BRIEFING NOTE
on
THE SITUATION OF WORKERS RIGHTS AND THE REPRESSION OF UNIONISTS
IN IRAN


To:
• The UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, Mr. Maina Kiai
• The UN Special Rapporteur on the situation of human rights defenders, Mr. Michel Forst
• The UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Mr. David Kaye
• The Chair-Rapporteur of the UN Working Group on arbitrary detention, Mr. Seong-Phil Hong
• The UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Mr. Ahmed Shaheed

The prohibition of independent peaceful gatherings in Iran during Labour Day this year\(^1\) provides a clear example of the ongoing repression and harassment of trade unionists and workers in Iran. This repression is part of a systematic denial of the most basic rights of workers in Iran, who are subjected to discriminatory and politically motivated laws and a judicial system that is manipulated in order to silence independent labour movements and other dissidents.

Following the implementation of the Iranian nuclear deal and the subsequent lifting of some sanctions, there has been a marked increase in trade and economic activity with Iran. However, little attention has been given to the fact that the current legislation and practice in Iran are in violation of international labour standards and economic and social rights. Given the heightened interest of the international community to engage in business and trade with Iran, our organisations call on the above-mentioned United Nations (UN) Special Procedures to publicly highlight the concerning labour and economic rights situation in Iran, notably the situation of unionists and labour rights activists.

To this extent, we submit below a few cases of labour activists who are currently facing arbitrary detention and judicial harassment for having peacefully exercised their rights to freedom of peaceful assembly, association, and expression.

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\(^1\) Labour Day 2016 fell on 30 April under the solar calendar in Iran, because 2016 is a leap year.
Suppression of freedoms of peaceful assembly and expression before and on Labour Day 2016

This year, the Iranian authorities allowed only the pro-regime organisation Labour House to hold a Labour Day demonstration on April 30, 2016 in the capital Tehran and a couple of other cities. Independent unionists were once again prevented from publicly commemorating Labour Day.

Some examples of independent unionists whose freedoms of assembly and expression were violated on Labour Day include:

1. In Tehran, members of the Syndicate of the United Bus Company of Tehran and Suburbs (known as ‘Syndicaye Sherkat Vahed’) attempted to take part in the official Labour House demonstration with their own banners bearing slogans that called for fair wages, release of imprisoned workers and the right to establish trade unions. Security forces attacked them and detained Messrs. Seyyed Rassould Taleb-Moghaddam and Nasser Moharramzadeh, two members of the Syndicate, Mr. Hossein Azargoshasb, a child rights activist, and Mr. Reza Hajian, a student activist. The two members of Syndicaye Sherkat Vahed were released after the demonstration was over. The other two were taken to Evin prison and released on May 1.

2. In Sanandaj, provincial capital of Kurdistan, independent unionists also tried to take part in the official Labour Day gathering in front of the local branch of Labour House with their own slogans, but they were attacked by security forces. As a result, at least five labour activists were detained: Messrs. Lotfollah Ahmadi, Nader Rezagholi, Hossein Hassanabadi, Yadollah Samadi and Zahed Moradi. The first three were released on bail on May 1, and are awaiting trial for unknown charges. However, no information is yet available about the latter two activists.

3. In Saqqez, in the province of Kurdistan, security agents surrounded labour activists while they were commemorating Labour Day in a park, and detained five people. Three - Messrs. Azad Ahmadi, Ahmad Abdipour and Pedram Abdipour - were released on the same day and two - Messrs. Mohammad Abdipour and Sedigh Mohammadi - on May 1.

Ahead of this year’s Labour Day, the authorities had begun exerting particular pressure on independent unionists early in April. Three unionists were summoned in the city of Sanandaj on April 20 and warned not to participate in Labour Day activities. Then two other unionists in the same city were summoned on April 28. Subsequently, three unionists received summons in the city of Saqqez to appear before the authorities on May 1. One other unionist in Saqqez was summoned on April 30 and interrogated several hours before being released, all in an effort to intimidate the independent union movement in Iran and deter any mobilisation on Labour Day.

Increasing intimidation and arbitrary detention of labour activists

Despite the ongoing repression of labour activists, grassroots protests of workers at diverse factories and plants have been growing across the country. By some accounts there have been more than 500 strikes, demonstrations and other forms of protest in the past 12 months against layoffs and demanding timely payment of wages, wage increases, and improvements in contracts and working conditions.

To stem the protests, the authorities have been frequently summoning and threatening a number of labour activists, while several others have been arrested. Some of them have been released on bail after a month or two in detention and are likely to be tried soon. In such cases, unionists are most often charged with offences such as “acting against national security”, “spreading propaganda against the State”, “insulting the Leader”, and other vaguely worded charges.

As of May 10, 2016, at least 10 unionists were in prison after having faced unfair trials and been convicted of “crimes” related to their work defending labour rights:

1. Mr. Behnam (Assad) Ebrahimzadeh, a member of the Committee to Pursue the Establishment of Labour Unions (CPELU) and a child rights activist, began serving a five-year prison sentence on June 12, 2010 for his union and child-rights activities on charges of “assembly and collusion...
against the State”. In December 2014 he again faced trial and was sentenced to over nine years in prison for various charges including “contacts with an opposition group abroad”, “spreading propaganda against the State through contacts with UN Special Rapporteur Ahmed Shaheed” and “keeping playing cards in prison.” He has denied in absolute terms any contacts with opposition groups abroad and appealed these sentences, but on August 2015 he was notified that a prison sentence totalling seven years and 10 months had been upheld. He has been suffering from neck and back problems and suffered internal bleeding while in prison.

2. Mr. Jafar Azimzadeh, Secretary of the Board of Directors of the Free Union of Iranian Workers, is currently serving a six-year prison term, five years for “assembly and collusion to commit crimes against national security” and one year for “disrupting public order”. He has also received a two-year ban on membership of political parties and groups, and any online, press and media activities. He had been summoned to the Ministry of Intelligence on April 29, 2015 in advance of the May 1 Labour Day demonstrations and was detained for 46 days, after which he was released, tried and sentenced, and taken back to prison to serve his sentence in November 2015. He has been on hunger strike since Labour Day 2016 in protest of his prison conditions and in solidarity with workers demanding their rights.

3. Mr. Reza Shahabi-Zakaria, Treasurer of the Syndicate of Workers of United Bus Company of Tehran, has been arbitrarily detained since June 2010. He was sentenced to six years in prison in April 2012 for “conspiracy against the national security” and “propaganda against the State”. He was also banned from union and civil activities for five years. In December 2015, an additional year of imprisonment was added to his sentence for participating in prisoners’ protests in April 2014. He is currently on temporary release from prison for medical reasons after two operations on his neck and lower back. Nevertheless, he was summoned by the authorities on February 7, 2016 and was notified of yet new charges against him including “disrupting public order” and “disturbing public opinion”, prompted by his resumption of some of union-related activities.

4. Mr. Mohammad Jarrahi, a member of CPELU and founding member of the Painters and Decorators Union, has been serving a five-year prison sentence since January 2012 on charges of “acting against national security by establishing or being a member of groups opposed to the system” and “spreading propaganda against the State”.

5. Mr. Mehdi Farahi-Shandiz, a member of the CPELU and of the Teachers Association of Iran (TAI), is serving a second three-year prison sentence, imposed after a trial on January 3, 2015 for allegedly “insulting the Leader” and “disrupting public order”. The authorities had refused to release him after he completed his previous three-year prison sentence for the same charges in late October 2013.

6. Mr. Mahmood Beheshti-Langaroudi, former Spokesperson of TAI, is currently serving a total of nine years in prison after being tried and convicted in two separate cases, and is facing a third five-year prison sentence which he has appealed. Mr. Beheshti was first arrested in March 2007, spent around one month in detention, and was sentenced later in 2007 to a four-year suspended prison term. He was detained again in May 2010 for two months and then tried and sentenced in June 2010 to another five-year imprisonment. In October 2013, he was summoned to serve his prison sentences, but the head of Tehran’s Justice Department accepted his request for a renewed examination of his case. In January 2016, he was tried for a third time and sentenced to yet another five-year prison term, which is pending appeal. In all three cases, he faced similar charges: “collusion to crimes against national security” and “spreading propaganda against the State”. He was arrested again on September 6, 2015 to serve his sentences and has been in prison since. He has been on hunger strike since April 20, 2016, in protest of his arbitrary detention, and on May 8 he was transferred to the hospital as he began suffering from internal bleeding due to his hunger strike. He is currently being held in Imam Khomeini hospital under 24-hour guard.

7. Mr. Esmaeil Abdì, Secretary General of TAI, has been in prison since June 27, 2015 and is facing a total of 16 years’ imprisonment. In May 2015, the authorities threatened to enforce a 10-year suspended prison sentence he received in 2011 for “assembly and colluding against the State” and “participation in illegal trade union gatherings”, unless he resigned his post in the TAI and did not take part in planned country-wide protests. He submitted his resignation to the TAI but the latter refused to accept it, so he was sent to prison in June 2015. Then, in February 2016, he was notified of another six-year prison sentence on charges of “spreading propaganda against the State” and “gathering and colluding to commit crimes against national security”,
which he has appealed. He has been on hunger strike since Labour Day 2016 in protest of his prison conditions and in solidarity with workers demanding their rights.

8. **Mr. Ali-Akbar Baghani**, former TAI Vice-President, was released from prison on March 17, 2016 after serving a one-year sentence for “spreading propaganda against the State”. On May 1, 2016, he was sent to the remote city of Zabol in south-eastern Iran to serve a sentence of 10 years in internal exile. He had received the one-year prison and 10-year exile sentences in 2010. He is also facing a previously imposed five-year suspended prison sentence in a case concerning protests of teachers in 2006, which the authorities may decide to enforce at any time.

9. **Mr. Alireza Hashemi**, Secretary General of the **Iranian Teachers Organisation**, has been serving a five-year prison sentence since April 19, 2015. He had been convicted in 2010 on charges of “acting against national security” and “spreading propaganda against the State”, but his sentence was not enforced until April 2015, after teachers organised public demonstrations in late March 2015 demanding a pay rise.

10. **Mr. Saeed Shirzad**, a labour and child rights activist, was sentenced to five years in prison in 2015 for “assembly and colluding to commit crimes against national security”. He has been arbitrarily detained since June 2, 2014 after being arrested in the north-western city of Tabriz. The authorities have kept him in detention, although he has appealed the sentence and the appeal court has not yet considered his case.

**A number of other unionists are currently out on bail while they await the outcome of their trials or appeals. Some examples include:**

1. **Mr. Mahmood Salehi**, a founding member of the **Bakers Association** in the city of Saqqez, who was arrested on April 28, 2015 prior to last year’s Labour Day protests, and was later released on bail. On September 16, 2015 he was notified that he had been sentenced to nine years’ imprisonment for “acting against the national security”, “establishing an illegal workers’ syndicate”, “membership in an illegal group” and “propaganda against the State”. He has appealed this sentence.

2. **Mr. Osman Esmaeili**, Spokesperson of the **Committee for Defending Imprisoned Labour Activists** in Mahabad, was also arrested on April 28, 2015 and was later released on bail. On February 6, 2016, he was notified that he had been sentenced to one-year imprisonment for “spreading propaganda against the State” and “affiliation to political parties”. He has appealed this sentence.

3. **Mr. Davood Razavi**, Board member of the **Syndicate of the United Bus Company of Tehran and Suburbs**, was arrested in Tehran on April 29, 2015 and released on bail after 22 days. He was tried on February 17, 2016 and sentenced to five years in prison for “assembly and collusion to act against national security” and “disrupting public order”. He has appealed this sentence.

4. **Mr. Ebrahim Madadi**, Deputy President of the **Syndicate of the United Bus Company of Tehran and Suburbs**, was arrested on April 29, 2015 and released on bail after 22 days. He was tried on April 16, 2016 for “assembly and collusion against national security” and “disrupting public order” and is awaiting the outcome of the trial.

5. **Mr. Ali Nejati**, a founding Board member of the **Syndicate of Workers of Haft-Tappeh Cane Sugar Company**, was arrested on September 15, 2015 and released after 29 days. He appeared before a judge of the Islamic Revolution Court in the city of Andimeshk on December 13, 2015 for charges of “spreading propaganda against State” and “association with opposition groups”, and is still awaiting a verdict.

6. **Mr. Jamil Mohammadi**, Board member of the **Free Union of Iranian Workers**, has been sentenced to three years and six months imprisonment and a fine on charges of “assembly and acting against national security.” He has appealed this sentence and is awaiting the outcome of his appeal.

7. **Mr. Jalil Mohammadi**, a labour activist in Sanandaj, was arrested on Women’s Day, March 8, 2016, and was released on March 30 on bail. He has yet to be presented with any official charges, but given his bail order, he is likely to be tried soon.

8. **Mr. Hamed Mahmoodnejad**, a member of the **Coordinating Committee to Help Form Workers’ Organisations** (CCHFWO) in Sanandaj, was arrested on April 18, 2015 and released on bail 24 days later. In July 2015 he was tried on charges of “spreading propaganda against the State” and “acting against national security”, and sentenced to 91 days imprisonment. He has appealed this sentence, and almost a year later is still awaiting the outcome of the appeal.
9. Messrs. Yadollah Samadi and Eghbal Shabani, members of CCHFWO and Board members of the Bakers Association of Sanandaj and Suburbs, were sentenced in late March 2015 to 30 lashes and a five-month suspended prison sentence for “disrupting public order.” They have both appealed these sentences.

10. Mr. Mohammadreza Niknejad and Mr. Mehdi Bohluli, both Board members of TAI, were arrested on August 31, 2015 and released on bail almost a month later. In March 2016 they were sentenced to five years’ imprisonment; the details of the charges against them are not publicly available, but given the sentence it is likely that they were convicted of “assembly and collusion against national security”. They have appealed these sentences.

11. Mr. Taheer Ghaderzadeh, a member of the Teachers’ Association in Kurdistan province, was sentenced to 91 days imprisonment in April 2016 for “participating in assemblies of teachers”. He is awaiting the outcome of his appeal.

12. Mr. Valeh Zamani, a founding member of the Syndicate of Painters and Construction Workers of Alborz Province, was arrested on September 20, 2015 after participating in protests about the highly dubious death in prison of his cousin and fellow unionist, Mr. Shahrokh Zamani. Mr. Zamani was released on bail a week after his arrest, and is awaiting trial.

13. Mr. Pedram Nasrollahi, a member of CCHFWO, was arrested on April 29, 2015 and released on bail 34 days later. He is awaiting trial.

14. Messrs. Lotfollah Ahmadi, Nader Rezagholi and Hossein Hassanabadi, all labour activists, were arrested outside the Sanandaj branch of Labour House during the Labour Day ceremony on April 30, 2016 and were released on bail the next day to await trial at a later date for unknown charges.

15. Mr. Rassoul Bodaghi, TAI Board member, began serving a six-year prison sentence in 2009 on charges of “assembly and collusion for acting against national security” and “spreading propaganda against the State”. He was also sentenced to a ban on all “social activities” for five years after completing his prison sentence. He was due to complete his prison sentence and be released in July 2015, but was summoned to Court on April 25 and April 26, 2015, where he was informed of new charges filed against him by the Prosecutor’s Office and the Ministry of Intelligence. He was warned that those charges could be retracted “if he announced in an interview his withdrawal from the activities of teachers”. He was nevertheless tried in September 2015 for “acting against national security” and it was reported later that he had been sentenced to three more years in prison, which he appealed, but the appeal court upheld his sentence. However, he was released from detention on April 28, 2016 without explanation. On May 8, 2016, he was visiting a fellow labour activist in the hospital along with his brother in law, when they were both suddenly beaten by security agents, and then handcuffed and taken to Evin prison. It has been reported that a judge has set bail for them and they may be released after posting bail, although the charges they are facing are still unknown.

Moreover, prison sentences of at least five members of CCHFWO have been upheld after appeal and they are at risk of arrest at any time. They were arrested during a “general meeting” of the CCHFWO on June 16, 2012, later released and arrested again in December 2012 and spent two months in arbitrary detention. They were sentenced in April 2014 to following prison sentences:

- Messrs. Jamal Minashiri and Hadi Tanoumand, sentenced to three and a half years in prison each.
- Messrs. Ghassem Mostafapour, Ibrahim Mostafapour and Mohammad Karimi, sentenced to two years in prison each.

4 The 51-year-old Mr. Shahrokh Zamani, a member of the CPELU and founding member of the Painters and Decorators Union was serving a prison sentence of 11.5 years for “acting against national security by establishing or being a member of groups opposed to the system” and “spreading propaganda against the system”. He died in highly dubious conditions in Rajai-Shahr prison on September 13, 2015. The Spokesperson of the Judiciary said at the time that the authorities would investigate his death, but to this date they have not published any information in this regard.

5 Messrs. Madadi, Razavi, Salehi, Nejati and Nasrollahi have already been detained or served prison terms in the past (see e.g. Observatory Urgent Appeals IRN 003 / 0805 / OBS 074.3 of December 21, 2007 and IRN 003 / 0712 / OBS 066 of July 6, 2012; Press Release of December 2, 2011; and Observatory and LDDHI Joint Press Release, April 30, 2015).
Many other unionists have been released from prison only having served their arbitrary prison sentences. Some of those released in the last year include:

1. Mr. Reza Amjadi, member of CCHFWO
2. Mr. Aram Zandi, member of CCHFWO
3. Mr. Fuad Zandi, member of CCHFWO
4. Mr. Yousef Ab-Kharabat, member of CCHFWO
5. Mr. Vahed Seyedeh, member of CCHFWO
6. Mr. Ribvar Abdollahi, member of CCHFWO
7. Mr. Mahmod Bagheri, member of TAI
8. Mr. Abooleza Ghanbari, member of CCHFWO
9. Mr. Vahied Seyedeh, member of CCHFWO
10. Mr. Farzad Moradnia, member of CCHFWO, out on “conditional release”
11. Mr. Fardin Miraki, member of CCHFWO
12. Ms. Manijeh Sadeghi, women’s rights, child rights, and labour rights activist

In addition to activists, scores of other workers who have protested and demanded their rights in various forms have been detained for several days and released on bail. Some of them have been tried and some are likely to face trial. Some of these cases include:

1. **30 workers from Chadoromlu Mining Company**, who were tried in March 2015 on charges of “disrupting public order and calm” for protesting against cuts in bonuses. Five were sentenced to lashings and one year in prison, but their sentences were changed to five years’ suspended prison time and a cash fine. The other 25 were acquitted.
2. **28 workers from the Khatoonabad Copper Complex**, who were detained on January 26, 2016 for protesting against layoffs. They were eventually released on bail in different groups, the last of which was released on February 18. They are likely to face trial.
3. **10 workers from the Asaluyeh Industrial Area**, arrested on January 11, 2016 for demanding payment of their wages. They were released a day later.
4. **12 workers from the Dorud Cement Company**, who were detained on January 13, 2016 for demanding job security and protesting against cuts in benefits and threats of layoffs. They were later released on bail and are likely to face trial.
5. **Nine workers from the Bafq Iron Ore Mine**, recently on trial for participating in protests against their work conditions. They were detained after a 39-day sit-in by nearly 5,000 workers in May 2014 in protest against the privatisation of the company. While the employers eventually withdrew their complaint, the Government continued to press charges against them, including “disrupting public order” and “causing damages and insecurity”. The third hearing against them was held on April 11, 2016, and they are still awaiting the verdict.
6. **Three workers from the Tazreh Mine**, who were detained on February 25, 2016 for demanding their back wages and benefits. They were released two days later.

**Demands of workers to the authorities**

On Labour Day 2016, two groups of independent unions issued separate resolutions to underline their demands. Demands in both resolutions were mostly similar, albeit with different wording, and included:

- Unconditional release of all imprisoned labour activists, teachers, social and political activists; an end to security-related charges against and judicial harassment of all those activists; and abolition of the death penalty and retribution punishments;
- Freedom to establish independent organisations; the rights to strike, protest, demonstrate, and assemble, and freedom of thought and expression, political parties and press for all the people;
- Lifting of restrictions on establishment of independent workers’ organisations and compliance with labour rights, in particular with International Labour Organisation (ILO)’s Conventions 87 and 98 on establishment of independent organisations and collective contracts;

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*Syndicate of Workers of Half-Tappeh Cane Sugar Company* co-signed both resolutions. The first resolution was also signed by the Syndicate of the United Bus Company of Tehran and Suburbs, Syndicate of Painters and Construction Workers of Alborz Province, Committee to Pursue the Establishment of Labour Unions (CPELU) and Coordinating Committee to Help Form Workers’ Organisations (CCHFWO). The second resolution was co-signed by Free Union of Iranian Workers (FUIW), Kermanshah Electrical and Metal Workers Association and Defenders of Workers Rights Centre.
• A rise in the government-set minimum wage for the current year by more than four times to cover the costs of living and to match the poverty line;
• An end to austerity policies;
• Abolition of discriminatory laws against women and establishment of full equality of men and women;
• Abolition of child labour;
• An end to discrimination and injustice against migrant workers, in particular Afghan workers; &
• Designating May 1 as a public holiday and lifting all restrictions on its celebration.

**Iranian labour laws and policies in violation of international human rights**

As demonstrated by the many cases cited above, independent trade unions are prohibited under Iranian law, and the Government exercises strong control over all legal institutions supposed to represent workers. The right to strike has never been expressly recognised and in practice strikes are brutally suppressed. Attempts in recent years to establish independent trade unions have been harshly repressed, and labour activists have been dismissed from their jobs, harassed and persecuted, and imprisoned on charges including “acting against national security” and “spreading propaganda against the system.”

Successive governments have also failed to abide by the Labour Code provisions to raise the minimum wage in proportion to the inflation rate. The minimum wage determined for the solar year beginning March 20, 2016 is estimated to be around one-third of the poverty line. More than seven million workers, around one-third of the labour force, do not receive even that minimum wage.

Other official policies and legislation, such as the Gozinesh Act, prohibit access to certain occupations for women, religious or ethnic minorities and political dissidents.

In light of the very concerning labour and economic rights situation in Iran, our organisations ask you to echo our calls to the Iranian authorities to:

• immediately and unconditionally release all imprisoned unionists;
• drop all charges against labour rights activists, as these charges and detentions are arbitrary and appear only aimed at sanctioning their legitimate human rights activities;
• put an end to any kind of harassment - including at the judicial level – against all unionists and other human rights defenders in Iran; and
• ratify and implement key fundamental ILO Conventions as well as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

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*The League for the Defence of Human Rights in Iran (LDDHI) was established in France in 1983 by several exiled Iranians seeking to promote human rights in Iran. LDDHI has been forced to operate in exile since it was founded.*

*The Defenders of Human Rights Center (DHRC) was established in 2001 in Iran by an initial group of five lawyers. In 2003 the DHRC received the Human Rights Prize from the National Human Rights Institution of the French Government.*

*The Observatory for the Protection of Human Rights Defenders (the Observatory) was created in 1997 by FIDH and the World Organisation Against Torture (OMCT). The objective of this programme is to intervene to prevent or remedy situations of repression against human rights defenders.*

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8 According to a news website believed to be close to security services, “more than 7 million workers receive wages less than” the legal minimum. “7 million under the line of survival and life”, Tasnim News Agency, May 6, 2016, available at: http://www.tasnimnews.com/fa/news/1395/02/17/1067258/7