

AMNESTY INTERNATIONAL PUBLIC STATEMENT



30 April 2017
AI Index Number: MDE 13/6147/2017

Iran: Release imprisoned trade unionists and uphold workers' rights

Several trade unionists in Iran languish in prison while many others face prison sentences of up to a decade solely for their peaceful trade union activities, Amnesty International said today, on the eve of International Worker's Day on 1 May.

The organization renews its calls on the Iranian authorities to immediately and unconditionally release those imprisoned for their peaceful trade union work, and quash the harsh prison sentences that have been handed down to others for similar reasons. The authorities must lift their repressive and unlawful ban on independent trade unions, and allow workers to hold peaceful gatherings, including on International Workers' Day, and to exercise their right to form and join independent trade unions to improve their living situations, which they describe as increasingly dire and poverty-stricken.

Trade unionists currently jailed in Iran for their peaceful activism include **Esmail Abdi**, a mathematics teacher and a member of the board of directors at the Teachers' Trade Association of Tehran (ITTA-Tehran), who is serving a six-year prison sentence; and **Behnam Ebrahimzadeh**, a member of the Committee to Pursue the Establishment of Workers' Organizations, who has spent nearly seven years in prison, serving two separate prison terms totalling almost 13 years. On 22 April 2017, Esmail Abdi announced that he would launch a hunger strike on the eve of International Workers' Day "in solidarity with all teachers and workers, and in protest at the lack of independence of the judiciary, which is issuing national-security convictions against individuals who are active with workers' and teachers' trade associations."

The prospect of imprisonment looms over several other trade unionists, including three other members of the board of directors at the Teachers' Trade Association of Tehran, **Mahmoud Beheshti Langroodi**, **Mohammad Reza Niknejad**, and **Mehdi Bohlooli**; a member of the Committee to Pursue the Establishment of Workers', **Mahmoud Salehi**; three members of the Syndicate of Workers of Tehran and Suburbs Bus Company, **Davoud Razavi**, **Ebrahim Madadi**, and **Reza Shahabi**; and two members of the Free Union of Workers of Iran, **Jafar Azimzadeh** and **Shapour Ehsanirad**.

These men have all been sentenced to harsh prison terms ranging from five to 11 years, after grossly unfair trials before Revolutionary Courts on trumped-up national security charges such as "gathering and colluding to commit crimes against national security", "spreading propaganda against the system", "disrupting public order" and "forming a group with the purpose of disturbing national security". Most are free on bail pending the outcome of their appeals; Reza Shahabi was granted medical leave in October 2014 after spending four years in prison but has recently been summoned back to prison. The men's court verdicts blatantly reveal the extent to which Iran's courts cite peaceful trade union activities as "evidence" of "acts against national security" and "anti-revolutionary propaganda". These activities include: organizing peaceful gatherings, including on International Worker's Day; attending peaceful protests against poor wages and publishing their photographs on-line; receiving invitations to attend international meetings of trade unions; signing statements in support of trade union rights; and launching petitions to seek a rise in the national minimum wage.

REPRESSION OF INTERNATIONAL WORKERS' DAY GATHERINGS

International Workers' Day this year appears already to be following a common pattern whereby the Iranian authorities deny workers the right to peaceful assembly.

The Free Union of Workers of Iran has reported that several trade union activists, including **Ali Nejadi**, a member of the board of directors of the Haft Tapeh Sugar Cane Company Trade Union in Dezfoul,

Khuzestan Province, and **Sheys Amani**, a member of the board of directors of the Free Union of Workers of Iran in Sanandaj, Kurdistan Province, have been summoned by intelligence officials for interrogation ahead of 1 May and were warned against organizing gatherings.

In 2016, the Human Rights Activists News Agency, an independent human rights organization, reported that security forces suppressed May Day gatherings across the country, detaining at least 12 trade union activists from different cities and summoning another four for interrogations.

In the court verdicts of trade unionists reviewed by Amnesty International, participation in International Workers' Day gatherings is consistently cited as "evidence" of "spreading propaganda against the system" or other national-security related offences. Sometimes, as in the case of construction worker **Osman Esmalee**, this appears to be the main activity for which a prison sentence was handed down. Branch One of the Revolutionary Court in Saqqez, Kurdistan Province, sentenced him to a one-year prison sentence in October 2015. He is currently at liberty pending the outcome of his appeal hearing, which took place in March 2017.

On the eve of planned May Day demonstrations, Amnesty International urges the Iranian authorities to respect the right to peaceful assembly and end all repressive measures aimed at prohibiting peaceful gatherings.

BACKGROUND

By criminalizing peaceful trade union activities and banning the formation of independent trade unions, the Iranian authorities are flagrantly violating their human rights obligations under international law. The International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR), both of which Iran has ratified, impose an obligation on the Iranian authorities to respect and protect the rights to freedoms of expression, association and peaceful assembly, as well as the right to form and join trade unions of one's choice. Trade unionists are also protected under the UN Declaration on Human Rights Defenders, which highlights the obligation on states to respect the right to defend human rights, which includes trade union rights, and protect human rights defenders from harassment, arbitrary arrest and detention, torture and other ill-treatment.

Iran's Labour Code permits worker representation only through an Islamic Labour Council (ILC) or a trade association (also known as a Guild Society). Under the existing legal framework, an ILC and a trade association cannot exist at the same enterprise. In practice, ILCs receive more support from the government, which has resulted in an organizational monopoly in their favour.

The primary purpose of ILCs, as set out in Iranian legislation, is to support the Islamic Republic system rather than trade union rights. Section 130 of the Labour Code states that the establishment of Islamic societies is "to propagate and disseminate Islamic culture and to defend the achievements of the Islamic revolution." Furthermore, candidates standing for election to ILC boards face discriminatory screening procedures, including the need to demonstrate their Islamic belief and "practical allegiance" to Islam, and show that they are faithful to the rule of the Supreme Leader (*velayat-e faqih*).

Trade associations are not independent either and must obtain state approval to function. The Ministry of Labour and Social Affairs is mandated to inspect the election of trade association officials. Trade associations are required to inform the Ministry of general assemblies at least 15 days before they take place. Ministry officials are entitled to observe, interfere with and disrupt such meetings, and issue measures of suspension and dissolution.

Despite undue restrictions on the right to freedom of association and a ban on independent trade unions, many workers in Iran have courageously formed such unions as well as workers' support organizations in order to protest against unpaid wages, precarious work conditions, staggering inflation and poor living conditions.

Workers' rights are human rights. Amnesty International stands in solidarity with trade unionists in Iran as they strive to ensure their right to establish independent trade unions and bring about a day where all persons in the country are able to enjoy their economic, social and cultural rights, including the right to just and favourable conditions of employment, social security, and an adequate standard of living for oneself and one's family, including access to adequate food, clothing, housing, education and quality health services.