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(unofficial translation)

The Permanent Mission of the Republic of Iraq to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights, Special Procedure Branch, and with reference to its letter dated 14 January 2022, has the honour to attach herewith the contribution of the Government of the Republic of Iraq regarding “contemporary forms of slavery in the informal economy”.

The Permanent Mission of the Republic of Iraq avails itself of this opportunity to renew to the Office of High Commissioner for Human Rights, Special Procedure Branch, the assurances of its highest consideration.

Geneva, 7th April 2022



Office of the United Nations High Commissioner for Human Rights -
Special Procedure Branch - Geneva



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تهدي الممثلة الدائمة لجمهورية العراق لدى مكتب الأمم المتحدة والمنظمات الدولية الأخرى في جنيف أطيب تحياتها إلى مكتب المفوض السامي لحقوق الإنسان/ الاجراءات الخاصة، وبالإشارة الى رسالته المؤرخة في 1414 كانون الثاني 2022، تتشرف بإرسال مساهمات جمهورية العراق بشأن " الاشكال المعاصرة للعبودية في الاقتصاد غير الرسمي".
تغتنم الممثلة الدائمة لجمهورية العراق لدى مكتب الأمم المتحدة والمنظمات الدولية الأخرى في جنيف هذه المناسبة لتعرب لمكتب المفوض السامي لحقوق الإنسان/ الاجراءات الخاصة عن فائق التقدير والاحترام.

جنيف: 7 نيسان 2022



مكتب المفوضة السامية لحقوق الإنسان - الاجراءات الخاصة - جنيف



مساهمات جمهورية العراق بشأن الاشكال المعاصرة للعبودية في الاقتصاد غير الرسمي

- 1- اكد الدستور العراقي في المادة (37/ثالثاً) على تحريم العمل القسري "السخرة" والعبودية وتجارة العبيد "الرقيق"، ويحرم الاتجار بالنساء والاطفال والاتجار بالجنس.
- 2- يسري قانون العمل العراقي الحالي رقم (37) لسنة 2015 على جميع العمال ومن في حكمهم (الاجانب) ممن حصلوا على اجازة العمل من وزارة العمل والشؤون الاجتماعية، وقد اكدت المادة (9) منه على حضر العمل الجبري او الالزامي بكافة اشكاله، ولضمان تطبيق احكام القانون اعلاه في جميع الجوانب المتعلقة بظروف العمل والعمال، تخضع مشاريع العمل الى التفثيش من قبل وزارة العمل والشؤون الاجتماعية بواسطة لجان مختصة وبشكل مفاجئ تعمل على اتخاذ الاجراءات القانونية اللازمة عند وجود انتهاك، واحالة المقصرين الى القضاء.
- 3- كفل الدستور العراقي حق التقاضي للجميع دون تمييز، ولجميع المتضررين من جرائم الاتجار بالبشر والرق المعاصر الحق في التوجه الى المحاكم العراقية المختصة، فقد نص قانون العمل في المادة 11/اولاً (للعامل حق اللجوء الى محكمة العمل للتقدم بشكوى عند تعرضه الى أي شكل من اشكال العمل الجبري او التمييز او التحرش الجنسي في الاستخدام او المهنة).
- 4- تم توقيع عدد من الاتفاقيات الدولية مع المجتمع الدولي لتناقل الخبرات والتجارب، منها الاتفاقية العربية لمكافحة الاتجار بالبشر والاتفاقية العربية لتنظيم وزراعة الاعضاء البشرية والاتفاقية العربية لمنع ومكافحة الاستساخ البشري والبروتوكول العربي لمنع ومكافحة الاتجار بالبشر والانضمام الى بروتوكول (باليرمو) لمنع وقمع ومعاقبة الاتجار بالأشخاص وخاصة النساء والاطفال المكمل لاتفاقية الامم المتحدة لمكافحة الجريمة المنظمة عبر الوطنية، واعداد برنامج بالتعاون مع الاتحاد الاوربي يختص بإقامة دورات وورش عمل معينة بالقوانين والاتفاقيات الدولية حول مكافحة الاتجار بالبشر.
- 5- تمكين المركز الوطني للصحة والسلامة المهنية في تطبيق المعايير اللازمة اضافة الى تطبيق وانفاذ قانون العمل، وتم زيادة شمول العمال بالضمان الصحي حيث بلغ عدد





المشمولين بالضمان الصحي على مستوى العراق من الذكور (250,360) ومن الاناث (26,795) لغاية 2021/12/31.

6- تم اقرار قانون الناجيات الايزيديات رقم (8) لسنة 2021، الذي يهدف الى تعويض الناجيات من مختلف الطوائف والمشمولين بأحكام هذا القانون مادياً ومعنوياً.

7- تم اعتماد سياسة استراتيجية للتخفيف من الفقر (2018-2022)، وتم اعتماد قاعدة بيانات خاصة بنسبة الفقر اعدتها وزارة التخطيط مع وزارة العمل.



Answers to the call for input from the special Rapporteur on contemporary forms of slavery, including its causes and consequences

- The Informal Economy is the diversified set of economic activities that take place outside the sphere of the formal economy and managed by the state, this type of economy refers to the public income sector in which certain types of income and the means of its generation are not controlled by the institutions of the society in a legal and social environment, they are not subject to taxes or control in most areas .
- Article (37/Third) of the Iraqi Constitution states that: (Forced labor , slavery , slave trade ,trafficking in women or children , and sex trade shall be prohibited).
- Article (9) of the Iraqi Labor Law of 2015 states that : (this law prohibits forced or compulsory labor in all its forms , including :
 - Slavery and bonded labor
 - Working with the restrictions that are imposed on people.
 - Secret human trafficking , trafficking of immigrant workers , which is by nature a non-freely chosen work.
 - Domestic work, which includes compulsory factors
- The provisions of the Iraqi Labor Law No.(37) of 2015 shall apply to all workers in the Republic of Iraq and the like and in order to regulate the work of foreign workers (No foreign worker may be engaged in any occupation whatsoever before obtaining a work permit issued by the Ministry of Work and Social affairs in order to be protected by the Iraqi Laws .
- Article (11/first) of the Iraqi Labor Law states that : (The worker may resort to the Labor Court to file a complaint when exposed to any form of forced labor , discrimination or harassment in employment and occupation). or child labor or

human trafficking and sets penalties for each act thus the law guarantees the rights and freedoms of workers.

- All those who have been subjected to Human Trafficking and Contemporary Slavery have the right to file a complaint with a court, and that this right is guaranteed by the constitution and the relevant punitive laws. According to article (19/Third) of the Iraqi Constitution of 2005 (Litigation shall be a protected and guaranteed right for all).
- In the field of inspection , the Labor Act states that work projects are subjected to inspection by specialized Inspection committees at the Ministry of Work and Social affairs through the implementation of the law in aspects relating to work conditions , protection of the rights of workers , providing information and technical guidance to workers and the employer and providing a mechanism to receive complaints from workers regarding any violation of their rights , these committees freely and without prior notification enter the work sites and take urgent measures against any violation or danger that threaten the safety and integrity of the worker as well as handle the complaints of the workers with strict confidentiality and refer the offenders to the judicial authorities.
- The Decent Work Document was signed on 5/12/2019 in cooperation with the International Labor Organization; the document includes several activities to provide a safe and decent work environment in Iraq.
- Signing International agreements and cooperating with the international community in the transfer of expertise and experiences including the Arab Convention to Combat Human Trafficking , the Arab agreement to regulate the transfer and transplantation of human organs , the Arab Convention for the Prevention and Combating of Human reproduction ,the Arab Protocol against Trafficking in Human Beings , and Accede to the (Palermo) Protocol to Prevent , Suppress and Punish Trafficking in Persons , Especially Women and Children

supplementing the UN Convention against Transnational Organized Crime in addition to the preparation of a program in cooperation with the European Union to conduct training courses and workshops on International Laws and Conventions relating to Human Trafficking.

- Ensuring governance of Labor Inspection , networking with the Ministries and relevant Directorates and enabling the committees of occupational health and safety to apply standards in addition to the implementation and enforcement of Labor Law relating to decent work standards. (Forced labor, working hours, Work Conditions, Child Labor and Leave).
- A National Policy on employment was developed and it will include implementable programs in the field of employment of Iraqi workers.
- Developing campaigns to combat the worst forms of Child Labor in Baghdad and Governorates.
- Increasing the coverage of workers with health insurance , as the number of male covered by health insurance in Iraq reached (250,360) , while the number of covered females reached (26,795) until 31/12/2021.
- Adoption of the Yazidi Women Survivors Law No. (8) of 2021 , this law aims to provide physical and moral compensation for the survivors and persons covered by the provisions of this law , secure a decent life for them , rehabilitate and provide care for the Female survivors and prepare the means to integrate them into the society in addition to prevent the repetition of violations committed against them.
- Adoption of a strategic poverty reduction policy (2018-2022) , and the council of ministers issued its decision No.(363) of 2017 on the approval and adoption of the poverty database which is prepared by the Ministry of Planning in cooperation with the Ministry of Work as a backbone for the planning and implementation of policies and programs which are targeted the poor . The strategy is aimed at reducing poverty in the country by 25 per cent by 2020 , it also aims to turn the poor

in to active producers and being economically and socially integrated , achieving long-term goals represented in ending poverty in all its forms and everywhere, eradicating hunger , improving nutrition , promoting sustainable development , ensuring decent education , providing educational opportunities for all , promote sustainable economic growth , productive employment and decent work for all , reduce inequality within the country and make human settlements inclusive, secure and viable.