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Updates to CFA Case Nos 2508 and 2807 Against the Government the Islamic Republic of Iran

Introduction

The government of the Islamic Republic of Iran employs "security laws" to suppress public expression of dissent. Many activists have been convicted of "propaganda against the state" and "jeopardising national security" by the Revolutionary Courts without regard to international standards of due process. Workers who try to organise independent unions are subjected to acts of violence, arrests and detention. Some are sentenced to and are serving lengthy prison sentences, often in the notorious Section 209 of Evin prison – reserved for political prisoners. Reports of mistreatment of trade unionists by prison authorities are common. The repeated reports of the ILO Committee on Freedom of Association on Iran are testament to this bleak situation.

Recently, the government appointed one of the highest ranking intelligence officers to the post of Labour Minister. There has been a full deployment of intelligence and security personnel in the Labour Ministry, and intelligence agents are often at workplaces monitoring the activities of workers and informing the government and employer.

The International Trade Union Confederation (ITUC), together with a number of Global Union Federations (GUFs), has worked with independent trade unions in Iran in an attempt to improve this situation. ITUC and GUF delegations have met with the Permanent Mission of the Islamic Republic of Iran to the United Nations and other international organizations in Geneva on many occasions to express their concerns with regard to violations of the right to freedom of association among other labour rights to no avail. We submit this supplemental information in the two CFA cases now pending against Iran.

I. Imprisonment

The ILO Committee on Freedom of Association has concluded on numerous occasions that the detention and imprisonment of trade unionists for their peaceful trade union activity is a grave violation of the right to freedom of association. Moreover, the CFA has urged the Islamic Republic of Iran to release other prisoners brought to the attention of the Committee and to drop charges against them immediately (e.g., CFA Case 2508). Below are new cases.

1. Case of Jafar Azimzadeh

On 8 February, 2015, Jafar Azimzadeh, President of the Free Union (Ettehadieh Azad e

Kargaran e Iran) and Jamil Mohammadi a member of the Free Union were sentenced by Branch 15 of the Revolutionary Court to 6 and 3 years imprisonment respectively for their trade union activities. They were coordinators of the 40,000-signature minimum-wage increase petition campaign.

Specifically, Mr Azimzadeh was sentenced to five years on charges of gathering and collusion with intent to act against national security and to disturb the public peace (Article 610 of the Islamic Penal Code), and one year on the charge of propaganda against the Islamic Republic (Article 500 of the Islamic Penal Code). He was also banned for two years from membership in political parties and groups and of activity through the internet and the media on the charge of illegal activities (Article 23 of the Islamic Penal Code).

The five-page decision referred to following acts to support the final judgement.

- Building of the Free Union of Workers of Iran, the National Union of Unemployed Workers and the Committee to Follow Up the Formation of Free Labour Organisations;
- Leading workers in protests in 2005
- Taking part in the International Workers' Day rally in Laleh Park in 2009,
- Organising, planning and managing workers' gatherings during the current government and threatening to call rallies and strikes in March 2013,
- collecting 40,000 workers' signatures on the minimum wage petition and leading rallies outside the National Assembly and the Labour Ministry,
- threatening to hold a rally on this year's International Workers' Day outside the Labour Ministry in protest at the announced level of the minimum wage, which is below the cost of living,
- Lodging a complaint to the Parliament, on behalf of 1,000 workers, against Saeed Mortazavi (former prosecutor of the Islamic Revolutionary Court, and Prosecutor General of Tehran),
- and others who embezzled from the Social Welfare Fund of up to 3,000 billion Toman,
- Leading protests at anti-labour amendments to the Labour Law,
- Meeting other independent workers' organisations, such as the Syndicate of Workers of Tehran and Suburbs United Bus Company, Haft Tappeh Sugarcane Workers Union, the Co-ordinating Committee to Form Free Labour Organisations, the Committee to Follow Up the Formation of Free Labour Organisations,
- Giving interviews to the website of the Free Union of Workers of Iran and a number of international news media.

We have learned that Mr Azimzadeh was released on bail (200,000,000 Tomans, ~ \$60,000 US) on 11 June 2015. However, it appears that all of the charges against him remain pending.

2. Other Cases

In 2010, Behnam Ebrahimzadeh's sentence was extended for another nine and a half years; he was already served five years in prison for alleged collusion against the regime and for association with Ahmad Shahid and People's Mojahedin Organization of Iran MEK.

Polyacryl is a holding company specializing in polyester and acrylic cotton and fibre employing 1,500 workers organized into ten separate subsidiaries. Management decided to divide the operations and break down the company, making some workers sign contracts with these subsidiaries. This led to concerns over job security, which resulted in the first protests on October 30, November 2, 3 and 5 2013. Polyacryl workers started a second round of protests over job security on November 16 in Isfahan, reported Iranian Labour News Agency (ILNA). More than 700 workers spent the night on November 18 at the factory mosque and joined with more co-workers. Around 1,000 workers continued their protest into the next day. Protests resumed with gatherings in the factory compounds on November 17, 18, 19 and 20. "In a 10 point letter, the workers called for the resignation of some of the board members of the company and a review of their actions. The workers also demanded the reinstatement of those dismissed due to their trade union activities. The company's Islamic Labor Council was shut down a year and a half ago and the activists associated with the Council were expelled from the company. On November 21 daily protests at 7 to 8 am and 3 to 4 pm were announced. On the same day, four Polyacryl workers, Javad Lotfi, Abbas Haghighi, Kioumars Rahimi and Ahmad Saberi were arrested and transferred to the city of Dastgerd, 13 kilometers north of Isfahan.

Workers at Loushan Cement Factory in the city of Rasht protested outside the governor's office on Sunday, 29 December 2013 against the closure of the factory. They were detained by security forces.

In 2014, another court sentenced four petrochemical workers to fifty lashes and six months in prison.

Jamil Mohammadi was sentenced to three and a half years imprisonment in 2015. He was a member of the Follow-Up Committee to Help Form Workers' Organizations, and charged for threatening national security. He is in Tabriz Prison, subjected to threats and persecution by the prison guards. He has been suffering from sleeplessness and loses consciousness because of exhaustion. The guards do not pay attention to his requests for medical attention.

On 1 March 2015, Milad Darvish was detained when a group of teachers engaged in a protest over a review of job classifications in front of the National Assembly.

On 5 April 2015, a court sentenced five protesting mine workers to one year in prison and lashes for 'disturbing public order'; the employers at the mine company introduced the five workers as leaders of the protests and had demanded that they be dealt with harshly. Over the past two years, over one thousand workers at Chadormalu iron ore mine, located in the central province of Yazd, held a series of gatherings and sit-ins protests against mass layoffs and low wages. Dozens of workers were arrested or summoned to courts at the request of the employers. A group of 38 workers were arrested in February 2014 but released a few days later. Another group of 31 workers were also summoned to a court last year.

On May Day 2015, the government detained Shapour Ehsanirad, Parvin Mohammadi and other Tehran bus workers.

In 2015, labour activist Mohammad Jarahi has been subjected to repeated harassment in

the central prison of Tabriz.

Shapour Ehsanirad, an executive member of the Free Union of Iranian Workers, was arrested by Islamic Republic security forces on Saturday May 16, 2015. He was arrested on an order from the Saveh Prosecutor and charged with “inciting workers of the Safa Pipe and Rolling factory”. We understand that Mr Ehsanirad was also recently released on bail.

II. Restrictions on the Right to Form and Join a Union in Law of their own choosing

In the context of cases 2508 and 2807, among others, petitioners have raised a number of concerns regarding the failure of the government to allow workers to form and join unions of their own choosing, in law or in practice. Numerous workers are precluded from forming or joining a union of their choosing. We are unaware of any reforms to the labour law addressing any of the issues raised.

Conclusion

We urge the Islamic Republic of Iran to take the necessary steps to comply with the principles of Freedom of Association. We are confident that compliance will significantly and immediately improve the lives and dignity of millions of Iranian working women and men. Kindly forward this communication to the Committee on Freedom of Association for examination during its forthcoming session.

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'A. B.', with a stylized flourish at the end.

General Secretary