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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:**

Ali Rabiei, Minister of Cooperatives, Labour and Social Welfare  
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

**August 2018**

Dear President Rouhani,

The International Centre for Trade Union Rights is writing to raise concerns about the treatment of workers and trade unionists in the Islamic Republic of Iran, in particular we are concerned by the sentence handed down to one of the leaders of a teachers' union.

ICTUR understands that on 4 August, the Iranian Islamic Revolutionary Court sentenced Mohammad Habibi to receive punishment of 74 lashes and ten and a half years in prison. Habibi was also banned from travel or any social and political activities for a further two years.

As detailed in our previous letter, Habibi - a member of the board of directors of the Iranian Teachers' Trade Association of Tehran (ITTA-Tehran) - was arrested in March and held until April, when he was released, only to be re-arrested in May, when a peaceful gathering organised by the ITTA-Tehran was attacked by security forces and undercover government agents. Fourteen other protestors were also arrested but released the next day.

It has been reported that Habibi is being held under 'unbearably harsh conditions', and suffering from serious injuries caused by beatings from his arrest and detention, but has not been moved to a hospital.

**As a member of the International Labour Organisation, the 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.**

According to the ILO's Committee on Freedom of Association, unless attended by appropriate judicial safeguards, the arrest and sentencing of trade unionists constitutes a serious interference with trade union rights, and a violation of the principles enshrined in the United Nations International Covenant on Civil and Political Rights, (*Digest of decisions and principles of the Freedom of Association Committee of the Governing Body of the ILO*, Fifth Edition, 2006, paras. 72, 75, 93, 97, 106, 109). It is 'incumbent upon the government' to show that the arrest, detention and sentencing of a trade union official are 'in no way occasioned by the trade union activities of the individual concerned' (*ILO Digest*, para. 94).

**In the ILO Committee's 2017 Report on the continued repression in Iran of teacher trade unionists through their arrest, interrogation, arbitrary detention, and prosecution, the Committee concluded that on the basis of information provided by the Government, the charges and convictions of the trade unionists concerned *were* related to their exercise of legitimate trade union activities. The Committee once again urged the Government "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 authorities to promptly give effect to the recommendations of the ILO supervisory bodies, to drop the charges against all trade unionists unjustly targeted for their trade union activities, overturn their convictions, ensure their swift release from detention as well as their access to remedy for the violation of their rights. ICTUR further urges a thorough and prompt enquiry into the treatment of these trade unionists, in order to hold those responsible to account and to provide adequate remedies to the victims, and to take all measures necessary to ensure the fundamental freedoms of workers to join and form unions and to take action in defence of their interests. 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,



Daniel Blackburn, Director