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**International Centre for Trade Union Rights**  
*Centro Internacional para los Derechos Sindicales*  
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ICTUR was founded to  
defend and extend trade union rights and  
to raise awareness of these rights and their violations  
around the world

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Attn:

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CC:

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Mohammad Jaafar Montazeri, Attorney General / Prosecutor General  
Permanent Mission of the Islamic Republic of Iran to the United Nations  
Clément Nyaletsossi Voule, United Nations Special Rapporteur on the  
rights to freedom of peaceful assembly and of association  
Head of Trade Union and Human Rights, International Trade Union  
Confederation  
Global Union Federations: Industriall, International Transport Workers'  
Federation, Education International

**November 2018**

Dear President,

The International Centre for Trade Union Rights is writing to express very grave concerns about the criminalisation of trade unionists in Iran. In the course of three recent incidents of organised industrial action, approximately 300 hundred workers have been detained; many have already been charged and face the most severe sentences imaginable in retaliation for their exercise of the fundamental rights of workers to freely organise and take action in defence of their interests.

In particular, ICTUR is concerned with the following:

***HEPCO workers***

Fifteen employees of the Heavy Equipment Production Company (HEPCO) have been sentenced to prison and flogging in retaliation for striking in May this year. HEPCO workers took part in the strike to protest

wage arrears, a decline in occupational safety and uncertainty surrounding continued production.

It is understood that in October the 106 Branch of the criminal court of Arak sentenced the workers to between a year to two and a half years in prison and 74 lashes for ‘disrupting public order’ and ‘instigating workers via the internet to demonstrate and riot’. The workers sentenced are: Majid Latifi, Behrouz Hasanvand, Hamidreza Ahmadi, Amir Houshang Pour Farzanegan, Morteza Azizi, Hadi Fazeli, Abolfazl Karimi, Farid Kodani, Majid Yahyaie, Amir Fatahpour, Yaser Gholi, Amir Farid Afshar, Mehdi Abedi, Ali Maleki and Berouz Valashajardi.

### ***Truck drivers***

On 22 September 2018, a nationwide strike by truck drivers took place to protest low wages and living standards, as well as wages unpaid for several months. After taking industrial action, over 250 were arrested and detained. It is reported that numerous statements were then made by members of the judiciary calling for the strikers to be condemned to death:

- Most seriously, Iran's Prosecutor General Mohammad Jafar Montazeri reportedly stated on 27 September that the strikers should be considered criminals and face the death penalty on grounds of national security.
- In Zarand, Prosecutor-General Mehdi Qawidel reportedly described the detainees as ‘opportunists and profiteers’ whose strike was a ‘provocation by hostile foreign governments’. Qawidel further stated they should be treated as criminals who deserve to be hanged.
- On 8 October a court in Qazvin province reportedly recommended death sentences for 17 of those who took action.

It is understood that 262 drivers are still in detention.

### ***Teachers***

Teachers participated in nationwide strikes and sit-ins organised by the Coordinating Council of Iranian Teachers Trade Associations (CCITTA) on 14 and 15 October to protest the repression of their rights to freedom of association and the on-going detention of trade union leaders. In August this year, Mohammed Habibi of the Iranian Teachers’ Trade Association (ITTA) was sentenced to ten years in prison and 74 lashes for his participation in a peaceful protest in May. Teachers also raised grievances concerning living costs and conditions, inflation, privatization of education, and corruption. The participants have faced widespread retaliation and intimidation from the authorities:

- On 11 October, Abbas Vahedian, a teacher and ITTA member, was arrested at his home in Mashhad by security agents who raided his house, confiscated his personal belongings and took him to an unknown location.
- On 13 October, the head of the ITTA secretariat, Mohammad Reza Ramezanzadeh, and a teacher, Mohammad Ghanbari, were arrested.
- On 17 October, ITTA member Mohammad Saleh Shokri was arrested by Intelligence Ministry agents in Saqqez. He has not been charged and is being denied legal representation and visits from his family.

- On 23 October, Hashem Khastar, Head of the Mashhad Teachers Union went missing after publishing a letter on social media praising the striking teachers and criticising the government. Khastar was later located being held and given forced treatment in a psychiatric facility - on the order of the public prosecutor of Mashhad, Gholamali Sadeghi. He was released on 10 November following public protest.
- At least six other teachers are reported to have been summoned for questioning to the Department of Public Places in Saqqez: Taher Ghaderzadeh, Soleyman Abdi, Seyyed Ali Hosseini, Ahmad Ghaderi, Hamid Yazdani and Khaled Abdollahi.

**ICTUR wishes to remind the government that as a member of the International Labour Organisation, the Islamic Republic of Iran is obligated under the 1998 Declaration on Fundamental Principles and Rights at Work to respect, promote and to realise, in good faith and in accordance with the ILO Constitution, the principles of the ILO fundamental Conventions, including freedom of association and the effective recognition of the right to collective bargaining.** Such criminalisation of trade unionists for activities related to the defence of their interests is the most serious violation of trade union rights, as enshrined in ILO Conventions 87 and 98. The application – or even threat – of capital or corporal punishment against trade unionists in retaliation for legitimate trade union activities must be considered the most egregious and abhorrent violations of these rights, and ICTUR condemns these measures in the strongest terms possible.

As expressly stated by the ILO's Committee on Freedom of Association 'no one should be deprived of their freedom or be subject to penal sanctions for the mere fact of organizing or participating in a peaceful strike'; the arrest and detention of trade unionists 'for reasons connected with their activities in defence of the interests of workers constitutes a serious interference with civil liberties in general and with trade union rights in particular' (*Freedom of Association: Compilation of decisions of the Committee on Freedom of Association*, ILO, 6th Edition, 2018, paras. 120-6, 970-4). In particular, the arrests of strikers 'on a large scale involve a serious risk of abuse and place freedom of association in grave jeopardy' (*Freedom of Association*, para. 975). In all such cases, it is 'incumbent upon the government' to show that such measures are 'in no way occasioned by the trade union activities of the individual concerned' (*Freedom of Association*, para. 158).

**As has been recorded in the Committee's 2017 Report on the repression of teacher trade unionists in Iran, the government is under an obligation under international law 'to ensure that the charges against trade unionists relating to their legitimate trade union activities are immediately dropped, that their sentences are annulled and that the detained workers are released and fully compensated for any damages suffered as a result of the convictions'** (*Effect given to the recommendations of the committee and the Governing Body - Report No 383*, October 2017, para. 54. Case No 2566 - Complaint date: 25-MAY-07).

ICTUR calls on the government to urgently address these cases and ensure the immediate release of all workers and trade unionists detained for exercising and defending their rights, to make sure that charges against them are dropped and any existing convictions quashed. This extends to the case of Mohammed

Habibi and all other such trade unionists still serving sentences, or detained awaiting trial. ICTUR further urges the government to promptly give effect to the recommendations of the ILO supervisory bodies, to ensure that victims of these violations are provided adequate remedies, and where necessary to undertake reform of the criminal and civil law to ensure that workers are able to exercise their fundamental rights to organise and defend their interests free from the threat of punishment by or interference of the state. ICTUR will report these incidents in the journal *International Union Rights*, which was established in 1993, and which enjoys a readership in more than 100 countries.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'D. Blackburn', followed by a long horizontal line extending to the right.

Daniel Blackburn, Director