find a KRG law prohibiting child trafficking.

Article 1 of the Law to Combat Human Trafficking requires force or coercion to be present as an element of the crime of child trafficking, which is inconsistent with Article 3 of the Palermo Protocol.(39)

The Government adopted a new Labor Law in 2015, which entered into force in 2016, and eliminates the prohibition on using children in illicit activities, which previously existed in the old Labor Law. It also eliminates the prohibition on compulsory recruitment of children for armed conflict.(48) Therefore, children who are being compulsorily recruited and used in armed conflict are not protected.

Under Articles 8 and 11 of the Iraqi Education Law and the Law on Compulsory Education, children are required to attend primary school for 6 years, which is typically up to age 12.(42, 43, 49) This standard makes children ages 12 to 15 particularly vulnerable to child labor, as they are not required to be in school, yet they are not legally permitted to work. In the Kurdistan Region, children are required to attend primary school for 9 years, which is typically up to age 15.(44)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Labor and Social Affairs (MOLSA)	Enforce child labor laws and regulations through its Child Labor Unit. Conduct research on child labor through its Childhood Welfare Authority.(6)
Kurdistan Regional Government (KRG) Ministry of Labor and Social Affairs	Enforce child labor laws and regulations in the Iraqi Kurdistan Region. KRG Ministry of Interior's Police units play a supporting role in the daily activities of the Ministry.(6)
Ministry of Interior	Enforce criminal laws on the worst forms of child labor. Collaborate with MOLSA, the Iraqi Industries Federation, and the Confederation of Trade Unions to conduct inspection campaigns.(6) Maintain a hotline for victims of human trafficking that is routed directly to the Ministry's Anti-Trafficking Department.(6)
KRG Committee in Erbil*	Investigate cases of commercial sexual exploitation and human trafficking.(7)

* Agency responsible for child labor enforcement was created during the reporting period.

Labor Law Enforcement

In 2015, law enforcement agencies in Iraq took actions to combat child labor, including its worst forms (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2014	2015
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	Unknown	120 (6)
Inspectorate Authorized to Assess Penalties	Unknown	Yes (6)
Training for Labor Inspectors		
■ Initial Training for New Employees	Unknown	Unknown (6)
■ Training on New Laws Related to Child Labor	Unknown	Unknown (6)
■ Refresher Courses Provided	Unknown	Unknown (6)
Number of Labor Inspections	Unknown	21,794‡ (6)
■ Number Conducted at Worksite	Unknown	Unknown
■ Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown	60‡ (6)
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown	Unknown
■ Number of Penalties Imposed That Were Collected	Unknown	Unknown
Routine Inspections Conducted	Unknown	Yes (6)
■ Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Yes (37)	Yes (37)
Unannounced Inspections Conducted	Unknown	Yes (6)
Complaint Mechanism Exists	Unknown	Unknown (33)
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown

‡ Data are from January 1, 2015 to November 30, 2015.

Although information on MOLSA's exact funding was unavailable, MOLSA officials stated that their funding was limited, and that in 2015 they lacked sufficient transportation and fuel to effectively enforce child labor laws. In addition, due to the conflict against *Da'esh*, MOLSA had no access to large areas of the country, including the Anbar and Ninewa provinces.(6) In 2015, MOLSA employed 120 labor inspectors to enforce child labor laws outside the Kurdistan Region.(6) According to the ILO recommendation of one inspector for every 15,000 workers in industrializing economies, Iraq should employ about 593 inspectors to adequately enforce labor laws throughout the country, and therefore, the number of labor inspectors in Iraq does not satisfy this recommendation.(6, 50-52) Due to the conflict, however, it is unclear how many workers may be in territories outside of the Government control.

The Labor Law of 2015 requires MOLSA to establish a child labor complaint mechanism and investigate complaints.(48) Child labor law enforcement data in the Kurdistan Region and the number of inspectors in the KRG Ministry of Labor and Social Affairs are unavailable.

Criminal Law Enforcement

In 2015, criminal law enforcement agencies in Iraq took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2014	2015
Training for Investigators		
■ Initial Training for New Employees	Unknown	Unknown (6)
■ Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown (6)
■ Refresher Courses Provided	Unknown	Yes (7)
Number of Investigations	Unknown	Unknown
Number of Violations Found	Unknown	Unknown (6)
Number of Prosecutions Initiated	Unknown	Unknown (6)
Number of Convictions	Unknown	Unknown (6)
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown	Unknown

In 2015, the Ministry of Interior employed two to three inspectors for each of the 15 provinces, excluding the three provinces in the Kurdistan Region and areas under *Da'esh* control.(6) The Ministry of Interior held training sessions for its staff on identification of human trafficking victims. Government officials, including KRG representatives, participated in training sessions on identifying human trafficking victims and investigating such cases.(7) While comprehensive information was unavailable, research found evidence that authorities investigated six individuals suspected of child trafficking in Baghdad. The Government convicted one individual of child trafficking in Karbala.(7)

KRG officials charged three individuals suspected of child trafficking.(7) Research did not discover other information of criminal law enforcement in the Kurdistan Region. In 2015, child victims of human trafficking and forced labor faced prosecution for acts committed while being trafficked and underwent deportation proceedings.(2, 32)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 8).

Table 8. Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
Interministerial Committee on Child Labor	Coordinate overall government efforts to combat child labor, research policies regarding child labor, and design and manage projects. Members include MOLSA; and the Ministries of Interior; and Ministries of Health; Education; and Foreign Affairs.(6)
Joint Committee on Street Children	Coordinate the implementation of measures for removing and rehabilitating street children. Members include MOLSA and the Ministry of Interior.(23)
Central Committee to Combat Trafficking in Persons	Oversee implementation of the Law to Combat Human Trafficking and serve as the national coordinating body on trafficking in persons. Includes representatives from the Ministries of Health; Finance; Migration and Displacement; MOLSA; Human Rights; and Justice; as well as the State Ministry for Women's Affairs; the Council of Ministers Secretariat; the High Commission on Human Rights; and a representative from the KRG Ministry of Interior.(6) In August 2015, the Prime Minister abolished the Ministries of Human Rights and State Ministry for Women's Affairs.(33) In 2015, the Committee met several times in the presence of KRG representatives. KRG officials stated that despite attending meetings, the Committee did not fully engage them in all efforts to combat human trafficking.(7) The Committee held training courses on combatting human trafficking and the provision of assistance to victims. It formed a working group to draft the procedures for referring victims of human trafficking to assistance.(7)

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Iraq has established policies related to child labor, including its worst forms (Table 9).

Table 9. Policies Related to Child Labor

Policy	Description
Coalition Provisional Authority Order No. 89	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 that children have access to basic education.(37) The Labor Law of 2015, which came into effect in February 2016 and repealed Order 89, includes many of the same protections.(48)
National Action Plan on Human Rights	Establishes goals and discrete steps to be taken in specific timeframes to promote and protect human rights as a core value, in line with recommendations adopted by Iraq following its submission to the Universal Periodic Review. The Action Plan recognizes Iraq's obligations to international conventions, including the CRC and its optional protocols and ILO C.182 and C.138 with respect to child labor, and states that such conventions may be applied in Iraqi courts.(53) Sets an action plan to fulfill the right to education in Iraq, including through financial incentives to families living in poverty, to encourage completion of primary- and secondary-level education.(53)

VI. SOCIAL PROGRAMS TO ADDRESS OF CHILD LABOR

In 2015, the Government of Iraq funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Social Programs to Address Child Labor

Program	Description
Child Rights Hotline	Operated by the KRG to receive calls for advice or complaints with respect to children's rights.(54)
Informal Education‡	Government-supported informal education systems, including evening school programs and fast education mode, to encourage children ages 12 to 18 who have dropped out of school to continue their education.(23)
Programs for Vulnerable Populations	Programs funded by international organizations and foreign donors, including the United States, to address the needs of vulnerable populations, such as IDPs and refugees at risk of the worst forms of child labor.(47)
Shelters for Human Trafficking Victims‡	MOLSA-operated shelter for human trafficking victims, including children involved in the worst forms of child labor in Baghdad; other facilities are in Basrah, Ninewa, and Kirkuk provinces.(47) The KRG operated three shelters for female victims of human trafficking and violence.(19)
Action to Protect and Assist Vulnerable and Exploited Migrant Workers (2013-2016)	\$1.8 million EU and Italian Ministry of Interior-funded, 2-year regional project implemented by the IOM in five countries to build the capacity of governments and civil society organizations to apply international standards to migrant workers, provide assistance to migrant workers, raise awareness among the workers of their rights, and reduce bias and discrimination in the general public against migrant workers.(55, 56)

‡ Program is funded by the Government of Iraq.

The Government opened a shelter in Baghdad for male and female victims of human trafficking.(33)

In 2015, the Inter-ministerial Committee on Child Labor provided vocational training to children ages 15 to 17 to prevent their involvement in child labor. The Committee also held a child labor awareness-raising campaign targeting street-based children, and included these children in its social services programs.(6) MOLSA provided financial assistance to low-income families with the condition that their children remain at school.(6)

Research found no evidence of specific programs targeting children engaged in commercial sexual exploitation, brickmaking, or armed conflict.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Iraq (Table 9).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Ensure that the laws prohibit child trafficking in all parts of Iraq, including the Kurdistan Region.	2015
	Ensure that child trafficking laws do not require a showing of force, coercion, or threat, in accordance with international standards.	2015
	Ensure that the law criminally prohibits the use of children in illicit activities, including in the production and trafficking of drugs.	2015
	Ensure that the law criminally prohibits compulsory recruitment of all children under 18, the voluntary recruitment of children under 15 by non-state groups, and the use of all children in hostilities.	2013 – 2015
	Increase the age of compulsory schooling to at least 15, the minimum age for work.	2009 – 2015
Enforcement	Make publicly available information on the funding of the labor inspectorate; the training for labor inspectors; the number of inspections conducted at worksites and by desk review; the numbers of penalties and whether they were collected; whether routine inspections were targeted; and whether a reciprocal referral mechanism exists between labor authorities and social services.	2011 – 2015
	Increase the number of labor inspectors and ensure adequate funding to effectively enforce legal protections against child labor, including its worst forms.	2011 – 2015
	Make publicly available information on child labor inspections in the Kurdistan Region.	2011 – 2015
	Make publicly available information on the training of criminal investigators, the number of investigations, violations, prosecutions, and convictions, and whether a reciprocal referral mechanism is in place between criminal authorities and social services.	2013 – 2015
	Make publicly available information on criminal law enforcement on the worst forms of child in the Kurdistan Region.	2013 – 2015
	Ensure that child victims of human trafficking are not prosecuted.	2015
Coordination	Ensure sufficient coordination between the central Government and the Kurdistan Regional Government, particularly in efforts to combat human trafficking.	2014 – 2015
Social Programs	Ensure children are discouraged from enlisting into armed groups and receiving military training.	2015
	Ensure universal access to education, including for refugee and internally displaced children.	2013 – 2015
	Implement programs to address relevant child labor sectors in Iraq, such as commercial sexual exploitation and brickmaking.	2010 – 2015
	Implement programs to demobilize and reintegrate children engaged in armed groups.	2009 – 2014

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49. UNESCO. "Education for All, EFA Global Monitoring Report, Teaching and Learning: Achieving Quality for All." 2013/14 [cited August 6, 2015]; <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>.
50. CIA. *The World Factbook*, [online] [cited March 18, 2016]; <https://www.cia.gov/library/publications/the-world-factbook/fields/2095.html#131>. Data provided is the most recent estimate of the country's total labor force. This number is used to calculate a "sufficient number" of labor inspectors based on the country's level of development as determined by the UN.
51. ILO. *Strategies and Practice for Labour Inspection (GB.297/ESP/3)*. Geneva, Committee on Employment and Social Policy; November 2006. <http://www.ilo.org/public/english/standards/relm/gb/docs/gb297/pdf/esp-3.pdf>. Article 10 of ILO Convention No. 81 calls for a "sufficient number" of inspectors to do the work required. As each country assigns different priorities of enforcement to its inspectors, there is no official definition for a "sufficient" number of inspectors. Amongst the factors that need to be taken into account are the number and size of establishments and the total size of the workforce. No single measure is sufficient but in many countries the available data sources are weak. The number of inspectors per worker is currently the only internationally comparable indicator available. In its policy and technical advisory services, the ILO has taken as reasonable benchmarks that the number of labor inspectors in relation to workers should approach: 1/10,000 in industrial market economies; 1/15,000 in industrializing economies; 1/20,000 in transition economies; and 1/40,000 in less developed countries.

52. UN. *World Economic Situation and Prospects 2012 Statistical Annex*. New York; 2012. http://www.un.org/en/development/desa/policy/wesp/wesp_current/2012country_class.pdf. For analytical purposes, the Development Policy and Analysis Division (DPAD) of the Department of Economic and Social Affairs of the United Nations Secretariat (UN/DESA) classifies all countries of the world into one of three broad categories: developed economies, economies in transition, and developing countries. The composition of these groupings is intended to reflect basic economic country conditions. Several countries (in particular the economies in transition) have characteristics that could place them in more than one category; however, for purposes of analysis, the groupings have been made mutually exclusive. The list of the least developed countries is decided upon by the United Nations Economic and Social Council and, ultimately, by the General Assembly, on the basis of recommendations made by the Committee for Development Policy. The basic criteria for inclusion require that certain thresholds be met with regard to per capita GNI, a human assets index and an economic vulnerability index. For the purposes of the Findings on the Worst Forms of Child Labor Report, “developed economies” equate to the ILO’s classification of “industrial market economies; “economies in transition” to “transition economies,” “developing countries” to “industrializing economies, and “the least developed countries” equates to “less developed countries.” For countries that appear on both “developing countries” and “least developed countries” lists, they will be considered “least developed countries” for the purpose of calculating a “sufficient number” of labor inspectors.
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