

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

Full recommendation:

Ensure that all forms of enterprises and workshops remain within the domain of labour regulations and are systematically monitored and controlled by labour inspectors for potential violations of the rights of child workers

Assessment using Impact Iran human rights indicators¹

The Iranian legislation prohibits employment of children younger than 15 years old² and allows the employment of juvenile or young workers above the age of 15 if they undergo frequent medical exams conducted by the Ministry of Labor.³ Juvenile workers over the age of 15 are also prohibited from being employed in hazardous professions or performing hard labour.⁴ Despite these provisions, businesses with fewer than 10 employees are exempt from certain legal obligations⁵, such as maximum hour requirements,⁶ pay disability benefit for workplace injuries⁷ or mandatory regular medical testing for juvenile laborers.⁸ Such exemptions have been considered by the Committee on the Rights of the Child as increasing the risk of economic exploitation of children.⁹ Additionally, Iranian child labour law does not cover domestic work and permits children to work in agriculture and some small businesses from the age of 12.^{10 11 12}

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 3 million¹³ and NGOs

¹CRC.19.1.S.1; CRC.32.1.S.1; CRC.32.1.S.1; CRC.32.2.S.1

CRC.19.1.P.1; CRC.19.1.P.3

CRC.19.1.O.3; CRC.19.1.O.4

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 Law on businesses with fewer than 10 employees and their exemptions according to article 191 of Iran's labor law passed on 19 January 2003 available at http://www.mcls.gov.ir/icm_content/media/law/634643017437412500.pdf

⁶ Businesses with fewer than 10 employees are exempted from articles 51, 56 and 58 of the labor law

⁷ Businesses with fewer than 10 employees are also exempted from articles 31 and 32 of the labor law

⁸ Businesses with fewer than 10 employees are also exempted from articles 81 and 82 of the labor law

⁹ CRC/C/IRN/CO/3-4, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fIRN%2fCO%2f3-4&Lang=en

¹⁰ U.S. State Department Human Rights Report 2019, Iran, <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/iran/>

¹¹ Financial Tribune <https://financialtribune.com/articles/people/44082/report-to-help-prevent-child-labor>

¹² 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

¹³ Financial Tribune <https://en.radiofarda.com/a/thousands-of-children-forced-to-work-beg-in-the-streets-in-iran/30142546.html>

estimate the number to be closer to 7 million.¹⁴¹⁵ Children are reportedly paid significantly less than adults¹⁶, which may encourage the employment of children as cheaper labour.

Despite the existence of labour inspectors exercising monitoring functions pursuant to the Labor Code and the International Labor Organization Convention,¹⁷¹⁸ private companies have reportedly escaped governmental scrutiny, notably waste disposal services informally employed by municipal authorities.¹⁹ 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”²⁰ 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.²¹ The Iran Labor News Agency has reported that more than 120,000 children are hired to work at waste management facilities, including recycling centres which are, primarily, run by municipality contractors.²² 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.²³ The municipality of Tehran has denied any responsibility for hiring child labour in 2014.²⁴ The fact that Iranian authorities appear to condone the employment of child workers may well limit accountability for perpetrators and redress and rehabilitation for victims.²⁵

In June 2020, the Iranian Guardian Council passed child protection legislation that, *inter alia*, requires social workers from the State Welfare Organization to promptly investigate children in situations of “extreme danger” from abuse, exploitation, or situations resulting in children not

¹⁴ Center for Human Rights in Iran, <https://iranhumanrights.org/2019/07/fact-sheet-children-in-iran-are-unprotected-from-abuse-and-severe-rights-violations/>

¹⁵ Radio Farda, <https://en.radiofarda.com/a/rubbish-children-iran/28713558.html>

¹⁶ CRC/C/IRN/CO/3-4, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fIRN%2fCO%2f3-4&Lang=en

¹⁷ CRC/C/IRN/CO/3-4, para. 87, <https://undocs.org/en/CRC/C/IRN/CO/3-4>

¹⁸ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16940&LangID=E>

¹⁹ Center for Human Rights in Iran, <https://www.iranhumanrights.org/wp-content/uploads/Days-to-remember-low.pdf>

²⁰ CRC/C/IRN/CO/3-4, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fIRN%2fCO%2f3-4&Lang=en

²¹ Radio Farda, <https://en.radiofarda.com/a/rubbish-children-iran/28713558.html>

²² Radio Farda, <https://en.radiofarda.com/a/rubbish-children-iran/28713558.html>

²³ Child Labor in Municipality Contractors, Islamic Republic News Agency Published on 20 November 2014 <http://www.irna.ir/fa/News/81394069/>

²⁴ Head of Tehran Municipality inspection’s section: Municipality does not have a direct responsibility in death of Mr. Cheraghi, Iranian Labor News Agency published on 19 November 2014 <http://ilna.ir/news/news.cfm?id=225126>

²⁵ 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

being enrolled or present in school²⁶²⁷ There is, as of now, no available information regarding the number of State Welfare Organization’s investigations mandated under the 2020 law.

During its Universal Periodic Review in 2019, the Government of the Islamic Republic of Iran stated that it established special inspection branches and criminal court branches to deal with child abuse cases in the Judiciary.²⁸ Non-governmental organizations reportedly can access a court and file complaints on behalf of a child²⁹, although penalties for employing child workers have been reportedly considered insufficient to deter violations.³⁰ Additionally, there is no readily available information that might indicate the existence of a mechanism specifically for children employed illegally, or working in illegal conditions, to file complaints.³¹

The State Welfare Organization and its Office of Social Harm Victims provide support to children victims of illegal and forced labour, notably by overseeing rehabilitation centres and shelters for children in Iran. In June 2020, the Director General of the Office of Social Harm Victims reportedly announced that the State Welfare Organization, in partnership with the Ministry of Cooperative, Labor and Social Welfare, will launch a plan, the “Family Based Approach”, aimed at ‘improving the conditions’ for child workers.³² Details regarding this plan are yet to be made public. While the number of child laborers is reportedly rising in the Islamic Republic of Iran and reaching millions,³³ only about 9,000 have been reportedly identified by the Government and given shelter in 2018.³⁴ The Government of the Islamic Republic of Iran also established a Working Group against Child Abuse in 2017 and launched an SMS hotline for child abuse reports, which may include reports of economic exploitation.³⁵ There is no readily available information that might indicate the number of cases of abuses against child workers that have been reported and whether they have been properly addressed, promptly investigated and adequately adjudicated.

In its General Comment on Article 6 of the Convention on Economic Social and Cultural Rights, the Committee stipulated “States parties must adopt effective measures to ensure that the prohibition of child labor will be fully respected.”³⁶ However, child labour legislation has been

²⁶ Human Rights Watch <https://www.hrw.org/news/2020/06/23/iran-child-protection-law-positive-insufficient>

²⁷ Iranian Parliament Official Website https://rc.majlis.ir/fa/legal_draft/state/1055680

²⁸ Islamic Republic of Iran response, Universal Periodic Review, 2019, <https://undocs.org/en/A/HRC/43/12/Add.1>

²⁹ [Article 66 of the Criminal Code of Procedure \(2015\)](#). However, NGOs are prohibited from attending court proceedings they initiated involving crimes against decency. <https://iranhrdc.org/amendments-to-the-islamic-republic-of-irans-code-of-criminal-procedure-part-1/>

³⁰ U.S. State Department Human Rights Report 2019, Iran, <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/iran/>

³¹ Persia Educational Foundation, https://www.persia.education/wp-content/uploads/2017/01/PEF_Irans-Childrens-Report.pdf

³² Behzisti News, <http://en.behzisti.ir/news/18573/Family-Based-Approach-for-street-and-labor-children>

³³ Radio Farda, <https://en.radiofarda.com/a/thousands-of-children-forced-to-work-beg-in-the-streets-in-iran/30142546.html>

³⁴ Radio Farda, <https://en.radiofarda.com/a/iran-child-labor-homeless-abuse/29193727.html>

³⁵ National Report, UPR 2019, Islamic Republic of Iran, <https://undocs.org/A/HRC/WG.6/34/IRN/1>

³⁶ 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=4slQ6QSmIBEDzFEovLCuW1a0Szab0oXTdImnsJZZVQfUKxXVisd7Dae%2FCu%2B13J25Nha7l9NlwYZ%2FTmK570%2FSr7TB2hbCAidyVu5x7XcqiNXn44LZ52C%2BikX8AGQrVvf>

reportedly ineffective and inadequately monitored or enforced. For example, enterprises and workshops reportedly employ child workers in violation of labour regulations and are not systematically monitored or controlled by labour inspectors. Despite the existence of mechanisms used to report cases of child abuse, there is no readily available information that might indicate that violations of the rights of child workers are addressed, and that enterprises and workshops exploiting children are held accountable. Such shortcomings hinder accountability for employers exploiting child labour. The lack of legal safeguards for child laborers added to the lack of services and avenues of redress expose children to economic exploitation and contribute to the unchecked employment of children to work, in contravention of Iranian law and/or international standards.

Recommendation Status:

This recommendation has **NOT** been implemented.