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Legislation

No. 1



**Instructions for the Employment of Adult and Juvenile Prisoners
in the Workshops and Factories of the Iraqi Correction
Department, Juvenile Correction Department and in the
Projects of State Departments**

No. (1) of 2024

تعمىلات تشمىل الشراعه والمعومىن داخل ورش ومخالفه المبرتى الإصلاح العىراقىة والإصلاح

الإصلاح وفى مشارىع دوانر العولت

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Instructions

Instructions for the Employment of Adult and Juvenile Prisoners in the Workshops and Factories of the Iraqi Correction Department, Juvenile Correction Department and in the Projects of State Departments

Based on the provisions of Article (23) of the Law on the Correction of the Juvenile and Adult Prisoners No. (14) of 2018, we have issued the following instructions:

NO. (1) OF 2024

**INSTRUCTIONS FOR THE EMPLOYMENT OF ADULT
AND JUVENILE PRISONERS IN THE WORKSHOPS
AND FACTORIES OF THE IRAQI CORRECTION
DEPARTMENT, JUVENILE CORRECTION
DEPARTMENT AND IN THE PROJECTS OF STATE
DEPARTMENTS**

ARTICLE 1

First: The Iraqi Correction and Juvenile Correction Departments shall establish workshops, factories or facilities inside the correctional departments and schools that have sufficient space for the purpose of employing the juvenile and adult prisoners.

Second: The Iraqi Correction and Juvenile Correction Departments shall contract with the governmental authorities that need to employ the juvenile and adult prisoners in



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the workshops and factories of the correctional department or school or their projects in accordance with the conditions stipulated in Items (First), (Second) and (Third) of Article (24) of the Juvenile and Adult Prisoner correction Law No. (14) of 2018.

ARTICLE 2

First: A central committee for internal and external employment shall be formed in each of the Iraqi Correction and Juvenile Correction Departments, headed by the Assistant General Manager of the Department, who shall be appointed by the Director General, and with the membership of (4) four employees with experience in the field of work and qualification, chosen by the General Manager from the sections of financial affairs, social research, training, qualification, employment, and legal affairs.

Second: The Committee shall undertake the following tasks:

- a. Evaluating the reality of work and stating the economic feasibility of opening workshops, factories, or facilities in a manner is consistent with the needs of the local market or meeting the needs of the department or various governmental departments.
- b. Proposing amendments to wages and financial dues for the juvenile and adult prisoners in accordance with the economic conditions in the country, saving, spending and delivering funds to their owners.
- c. Following up on working hours, revenues and profits achieved and the mechanism for their distribution, taking into account the maintenance of materials and machines used for operation, work, occupational safety requirements and work clothes.



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- d. Putting regulations that include the rights and duties of the juvenile and adult prisoners during the work period.
- e. Putting regulations for classifying the juvenile prisoners professionally in accordance with their qualifications, the rulings issued against them, their inclinations, behavior, health, social and psychological status, and their mental and physical abilities, and according to the nature of each job.

Third: The Committee stipulated in Item (First) of this Article shall meet once a month or whenever necessary, and its recommendations shall be subject to the approval of the General Manager.

ARTICLE 3

First: A committee shall be formed to employ adult prisoners in each correction section of or correctional schools in Baghdad and the governorates, headed by the manager of the section or school and with the membership of (4) four employees with experience in the field of work and rehabilitation, chosen by the manager from the divisions of social research, training, rehabilitation, employment, legal affairs and public health.

Second: The Committee shall undertake the following tasks:

- a. Receiving and studying applications from adult and juvenile prisoners applying for work to determine their eligibility to engage in the field of internal and external employment.
- b. Classifying adult prisoners professionally according to the controls issued by the Central Committee for Internal and External Employment



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- c. Receiving medical and behavioral reports of adult and juvenile prisoners participating in occupational programs from the competent authorities and followed up on them , provided that these reports shall be re-evaluated every (3) three months and the results of the medical and behavioral examinations shall be adopted in the continuation or non-continuation of adult and juvenile prisoners in the work sites or changing the nature of their work.
- d. Following up on leaves, holidays and days pursuant to the law.
- e. Determining the training program required for adult and juvenile prisoners before engaging in occupational programs
- f. Recommending the suspension of adult and juvenile prisoner from training or work when there are justifiable reasons from a behavioral and health perspective
- g. Determining the type of operational programs and their capacity to adult and juvenile prisoners, taking into consideration the economic feasibility of each occupational activity.
- h. Supervising the savings of adult and juvenile prisoners such as collecting wages, monitoring their deposit and disposing of them in accordance with approved controls.

Third: The committee stipulated in Item (First) of this Article shall meet once a month or whenever necessary, and its recommendations shall be subject to the approval of the Central Committee for Internal and External Employment.

ARTICLE 4

Taking into account the provisions of Labour Law No. (37) of 2015, an employment contract shall be organized between the department's management and the prisoner, in writing and binding on both parties, and shall be included the following:



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First: The amount of the wage of adult and juvenile prisoner, whether it is a daily wage or for the produced piece

Second: Work conditions and controls

Third: Signing the labour-right list attached to the contract.

ARTICLE 5

The Legal Affairs Department of the Iraqi Correction and Juvenile Correction Departments shall be responsible for organizing contractual procedures with governmental agencies.

ARTICLE 6

The juvenile and adult prisoner shall be obligated to wear the clothes designated for work and he/ she shall be given an employment card that includes his/ her personal data and work location.

ARTICLE 7

The wages of the adult prisoner or juvenile prisoner shall be paid in accordance with the contract concluded with him/ her and in accordance with official payment receipts in which the details of his/ her entitlements are fixed, whether it is piece-basis, hourly or overtime work, with a statement of the reasons for deducting some dues, if any.



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ARTICLE 8

First: The adult prisoner and juvenile prisoner shall be paid (40%) forty per cent of the revenues obtained for his/ her work to meet his/ her needs and (60%) sixty per cent shall be saved in the money safekeeping, and may increase this percentage at the request of the prisoner to be delivered to him/ her after his/her release, and he/ she may withdraw some amounts from these revenues, provided that not more than (50%) fifty per cent to meet his/ her needs or send them to his/ her family under a record approved by the Committee stipulated in Article (3) of these instructions.

Second: In the event of the death of the adult or juvenile prisoner before his/ her release, the saved amount shall be paid to his/her heirs in accordance with the legal division rule (Islamic Sharia Qassam: Sharia-based inheritance share division rule), and in the event of the absence of heirs, the saved amount shall be transferred to the public treasury.

ARTICLE 9

First: The adult prisoner or juvenile prisoner shall be suspended from work for the period determined by the committees formed in the correctional sections or schools in the following cases, provided that the period of suspension is not exceeding the period of expiry of the contract:

- a. Committing a behavioral offense such as fighting, assaulting prisoners and self-harm.
- b. Theft of workshop property.
- c. Absence from work without a justifiable excuse for a period of (3) three continuous or intermittent days.



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- d. Having an infectious disease.
- e. Failure to comply with work controls.
- f. Causing material losses inside the workshops.

Second: The adult or juvenile prisoner shall be suspended from work after recording his/ her statement in accordance with a duly-approved record.

ARTICLE 10

The contract of the adult or juvenile prisoner shall be canceled in one of the following cases:

First: Not to start work after the lapse of (3) three days from the signing of the contract without a justified excuse

Second: Non-compliance with the terms of the contract and work regulations.

Third- Trying to escape.

ARTICLE 11

First: The party contracting with the department shall undertake transporting adult and juvenile prisoners from and to the work site, while providing meals or disbursing their equivalent in cash, The Iraqi Correction and Juvenile Correction Departments may agree on the appropriate manner therefor.



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Second: The Iraqi Correctional and Juvenile Correctional Departments shall be responsible for providing the appropriate procedural force to accompany adult and juvenile prisoners during transportation and to provide the requirements for supervising work during working hours.

ARTICLE 12

Social researchers shall visit internal and external work sites and submit periodic reports to the Committee formed pursuant to Article (2) of these instructions for the purpose of evaluating performance, diagnosing the positives for expanding employment, and addressing the negatives.

ARTICLE 13

The Iraqi Correction and Juvenile Correction Departments shall open an accounting unit linked to the Financial Affairs Section, which shall undertake the following tasks:

- a. Deducting a percentage of (3%) three per cent of the adult or juvenile prisoner's wage for the account of the Retirement and Social Security Fund for Workers, in accordance with the law to secure the retirement for adult and juvenile prisoners after their release.
- b. Depositing the adult or juvenile prisoner's money and disbursing it in accordance with the law and instructions issued to facilitate the implementation of its provisions.



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ARTICLE 14

The Training, Rehabilitation and Employment Section in the Iraqi Correction and Juvenile Correction Departments shall undertake the following tasks:

First: Supervising work sites within sections, houses and correctional schools and evaluating work conditions.

Second: Giving feedback that serve the interests of work.

Third: Coordinating with the state departments concerned with vocational training to train and rehabilitate adults or juvenile prisoner in correctional departments and schools in a manner consistent with the occupational workshops available in each of them.

ARTICLE 15

The Iraqi Correction and Juvenile Correction Departments shall be obligated to provide adult and juvenile prisoners with all occupational safety requirements and work clothes.

ARTICLE 16

The Iraqi Correction and Juvenile Correction Departments shall be obligated to hold exhibitions to market the products of workshops and factories inside and outside the correction departments and schools.



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ARTICLE 17

Instructions on the rules of work and wages for adult and juvenile prisoners inside and outside social correction sections No. (3) of 1982 and its amendments and Instructions on the rules of work and wages for prisoners inside social correction departments No. (4) of 2015 shall hereby repealed.

ARTICLE 18

These instructions shall be implemented as of the date of their publication in the Official Gazette.

Dr. Khalid Shawani,
Minister of Justice