

The Right to Social Security for Foreign Workers in Iran from the Perspective of Human Rights Norms

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Abstract

Given the rights of foreign workers are widely violated by the host countries, these people are protected under various international documents. Among the most important of these rights is the right to social security. The Universal Declaration of Human Rights and international treaties such as the ICESCR, Refugees Convention, and The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families emphasize the right to social security for foreigners. The International Labor Organization's conventions also stress the equal treatment of foreign workers and local nationals in accessing social security. Using a descriptive-analytical method, this article examines the extent to which foreign workers enjoy this right within Iran's legal system. The findings of this research indicate the issue in Iran's legal system is complex and multi-layered. The comprehensiveness of the social security legal system in identifying foreign workers as immigrants or refugees, on the one hand, and economic demand for inexpensive labor, on the other hand, all point to the challenge that the Iranian government encounters by non-ratification of ILO's Conventions no. 97, 118, 143, and 157. Consequently, the rights of foreign workers, particularly regarding their accrued social security benefits, remain inadequately protected, especially for those without work permits.

Keywords: Social security; foreign workers; International Labor Organization; equal treatment.

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