

# Iran: migrant smuggling and trafficking in persons

Nasim Sadat Hosseini-Divkolaye

**Each year, thousands of people are moved illegally – often in dangerous or inhumane conditions – into, through and from Iran.**

Trafficking in persons and migrant smuggling are only two forms of irregular migration; the term ‘trafficking’ describes movements of persons against their will, whereas ‘smuggling’ refers to voluntary movements of the migrants.<sup>1</sup> Due to the clandestine nature of irregular migration, it is difficult to estimate the number of persons being trafficked or smuggled and the illegal status of victims tends to prevent them reporting incidents to government authorities.

## Trends and dynamics in Iran

Because of its geopolitical situation, Iran is a country of origin, destination and transit for traffickers and smugglers. Long shared borders with countries in crisis led to mass irregular immigration from Afghanistan and Iraq. During the last twenty years, 2.5 million Afghan and Iraqi immigrants have returned to their homes but there are still one million illegal Afghan immigrants in Iran who have either overstayed their legal stay or entered Iran illegally with the assistance of organised criminal smuggling groups.

Due to Iran’s particular location as a bridge between Asia, Europe and the Middle East, people are both trafficked into Iran from Afghanistan, and trafficked through Iran to the Arabian Peninsula and the southern Mediterranean region. Statistics indicate that trafficking of people both into and out of Iran is on the increase.

Recent newspaper reports, supported by the declarations of judicial and law enforcement officials, acknowledge the existence of organised criminal networks involved in the trafficking of narcotics, and small arms as well as people. In this context, of particular concern are reports of trafficking of children (Afghans, as well as Iranians) from Iran to the Persian Gulf Region

littoral states for both camel riding/racing and sexual exploitation, as well as from Iran to Pakistan and Afghanistan for drug trafficking. The data is indicative of weak border management as well as established human trafficking networks, particularly along the Afghan border with Iran and Pakistan.

## Recent policy initiatives

In recent years, Iran has made progress in combatting migrant smuggling and trafficking in persons at national, regional and international levels.

- **Legislation:** In 2004, the Iranian Parliament ratified a law prohibiting trafficking of persons and other laws to punish both migrant smugglers and illegal migrants.
- **Prosecution:** Iran has increased its law enforcement efforts against trafficking and smuggling. A woman and her accomplice husband, for example, were arrested and convicted for trafficking young girls and women to work in a brothel in Qazvin, as were 20 members of a human trafficking ring in the city of Bileh Savar. During 2004, the Iranian Border Force arrested over 253 Pakistanis smuggled into Iran, some of them seemingly victims of trafficking. According to the local newspapers, in August 2007 police arrested a group including 15 Uzbek women and 10 Iranian men who were trafficking women for the purpose of sexual exploitation from central Asian countries to Arabian countries like UAE and Qatar through Iran. And in September 2005, domestic media reported the Tehran police chief as stating that eight human trafficking networks smuggling mostly Bangladeshis, Afghans

and Pakistanis had been broken up and their members arrested.

- **Protection:** The Iranian State Welfare Organization assists victims and those at risk of trafficking through mobile and fixed social emergency centres. These centres provide counselling, legal services and health care. The State Welfare Organization also manages temporary shelters for ‘troubled women’ and facilities for young runaway girls that are available to victims of trafficking as well.<sup>2</sup>
- **International initiatives:** While Iran has become party to several of the relevant Conventions, it has not signed some others. It has however signed separate Memoranda of Understanding with the International Organization of Migration and the International Labour Organization to enhance the capacity of its institutions in combatting human trafficking and on security cooperation with Turkey and Afghanistan focusing, among other things, on campaigns against human trafficking at bilateral and regional levels.

## Have these policies been effective?

Despite the growing awareness and the increasing literature on this subject, available information in Iran about the magnitude of the problem remains limited. The lack of awareness about the differences between migrant smuggling and trafficking in persons, insufficient information about the causes of all forms of irregular migration and suspicions and reservations towards multilateral cooperation have hindered effective action against these crimes over the past decade in Iran.

Many countries punish unauthorised arrivals and do not offer protection for victims of trafficking but it is unfair when a victim is treated the same as a criminal offender. Detention and deportation should not be

applied for a victim of trafficking. Due to the lack of appropriate laws to respond to these crimes, there is evidence that most countries – including Iran – treat both victims and criminals in the same way. Iran's new law against human trafficking, in conjunction with the prohibition against the trafficking of children, has enhanced Iran's overall abilities to combat most forms of human trafficking but protection measures for trafficking victims are still weak. Iran therefore urgently needs to:

- implement existing laws and detection training programmes for law enforcement officers

- conduct information campaigns to educate potential victims about the risks and realities of irregular migration
- provide shelters for those captured in trafficking groups
- train border and law enforcement officers in the differences between the two crimes and how to distinguish victims from criminals.

Meanwhile, it is better to treat all illegal migrants as potential trafficking victims until investigations prove otherwise.

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1. According to the UN Protocol on Trafficking, trafficking is defined as '...the recruitment, transportation, transfer, harbouring or receipt of persons, by the threat or use of abduction, fraud, deception, coercion, or the abuse of power or by the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation...' and in the smuggling protocol, smuggling is defined as '...the procurement of the illegal entry into or illegal residence of a person in a State Party of which the person is not a national or a permanent resident in order to obtain, directly or indirectly, a financial or other material benefit.'

See also FMR25 'People trafficking: upholding rights & understanding vulnerabilities', June 2006 at <http://www.fmreview.org/peopletrafficking.htm>  
2. <http://www.behzisty.ir/>

## Protection of civilians: conference and resources

On 22-24 September 2009 the Refugee Studies Centre, in collaboration with the Humanitarian Policy Group at the Overseas Development Institute, is organising an international conference on the theme of **Protecting People in Conflict and Crisis: Responding to the Challenges of a Changing World**. Venue: Oxford, UK.

The conference will convene a broad range of academic researchers, humanitarian practitioners, policy makers and civil society representatives to review the state of policy and practice in the broad field of humanitarian protection as we look forward into a potentially turbulent 21st Century.

Keynote lectures, plenary discussions and expert panel debates, paper sessions and practice updates will focus on:

- populations at risk: surviving and responding to protection threats
- concepts of protection
- the politics of protection
- protection, security and the roles of military and armed actors
- national and regional responsibilities to protect
- protection in practice

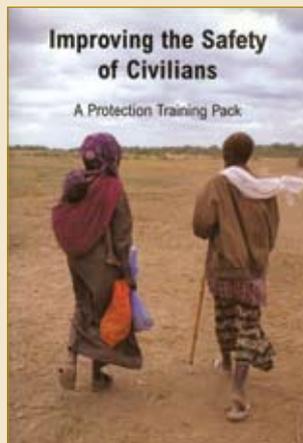
The full call for papers, plus information on submitting abstracts, is online at [http://www.rsc.ox.ac.uk/conf\\_conferences\\_210909.html](http://www.rsc.ox.ac.uk/conf_conferences_210909.html)

### New Oxfam publications on protection of civilians

#### Improving the Safety of Civilians: A Protection Training Pack

Sophia Swithern & Rachel Hastie. Dec 2008. 176pp. £19.95. Free online (English only) at <http://tiny.cc/OxfamProtectionPack>

This training pack is intended to help humanitarian workers to improve the safety of civilians being subjected to violence, coercion, or deliberate deprivation. The pack includes modules on: What is protection?; Planning a programme; Mainstreaming protection; Programming for protection.



The activity sessions within the modules cover topics as diverse as international standards for civilian protection, objective setting, indicators and monitoring, humanitarian negotiation, coordination and alliance building, reducing the risk of sexual violence and advocacy for humanitarian protection. Print version includes accompanying CD.

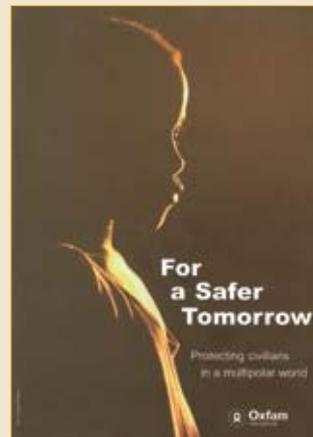
Designed for use by experienced facilitators, who have some knowledge of protection issues, to train emergency-response teams.

#### For a Safer Tomorrow: Protecting Civilians in a Multipolar World

Edmund Cairns. Sept 2008. 148pp. £12.95.

Available in English, Spanish and French.

Free online at <http://tiny.cc/OxfamSaferTomorrow>



Many people feel that there is little that can be done to prevent the brutal targeting of civilians that characterises modern warfare. This report, based on Oxfam International's experience in most of the world's conflicts, sets out an ambitious agenda to protect civilians through combining local, national, and regional action with far more consistent international support.