

## **Appendix VIII**

### **Trade Union Crackdowns and Worker's Rights in the Islamic Republic of Iran**

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#### **Background on Workers' Rights in Iran**

Iranian workers and teachers are denied many protections of basic workers rights, as defined and articulated under longstanding international labor standards. Iranian workers are deprived of such fundamental rights both under Iranian labor law and in practice.

According to several conventions of the International Labor Organization(ILO), of which Iran is a member, workers in each country are entitled to legal protections such as freedom of association and protection of the Right to Organize (Convention 87); the right to organize and to collective bargaining (C98);the abolition of forced labor (C29, C105); the abolition of child labor (C138, C182); the prohibition of employment and occupation related discrimination (C100, C111); and standards regulating wages and conditions of work (C1, C14, C95, C106, C131, C132, C155). These conventions constitute and elaborate a minimum set of internationally accepted standards.

As a member of the ILO, Iran is obligated to respect and institute these standards. Iran has ratified 13 ILO conventions, but not the core conventions relating to freedom of association (C87) and the right to organize (C98). Nonetheless, in its 1998 Declaration of Fundamental Principles and Rights at Work, the ILO states that "All members, *even if they have not ratified the Conventions in question*, have an obligation arising from the very fact of membership in the Organization, to respect, to promote, and to realize" these core conventions(emphasis added). ILO's Committee on Freedom of Association is charged with investigating complaints relating to its observance by member states.

Iran is one of the oldest member states of the ILO, having joined at the time of its founding in 1919. Iran's first independent trade unions were founded more than a century ago. But today, Iranian workers are still unable to form independent trade unions, a right denied both within Iran's labor code and *de facto* repressed by the government in action. The government routinely arrests and prosecutes workers demanding their most basic rights, such as demands for wages unpaid, sometimes for periods as long as 36 months. Security forces often attack peaceful gatherings by workers, harass their families, and even kill them, as happened during a gathering by copper miners in Shahr Babak, near the city of Kerman, in 2004.

Two leading trade unionists, Mansour Osanloo and Mahmoud Salehi, are currently in prison. Another one, Majid Hamidi, recently the target of an assassination

attempt, is hospitalized. In addition to being imprisoned and fined, eleven other workers were flogged in February 2008 for the crime of participating in a peaceful gathering to commemorate International Labor Day, May 1<sup>st</sup>.

Although Iran's constitution (Articles 26 and 27) recognizes freedom of association and assembly and Iran's civil law requires ratified international treaties to be recognized equivalent to domestic laws, Iran's Labor Law explicitly contradicts these legal obligations. Section 6 of the law addresses workers organizations in such vague terms that for nearly twenty years since its adoption, Iranian workers have not been able to freely associate with independent organizations.

According to the Labor Law, workers may only participate in three types of organizations: Islamic Labor Councils, Trade Associations, and Workers Representative for workplaces with less than 35 workers). The law explicitly encourages workers to associate with Islamic Councils, which are effectively controlled by management in workplaces. It also stipulates that only one of the above organizations may exist in a given workplace. These legal restrictions on membership and pre-definition of the allowable types of workers organizations are in direct breach of international standards and the Iranian constitution.

In addition, Islamic Labor Councils, the most common type of labor organization, are explicitly defined in Iran's Labor Law as ideologically-centered entities. They are not focused on promoting workers rights and are incompatible with the concept of independent unions. Furthermore, workers' membership in these Councils is subject to a vetting process, controlled by the Labor Ministry. According to Article 138, the Supreme Leader is entitled to appoint a representative in each type of workers organization. The law even forbids formation of these organizations in large industries, such as the petrochemical industry, unless the cabinet issues a special directive. Article 191 empowers the Supreme Labor Council to propose labor-related legislation to the cabinet, bypassing the parliament. Using this loophole, rug-weaving workshops and workplaces with under five employees are exempt from provisions of the Labor Law.

Over the past three decades, the track record of Islamic Labor Councils and their central body, the Supreme Labor Council, has been in favor of management and its policies. These councils are controlled under the umbrella of the Workers House.

In this context, workers have been actively seeking to form independent unions that aim at implementing international labor standards. Their movement gained strength starting in 2001, when several attempts were made to launch independent organizations. The goal of the Iranian workers movement is to educate workers and raise their awareness of their rights, as well as to advocate for legal reforms to make the Labor Law congruent with international law.

Three notable examples of recently established independent organizations are: the Syndicate of Workers of Tehran and Suburbs Bus Company, Teachers trade

associations, and the Coordination Committee for Establishment of Trade Unions. Security and intelligence forces have routinely and violently attacked peaceful gatherings and meetings organized by these entities.

In 2005, during an attack on a workers meeting, Mansour Osanloo, a leading trade union activist, suffered serious injuries including knife wounds. Osanloo had stitches in his neck and tongue as a result. . In January 2006, security forces arrested nearly a thousand members of the Syndicate of Workers of Tehran and Suburbs Bus Company, attacked some of their homes, beat their families, and even detained the wives and children of the leading members, to prevent a planned strike. Since then, most members of the Syndicate's central council have been targets of prosecution and imprisonment. The Syndicate's leader, Mansour Osanloo, is currently serving a five- year sentence, while he suffers from eye injuries due to earlier beatings, and is in danger of going blind. Fifty-four members of the Syndicate have been fired from their jobs and are prosecuted in courts for their peaceful activities.

Another manifestation of the workers movement is secondary and primary school teachers' attempts to organize and collectively bargain. In March 2007, thousands of teachers held several protests in front of the Parliament, demanding attention to their grievances including prevalent discrimination against them as compared to other state employees and low wages forcing them below the poverty line. In response to this attempt to gain the attention of members of parliament, security forces violently attacked them. Since then, the leading organizers have been prosecuted in unfair trials and sentenced to as long as five years in prison. The government has harshly punished many of teachers involved by firing them, forcing them into early retirement, cutting wages, or suspending them. Teachers actively organizing independent associations have been exiled away from their hometowns.

The teachers' only independent publication, *Ghalam Moalem* [Teacher's Pen], was attacked and ransacked by security agents, and its reporters and managing editor have been put on trial. The Interior Ministry has declared all teachers associations illegal and is actively preventing their meetings from being held.

There are many other instances of official prosecution and persecution of labor activists. Mahmoud Salehi, a bakery worker from the city of Saqez, is in prison because of his persistent attempts to celebrate May 1<sup>st</sup>. The court prosecuted him for "acting against national security." He suffers from serious medical complications and his life is in grave danger. Intelligence agents also have summoned and temporarily detained Reza Dehghan, a founding member of the Painters Syndicate, and an advocate for construction workers. In the fall of 2007, Majid Hamidi, a well-known workers rights activist, suffered serious injuries to his spinal cord, following an assassination attempt by unknown gunmen. He is currently hospitalized. Eleven workers in Sanandaj were flogged in February 2008 for participating in a peaceful gathering on May 1<sup>st</sup>.

In the absence of effective independent organizations to protect workers' rights, the privatization of state owned companies is accelerating in a non-transparent environment, resulting in closure of many of them for quick profits by new owners through the sales of assets and land. As a result many workers are becoming unemployed and are forced to accept work under temporary contracts or even without contracts, so the employers can evade the provisions of the Labor Law.

Workers public protests are routinely met with violent repression by security forces. A notable example is the plight of the workers of Rasht Electric, the largest manufacturer of electrical and electronics products in the Middle East. For over three years, the workers at Rasht Electric have been seeking respect for their basic rights through peaceful gatherings and protests, to no avail. Other large scale workers protests include those at Haft Tapeh Complex in Ahvaz, and the textile workers in Kurdistan. In all these cases, security forces have violently broken up workers' gatherings.

## **Mother and Wife of Ailing, Imprisoned Labor Leader Plead for His Release**

*Free Osanloo Now!*

(17 May 2009) The *International Campaign for Human Rights in Iran* urged Iran's leading judicial authorities to review the conviction and sentencing of labor activist Mansour Osanloo and to release him. Government appointed medical examiners have twice ordered an end to his imprisonment due to his failing health, but judicial authorities have failed to release him.

The *Campaign* is seriously concerned that further imprisonment of Osanloo could cause his death. Iranian prison officials have a track record of denying urgent health care to prisoners of conscience, resulting in their death. Most recently, Omidreza Mirsayafi, an imprisoned blogger, [died in Evin prison on 18 March 2009](#) after prison officials failed to provide him urgent medical care.

Osanloo's family has pleaded for his release, with his mother having written letters to Ayatollah Mahmoud Hashemi Shahroudi, the head of the Judiciary, in which she expressed fears for his life.

"We have tried all legal venues and appeals to the Judiciary to win Osanloo's release to no avail; his continued imprisonment is cruel," Osanloo's wife Parvaneh Osanloo told the *Campaign*. "His family is calling on the international community, especially the labor organizations to continue supporting Osanloo and urge his release," she added.

Osanloo has been languishing in prison since 10 July 2007. After being held in Evin prison he was suddenly transferred to Rejaee Shahr prison on 15 October 2008. The prison is unsuitable for someone with Osanloo's severe health problems and is populated with the most dangerous criminals and violent offenders. Osanloo suffers from severe eye ailments and requires consistent medical attention because of open-heart surgery conducted a few years ago.

Fatemeh Golgozi, Osanloo's mother, has [written a letter](#) to Ayatollah Shahroudi detailing the suffering she and her daughter-in-law have endured since 2007. She asks, "Is it justice to make my daughter-in-law with two children endure such hardship and pain simply because her husband worked for his basic rights and the rights of workers in the Islamic Republic through his union?"

Osanloo is serving a five-year prison sentence after being charged with "acting against national security" because of his activities organizing labor unions. He is the founding member of the *Syndicate of Bus Operators of Tehran and Suburbs*, an independent union that campaigns for the rights of workers. He has campaigned consistently for government recognition of the right to form independent unions and he has been repeatedly targeted as a leader of the campaign for workers' rights in Iran. Events organized by his Syndicate have been attacked, during which members have been seriously injured.

"Continuing Mansour Osanloo's incarceration is cruel and inhumane punishment in light of his physical condition, and it is emblematic of the denial of labor rights in Iran," Aaron Rhodes, the *Campaign's* spokesperson said. "The Judiciary should immediately tend to his needs and release him to ensure his safety."

There are serious concerns for Osanloo's health and safety. In addition to eye ailments and his open-heart surgery, two of his arteries are clogged. He has undergone several surgeries but is denied routine specialist health care inside the prison. International labor unions and human rights organizations have urged his immediate release.

The *International Campaign for Human Rights in Iran* calls on Iranian officials to release Mansour Osanloo and review laws governing medical care in prisons to ensure safety for all prisoners. The *Campaign* urges the government to end its persecution and prosecution of all labor activists and to release [over a hundred people detained on 1 May 2009 for participating in a May Day celebration](#).

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The full text of the letter by Osanloo's mother to the head of the Judiciary is as follows:

In the Name of God

The Honorable Head of the Judiciary Mr. Shahroudi  
Judiciary of the Islamic Republic of Iran

With Greetings and Respect,

I am Fatemeh Golgozi, mother of Mansour Osanloo, the head of the Syndicate of Bus Drivers of Tehran and Suburbs, who because he defended his rights and the rights of his coworkers has been unjustly held in prison for 3 years. I am requesting for your attention and resolution of my son's case.

Mansour Osanloo, since his detention and the extension of his prison term has suffered from serious physical and mental ailments. Because of his condition, the government appointed medical examiner has twice ordered an end to his imprisonment, which unfortunately has been denied by judicial authorities. I, as his mother, if the highest and most respected Judge in the country will allow me, would like to ask these questions:

- Should someone who served the people for years as a driver in the Tehran Bus Company be treated in such a way?
- Why are we, as his family, facing utter indifference and lack of response from the judicial authorities to our inquiries, instead of his unconditional release?
- Is it justice to make my daughter in law with two children endure such hardship and pain simply because her husband worked for his basic rights and the rights of co-workers, within the constitutional and legal framework?
- My son, Mansour Osanloo, has done nothing but defended his rights that are guaranteed under our laws and he should not be in prison for this.

I request of you and all the authorities in the country, all sympathetic peoples in Iran and the world and all civil structures and human rights organizations to call for unconditional release of my son. I, his old and sick mother who face difficulty visiting my son held far away in Rejaee Shahr prison in Karaj, am in a very difficult situation. I ask for all your help to assists me, within these few days of life I have left, to secure the release of my son. I brought up my children to be responsible, sympathetic, and patriotic citizens, so help me in my struggle.

In the meantime, my son who worked for 27 years for the company, was laid off without any rights or privileges. Why would they act this way with someone who has been so loyal and sympathetic to his country?

Fatemeh Golgozi  
2 May 2009

## **Release All Activists Detained on May Day**

*International Labor Organization Should Take Action about the Repression of Workers in Iran*

(8 May 2009) The *International Campaign for Human Rights in Iran* called for the release of all labor activists and six members of the *One Million Signatures Campaign* still in detention after their violent arrest on 1 May as they gathered to peacefully celebrate the International Workers' Day, and called on the *International Labor Organization* (ILO) to condemn the arrests.

"The brutal and illegal treatment of workers in Iran seeking respect for their rights deserves to be protested by the ILO and members of the international community," stated Aaron Rhodes, a spokesperson for the *Campaign*.

"The repression of labor activists in Iran is shameful, but so is the indifference of the international community, especially its members who pride themselves on supporting workers rights," he added.

The *Campaign* specifically recommended that the Secretary General of the ILO take the case to the organization's Expert Committee and publicly affirm that the May Day detentions, as well as Iran's more general refusal to honor labor rights, are unacceptable, especially given Iran's ratification of six ILO Conventions.

As previously [reported](#), more than 100 people were arrested in Laleh Park in Tehran on 1 May. They included members of trade unions, journalists, women's and children's rights activists and others active on behalf of civil society. The *Campaign* has received reports that as many as 200 people were arrested, 19 of whom were women who were transferred to Vozara Detention Center. The names of 66 detained persons have been published by some labor organizations.

On 2 May, 25 men were released on third party guarantees, as well as two women. All remaining detainees were sent to ward 240 of Evin Prison where, according to those who were released, the detainees suffered ill-treatment.

According to the Iran Free Trade Union's website, some of the detainees, including Jafar Azimzadeh, Shahpour Ehsani, and Bahram (Issa) Abedini, were asked to post very heavy bails of approximately 500 million Rials (\$50,000). Families of the detained women have been denied the right to visit them, reportedly on the orders of Judge Haddad, and the detained women have been barred from calling their families. None of the detained men have been allowed to contact their families.

Among the detained are five members of the *One Million Signatures Campaign*, including Nikzad Zanganeh, Amir Yaghoubali, Kaveh Mozafari, Pouria Poushtareh and Taha Valizadeh. Intelligence forces also arrested Jelveh Javaheri, Kaveh Mozafari's spouse and a member of the *One Million Signatures Campaign*, during a search of their home at around midnight on 1 May, without presenting any warrant. She had not been present during the demonstration. Intelligence officers have taken the keys to the house and are not permitting entry by anyone else, arousing fears

that false evidence may be planted there. The homes of arrested activists Kaveh Mozafari and Amir Yaghobali were also searched.

According to the website of the *Coordinating Committee to Help Form Workers Organizations*, nineteen members of the Consumer Cooperative “Felezkar va Mechanic” [Metalworkers and Mechanics] were also arrested while they gathered on 1 May in Tehran. After two days, when the home of one of the members of the cooperative was searched by Intelligence forces who confiscated his personal belongings, their families were informed that they were being held in Evin Prison. Subsequent requests for information have been denied. Six workers arrested in Sanandaj on the morning of 1 May were released on 2 May on 260 million Rials (\$26,000) bail each.

Since 2 May, the families of detainees have gathered in front of the detention centers and the Revolutionary Court requesting unconditional release of their relatives, and protested against heavy bail demands. Families have also sent protest letters to the head of Iran’s Judiciary and the Prosecutor’s Office, but have received no responses.

The *International Campaign for Human Rights in Iran* calls for the immediate and unconditional release of all those detained surrounding May Day events. The *Campaign* urges the Judiciary to investigate the attack on demonstrators and bring those responsible for the arrests of activists to justice.

The *Campaign* continues to be concerned about the situations of trade union activists Mansour Osanloo, Ebrahim Maddadi and Farzad Kamangar who are still in prison for their activities and urges for the ILO to publicly call for their release.

## **Security Forces Violently Attack and Detain Labor Rights Activists Observing May Day**

*Detainees should be immediately released*

(1 May 2009) Security and police forces violently attacked Iranian workers as they gathered in Laleh Park in Tehran to observe International Workers’ Day on May 1<sup>st</sup>, the *International Campaign for Human Rights in Iran* reported. The demonstration had been called by ten independent labor organizations. According to information received by the *Campaign* more than 100 persons were arrested, and citizens not participating in the attempted May Day observance were among those beaten.

“These brutal and deplorable attacks are emblematic of the Iranian government’s utter contempt for workers and for the state’s international obligations to protect worker’s rights,” stated Hadi Ghaemi, spokesperson for the *Campaign*.



An eyewitness to the events in Tehran told the *Campaign* that she saw five police vans full of arrested people. She described the attack as follows:

“It was about 5 pm. Many people were in the Park. Usually on Fridays the park is crowded. Many people were walking around the fountain where the gathering was supposed to be held at 6pm. Without warning, two vans parked and plain-clothes agents came out of them and started to arrest people. Suddenly, I heard the call, “Long live the labor movement!” Two more vans came, and agents attacked and arrested people. As people resisted, they were beaten with batons and punched and kicked. The attack took 15 minutes after which people walked away because the park was full of security agents who would arrest anyone near the fountain.” One of the detainees reported by cell phone from the police station in Vesal that more than 100 persons had been arrested.

Citizens detained in the incident have been transferred to different police stations and detention centers. According to the *Iran Free Trade Union* website, some of the well-known labor activists detained include Jafar Azimzadeh, Shahpour Ehsanirad, Maryam Mohseni and Behrouz Khabazzadeh. Other sources and eyewitnesses reported that seven members of the *Association to Defend Child Workers* are among detainees.

According to the *Iran Free Trade Union* website, another May Day gathering was scheduled to take place at 5pm in Sanandaj in Amirieh, the main square. On the morning of May 1<sup>st</sup>, five labor rights activists were summoned to the Intelligence Office in Sanandaj and arrested in an attempt to prevent the gathering: Sedigh Karimi, Sharif Saedpanah, Majid Mohammadi, Seyed Khaled Hosseini and Zhyan Sobhani. As activists formed a group in the square, plain-clothes agents and police forces tried to collect their placards, meeting resistance from the demonstrators. The crowd started to chant, “Long live workers” and “Political prisoners should be released.” They were attacked and severely beaten by the security forces, and at least 10 were arrested. Ghayegh Key Khosravi is also among the detainees.

Other assaults on labor activists have taken place in Kurdistan in recent days. On 29 April, Karim Fateh, Ali (Omar) Minaie, and Hadi Tanoumand, members of the *Coordinating Committee to Help to Establish Workers Organizations*, were summoned to the Intelligence Department of the police station in Bukan. On the same day, Zhiyan Sobhani and Kourosch Bakhshandeh, members of the *Committee*, and Amaj Nikdel (14) were summoned to police station number 12 in Sanandaj. Sobhani, Bakhshandeh and Nikdel were previously arrested and released in Sanandaj on 17 April when they went to visit Ghaleb Hosseini, a prisoner sentenced for his May Day activists last year.

On 27 April, Yousef Bokhrabad and Vahed Resideh were questioned about May Day observances in the Intelligence Office in Mahabad. On the same day, Hassan Rasoulnejad and Ahmad Eski Baghdadi were summoned and questioned in Bukan.

All these 4 workers activists are members of the *Coordinating Committee to Help to Establish Workers Organizations*.

The *International Campaign for Human Rights in Iran* appeals for the immediate release of labor activists detained as they sought to peacefully demonstrate their commitment to fair labor practices. The *Campaign* also notes the urgent need to release and drop charges against unfairly incarcerated Iranian labor activists, including Mansour Osanloo, Ebrahim Maddadi, Farzad Kamangar and Ghaleb Hosseini.