

Concluding observations Committee on the Rights of the Child CRC/C/IRN/CO/3-4 para 86(a)

Full recommendation:

Prohibit the employment of children below the age of 18 years in hazardous conditions that jeopardize physical, mental or moral health and the safety of children.

Assessment using Impact Iran human rights indicators¹

The Iranian legislation prohibits employment of children younger than 15 years old², but allows the employment of juvenile or young workers above the age of 15 if they undergo frequent medical exams conducted by the Ministry of Labour.³ Legislation also prohibits juvenile workers over the age of 15 from being employed in hazardous professions or performing hard labour.⁴

In June 2020, the Iranian Guardian Council passed child protection legislation that criminalizes economic exploitation and, *inter alia*, requires social workers from the State Welfare Organization to promptly investigate cases of children in situations of “extreme danger” from abuse, exploitation, or situations resulting in children not being enrolled or present in school.⁵⁶ There is, as of now, no available information regarding the number of State Welfare Organization’s investigations mandated under the 2020 law.

Despite these provisions, businesses with fewer than 10 employees are exempt from certain legal obligations⁷, such as maximum hour requirements,⁸ pay disability benefit for workplace injuries⁹ or mandatory regular medical testing for juvenile laborers.¹⁰ Such exemptions have been considered by the Committee on the Rights of the Child as increasing the risk of economic

¹ CRC.19.1.S.2; CRC.32.1.S.1; CRC.32.1.S.2; CRC.32.1.S.1
CRC.19.1.P.1; CRC.32.1.P.1
CRC.19.1.O.3

² Labor Law of Iran, art. 79, available at <http://www.mcls.gov.ir/fa/law/267>

³ Labor Law of Iran, Article 80, available at <http://www.mcls.gov.ir/fa/law/267>

⁴ Articles 79 to 84 Labor Law of Iran, art. 79, available at <http://www.mcls.gov.ir/fa/law/267>

⁵ Human Rights Watch, <https://www.hrw.org/news/2020/06/23/iran-child-protection-law-positive-insufficient>

⁶ The Parliament of the Islamic Republic of Iran Official Website, https://rc.majlis.ir/fa/legal_draft/state/1055680

⁷ Law on businesses with fewer than 10 employees and their exemptions according to article 119 of Iran’s labor law passed on 19 January 2003 available at http://www.mcls.gov.ir/icm_content/media/law/634643017437412500.pdf

⁸ Businesses with fewer than 10 employees are exempted from articles 51, 56 and 58 of the labor law

⁹ Businesses with fewer than 10 employees are also exempted from articles 31 and 32 of the labor law

¹⁰ Businesses with fewer than 10 employees are also exempted from articles 81 and 82 of the labor law

exploitation of children.¹¹ Additionally, Iranian child labour laws do not cover domestic work, which permits children to work in agriculture and some small businesses from the age of 12.¹²¹³¹⁴

In its 2019 National Report to the Universal Periodic Review, the Government of the Islamic Republic of Iran stated that “on the basis of the 6th Development Plan Act, the Government is obliged to [...] organize and reduce street children and child laborers.”¹⁵ Recent official statistics have reported 1.5 million child laborers in the Islamic Republic of Iran, while Iranian authorities have reportedly stated that the number exceeded three million¹⁶ and NGOs estimate the number to be closer to 7 million.¹⁷¹⁸ Children are reportedly paid significantly less than adults, which may encourage their employment as cheap labour.¹⁹

Within the Islamic Republic of Iran, labour inspectors are tasked with monitoring workplace conditions, pursuant to the Labour Code and the International Labour Organization Convention 182,²⁰²¹ yet private companies have reportedly escaped governmental scrutiny, notably waste disposal services informally employed by municipal authorities.²² In 2016, the Committee on the Rights of the Child raised serious concerns about “the large number of children employed under hazardous conditions, such as garbage collection, brick kilns and industrial workshops, without protective clothing and for very low pay”²³ in spite of the existence of labour inspectors. A number of NGOs reported children working in poor and hazardous conditions in the Islamic Republic of Iran, notably in waste management and often employed by municipality contractors or city hall staff.²⁴ The Iran Labor News Agency has reported more than 120,000 children are hired to work at waste management facilities, including recycling centres, which are primarily

¹¹ CRC/C/IRN/CO/3-4,

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fIRN%2fCO%2f3-4&Lang=en

¹² U.S. State Department Human Rights Report 2019, Iran, <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/iran/>

¹³ Financial Tribune, <https://financialtribune.com/articles/people/44082/report-to-help-prevent-child-labor>

¹⁴ See more: Civil society report to the CRC, 2016, Coalition Impact Iran,

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCRC%2fNGO%2fIRN%2f19809&Lang=en

¹⁵ National Report, UPR 2019, Islamic Republic of Iran, <https://undocs.org/A/HRC/WG.6/34/IRN/1>

¹⁶ Financial Tribune <https://en.radiofarda.com/a/thousands-of-children-forced-to-work-beg-in-the-streets-in-iran/30142546.html>

¹⁷ Center for Human Rights in Iran, <https://iranhumanrights.org/2019/07/fact-sheet-children-in-iran-are-unprotected-from-abuse-and-severe-rights-violations/>

¹⁸ Radio Farda, <https://en.radiofarda.com/a/rubbish-children-iran/28713558.html>

¹⁹ CRC/C/IRN/CO/3-4,

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fIRN%2fCO%2f3-4&Lang=en

²⁰ CRC/C/IRN/CO/3-4, para. 87, <https://undocs.org/en/CRC/C/IRN/CO/3-4>

²¹ OHCHR Record of the CRC consideration of the Islamic Republic of Iran’s report, 2016,

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16940&LangID=E>

²² Center for Human Rights in Iran, <https://www.iranhumanrights.org/wp-content/uploads/Days-to-remember-low.pdf>

²³ CRC/C/IRN/CO/3-4,

https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fIRN%2fCO%2f3-4&Lang=en

²⁴ Radio Farda, <https://en.radiofarda.com/a/rubbish-children-iran/28713558.html>

run by municipality contractors.²⁵ Similar reports indicated that juveniles between the ages of 12 and 15 have been hired by companies contracted by the municipality of Tehran to collect recycling and garbage.²⁶ In 2014, the municipality of Tehran denied any responsibility for hiring child labour.²⁷ These reports suggest that Iranian authorities may condone the employment of child workers, even in hazardous conditions such as waste disposal services. Acquiescence or approval of the employment of child laborers in these industries may limit accountability of perpetrators and limit opportunity for redress and rehabilitation for victims. While some reports have emerged, NGOs are reportedly typically prevented from doing research on child labour and waste management, limiting comprehensive assessments of the current situation in Iran.^{28,29}

In its General Comment on Article 6 of the Convention on Economic, Social and Cultural Rights, the Committee on Economic, Social and Cultural Rights stipulated that “States parties must take effective measures, in particular legislative measures, to prohibit labour of children under the age of 16.”³⁰ The legal and regulatory framework of the Islamic Republic of Iran does not consistently determine the minimum age for employment and child labour is permitted in agriculture, domestic service and some small businesses. The limitations within the Iranian legal framework do not effectively prohibit the employment of children below the age of 18 years in hazardous conditions. The Committee on Economic, Social and Cultural Rights further stipulated that “States parties must adopt effective measures to ensure that the prohibition of child labour will be fully respected.”³¹ In the Islamic Republic of Iran, child labour legislation that prohibits the employment of children in hazardous conditions has reportedly been ineffective and inadequately monitored and enforced. Such gaps in efficacy and enforcement hinder accountability for employers exploiting child labour.

There is no readily available information that might indicate that the Government has engaged in steps to strengthen its legislation prohibiting child labour in accordance with international standards. The lack of legal safeguards protecting children workers contributes to the continued employment of children working in hazardous conditions, in contravention of Iranian law and/or international standards.

²⁵ Radio Farda, <https://en.radiofarda.com/a/rubbish-children-iran/28713558.html>

²⁶ Child Labor in Municipality Contractors, Islamic Republic News Agency Published on 20 November 2014 <http://www.irna.ir/fa/News/81394069/>

²⁷ Iranian Labor News Agency, <http://ilna.ir/news/news.cfm?id=225126>

²⁸ Radio Farda, <https://en.radiofarda.com/a/rubbish-children-iran/28713558.html>

²⁹ See more: Civil society report to the CRC, 2016, Coalition Impact Iran, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCRC%2fNGO%2fIRN%2f19809&Lang=en

³⁰ General Comment No. 18 on Article 6 of the Convention on Economic Social and Cultural Rights, E/C.12/GC/186, <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4slQ6QSmlBEDzFEovLCuW1a0Szab0oXTdImnsJZZVQfUKxXVisd7Dae%2FCu%2B13J25Nha7I9NlwYZ%2FTmK57O%2FSr7TB2hbCAidyVu5x7XcqjNXn44LZ52C%2BikX8AGQrVyIc>

³¹ General Comment No. 18, on Article 6 of the Convention on Economic Social and Cultural Rights, E/C.12/GC/186, <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4slQ6QSmlBEDzFEovLCuW1a0Szab0oXTdImnsJZZVQfUKxXVisd7Dae%2FCu%2B13J25Nha7I9NlwYZ%2FTmK57O%2FSr7TB2hbCAidyVu5x7XcqjNXn44LZ52C%2BikX8AGQrVyIc>

Recommendation Status:

This recommendation has **NOT** been implemented.