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Dear Mr. Somavia,

25 July 2006

**Freedom of Association: Iran – Repression of the Syndicate of Workers of Tehran and Suburbs Bus Company (Sherkat-e Vahed)**

The International Confederation of Free Trade Unions (ICFTU) and the International Transport Workers' Federation (ITF) hereby file a joint complaint against the Government of the Islamic Republic of Iran concerning violations of the principles of freedom of association, protection of the right to organise and collective bargaining. This complaint to the ILO focuses on the continued repression of the legitimate trade union activities of the Syndicate of Workers of Tehran and Suburbs Bus Company (Sherkat-e Vahed) by the government and its agents as well as by the Company.

The Syndicate of Workers of Tehran and Suburbs Bus Company (Sherkat-e Vahed), hereafter referred to as "the Union", is an official affiliate of the ITF. The Executive Board meeting of the ITF held in April 2006 unanimously accepted the application for affiliation that the Union submitted and consequently all formalities were completed on 1 May 2006.

**Background to the formation of the Union**

The Union was re-established in 2005 after a few years' preparation work by the employees of the Company. The Union was originally formed in 1968 but was later disbanded by the government and replaced by the Workers' House and Islamic Labour Council.

Since the Islamic Revolution in Iran in 1979, the government has not permitted the existence of independent trade unions. The only "workers" organisation that the government authorises is the Workers' House. The 1990 labour code in Iran also stipulates that "the workers...may establish Islamic societies and associations" at a workplace. These are called Shoraya Eslami and at worksites in industrial, agricultural and service organizations of more than 35 employees, an Islamic Labour Council can be created. This consists of representatives of the workers and one representative of the management. Once these bodies are set up, no other workers' organization can be established. The Councils are overseen by the Workers' House. The Workers' House is essentially a channel for the government to control the workers, and though it appears to sometimes address workers' issues, such as raising the matter of wage arrears, or by for instance organising a May Day demonstration in 2006, there seems to be no real substance behind its activities. These activities are merely carried out in order to contain and control workers' discontent. Whenever workers have been persecuted for trying to organise or bargain collectively, or strikes have been repressed, even violently, there has been no evidence of engagement by the Workers' House on the side of the workers.

At times the Workers' House has approached the ICFTU to inform it that they had protested to the government in favour of imprisoned workers in Iran. However, despite several requests from the ICFTU, they have not been able to provide the ICFTU with evidence thereof. Nor have the ICFTU or the ITF had any evidence of attempts by the Workers' House or the Islamic Work Councils to negotiate workers' conditions or collective bargaining with employers.

The employees at the Tehran and Suburbs Bus Company (Sherkat-e Vahed) have been disgruntled for a long time because the established "workers' organisations" at the Company have not addressed workplace issues. Problems at the workplace include low wages and long working hours; use of outdated buses; drivers' fatigue caused by heavy road congestion; staff redundancy and management's corruption. It was, therefore, quite natural that the workers at the Company voluntarily decided to study ILO literature on trade union and human rights through regular study circles. After a few years, this process eventually led to their decision to form their own organisation to represent the interest of the workers at the Company.

Throughout the year 2005, events surrounding repeated attempts to organise an independent trade union – "sandika" in the Farsi language – at the Sherkat-e Vahed Company were closely followed both in Iran and abroad. The workers' relentless efforts to establish their union met with determined – and often extremely brutal – repression from employers, security forces and official labour organisations. Prior to, during and after the Union's re-inauguration meeting on 3 June 2005, vicious attacks against, and unlawful arrests of, the workers and their supporters have taken place. Two factors contributed to making this a *cause célèbre* amongst both Iranian and international trade union activists: the numbers involved (at one point, over half of the company's 16,000 workers took part in the Union's organising activities) and the ruthless reaction of the political and judicial establishment. Management also proved consistently opposed to the workers' efforts to organise. The company manager, *Mostafa Nourian*, and his deputy, Mr *Terimouri*, were said to be particularly engaged in quelling the workers' organising activities.

#### **Initial harassment of Vahed activists**

The repression of Vahed workers' attempts to organise began in early 2005, when a large number of activists started facing harassment because of their labour activities. **Ali Rafii** was frequently transferred and **Parviz Faminbar** was not only compulsorily transferred, but also frequently summoned for questioning. He also received threatening phone calls at home. **Moosa Paykyar** was compulsorily transferred, saw his overtime cancelled and was frequently summoned to the company's security office for irrelevant questioning.

Between March and June 2005, seven members were harassed and subsequently fired. Before eventually losing their jobs, they were compulsorily transferred or demoted, had their overtime cancelled, and their promotions and/or salaries suspended. Several of them were summoned to the company's security office and interrogated, at times outside the company's premises and always without any official warrant. The workers involved were: **Abdollah Haji Romanan, Abdolreza Tarazi, Ahmad Farshi, Ali Zadeh Hosseini, Ayat Jadidi, Ebrahim Madadi** and **Mansour Osanloo**. Osanloo, a worker at the Tehran and Suburbs Bus Company (Sherkat-e Vahed) for 20 years, has become a particular target for harassment. He was a member of the workers' group that established the Union and later became the Chairperson of the Union's Executive Committee.

Ten additional workers were fired for the same reason. They were: **Abbas Najand Kodaki, Aliakbar Pir Hadi, Amir Takhiri, Atta Babakhani, Hassan Karimi,**

**Hassan Mohammadi, Mahmoud Hojabti [or Hojabri], Naser Gholami, Reza Nematipour and Seyed Behrooz Hosseini.**

**Violent attack on the Union's founding meeting**

On 9 May, a meeting called to formally establish an independent union at the Vahed Bus Company was held at the offices of the Bakery Workers' Association (BWA), an independent workers' organisation which had lent its premises to the Vahed workers. The meeting was violently broken up by a large number of men from the official workers' organisation, the Workers' House, and from the Vahed Company's Islamic Shora.

The attack occurred at about 2 pm, when an estimated 300 men arrived at the BWA offices and began smashing the doors and windows, tearing up documents and destroying library books. They also attacked ten members of the Union's founding committee.

During the raid, Mansour Osanloo suffered knife wounds. Some sources claim that the perpetrator was *Jalal Saidmanesh*, of the company's Islamic Shora, who said he was going to cut out Osanloo's tongue and behead him. Osanloo's hands were reportedly tied behind his back by *Hassan Sadeghi*, the Chief Executive of the Supreme Council for the Coordination of the Islamic Shoras. As a result of the attack, Mansour Osanloo had to go to hospital to have stitches in his neck and tongue. Ebrahim Madadi, a technical worker who was already facing disciplinary action (see above), and several other union activists were beaten up during the raid.

The security forces present did not intervene, and actually filmed the events. They also confiscated press cameras and tape recorders from the national news agency and newspaper reporters.

**The Union's general assembly violently disbanded on two further occasions**

On 13 May, when Vahed workers tried to hold their general assembly, security forces, accompanied by members of the Workers' House, again stormed the meeting.

On 1 June, during the Vahed Bus Company workers' third attempt to hold a general assembly at BWA premises, they were attacked with "Molotov cocktails" (or similar firebombs) which damaged the building. The meeting was finally held on 3 June. According to reports, nearly 8,000 of the company's 16,000 workers attended the meeting and decided to join the Union.

**First wave of detentions against Union activists and members**

On 7 September, the security forces arrested several members of the Union during a protest against unpaid wages. Those arrested included Mansour Osanloo (see above), as well as Ebrahim Madadi, Deputy Chairperson of the Union's Executive Committee, Abbas Najand Kodaki, Naser Gholami, **Davood Norouzi, Hassan Haj Alivand and Nemat Amirkhani**. They were taken to court the following day (8 September) and charged with "disturbing public order". They were provisionally released in the days that followed.

**Second series of arrests of Vahed unionists**

On 22 December, 13 trade union leaders from the Union were arrested by Information (i.e. Intelligence) Ministry agents and taken to Evin Prison in Tehran, a prison that has for decades been notorious as a detention and torture centre for political prisoners. Their charges included "illegal trade union activities". Those detained were: Mansour Osanloo, Ebrahim Madadi, **Mansour Hayat Gheibi**, Abbas Najand Kodaki, Abdolreza Tarazi, Ali Zadeh Hosseini, **Qlamreza Mirza'i, Akbar Ya'qoubi, Reza Bour Bour, Hamid Reza Reza'i Far, Javad Kefayati, Seyyed Javad Seyyedvand and Morteza Kamsari**.

A further 16 trade unionists from the Union were detained around that time. They were Board Members Naser Gholami, **Dawood Razavi, Saeed Torabian and Yagoub Salimi**, and union members **Reza Shahabi, Amir Takhiri, Sadeg Ghandan, Ali**

**Ebrahimi, Sadeg Mohammadi, Hamid Zandi, Ali Gorbanian, Arsalan Zarbarnia, Hossein Mehdikhani, Hossein Gavadi, Majid Talai and Akbari.**

Following a transport strike by Tehran's bus drivers on 25 December, all of those detained were released, with the exception of Mansour Osanloo.

At the end of 2005, six of those originally detained - Mansour Hayat Gheibi, Ebrahim Madadi, Abdolreza Tarazi, Qlamreza Mirza'i, Abbas Najand Kodaki and Ali Zadeh Hosseini - were summoned to appear in court at the beginning of January 2006 on charges of "disturbing public order".

#### **Mansour Osanloo charged with instigating an armed revolt**

At the year's end, Mansour Osanloo had not been granted access to a lawyer and it was reported that he was facing charges which included contact with Iranian opposition groups abroad and instigating an armed revolt against the authorities.

Since then, for over six months at the time of this submission, Mansour Osanloo has remained detained at Evin Prison. For most of this time, access to his lawyer, members of his family and fellow colleagues has been denied. Prior to his arrest, he was due to visit his doctor for eye treatment, possibly connected to the injuries he sustained in the above-mentioned incident of 9 May 2005. His health condition is increasingly becoming a matter of serious concern.

Meanwhile, the Union has been campaigning for his immediate and unconditional release. Furthermore, it has been demanding the government and the Company recognise the Union and conclude a collective bargaining agreement with the Company. None of these genuine union demands have been met. Instead, the government and its agents, together with the Company, have continued to interfere with legitimate trade union activities such as a work stoppage or celebrating May Day in 2006. More arrests and assaults have taken place since then.

The mass arrests that took place towards the end of January 2006 were of a size that trade unions around the world had not witnessed over the past two decades. At their peak, more than 1,000 people were detained for planning a one-day strike action. Furthermore, the Company continues to threaten those workers who are sympathetic to the Union with a notice of dismissal and some have been out of work for a few months.

#### **International and domestic support for the Union**

In the meantime, support for the Union is widespread and consistent. Not only have the ICFTU and the ITF backed the Union, affiliates of the two organisations have rallied behind the bus workers in Tehran. Many of these international solidarity actions are detailed in the chronology below. Furthermore, within Iran, more than a dozen "traditional unions" (listed separately) have expressed their solidarity with the Union. Iran's reformist party, the Participation Front also lodged its protest to the government. After the mass arrests in January, Amnesty International and Human Rights Watch demanded the immediate release of the detainees. Some members of the European Parliament have also raised their concerns on the violation of trade union and human rights in Iran.

#### **Chronology of key events since January 2006**

##### **Early January**

On 1 and 2 January, bus workers rallied in Tehran calling for the immediate and unconditional release of Mansour Osanloo. The Union announced a one-day strike on 28 January.

##### **26 – 29 January**

As the date for the planned strike reached nearer, 8 members of the Union's Executive Committee were summoned by the court and subsequently prevented from leaving the court building. The Mayor of Tehran, who had earlier made some promises to the Union, now called the Union illegal and vowed to stop the strike. The government and its security forces, as well as the company brought in new buses and drivers to break the strike. They accused the Union of being made up of "subversives" and "saboteurs". About 100 union members were arrested on 27 January.

The following day, the security forces and members of the Company beat up and forced the drivers to drive the buses. Hundreds of drivers and their wives and even children were transferred to the Evin Prison. The 12-year old daughter of one of the Union members who was beaten and arrested was thrown into a police car at night. To crush the strike, the security forces used tear gas, batons and the threat to shoot the strikers. The police raided the homes of the Union members and its leadership. After that day, more than 700 members of the union and a number of supporters still remained in custody. Several reports claimed that more than 1,000 people were detained during the day. Some 30 arrested workers were seriously injured and required immediate medical attention.

### **30 January – 4 February**

Unions and NGOs around the world expressed solidarity with the bus drivers. The ICFTU and ITF and a number of their affiliated unions in Japan, Australia, Luxembourg, Norway, Kenya, Great Britain and Argentina demanded the release of the detained workers. Protest rallies took place in Ottawa and London. Amnesty International also joined the protest. A group of family members and spouses of the jailed union workers rallied in Tehran. The "Global Unions" grouping, led by the ICFTU and the ITF, announced that an international day of union protest would be held on 15 February.

### **6 - 13 February**

On 6 February, Iran's reformist party, the Participation Front, lodged a protest. The authorities began to release the workers from prison and 15 detainees now remained in custody. However, new arrests also took place during this period. Some 100 workers staged a protest in front of the Labour Ministry in Tehran for two consecutive days.

The governments' official "Iranian Labour News Agency" (ILNA) reported on 11 February that a "Committee to Defend Workers' Trade Organisations in Iran" had released a statement demanding the unconditional release of all bus workers in Tehran. The Committee is comprised of 14 "traditional" unions (see below). The statement was sent to the Minister of Justice, Iranian President, Head of the Iranian Parliament, members of the Labour and Social Affairs Caucus of Parliament, Minister of Labour and Social Affairs, Mayor of Tehran, and all news agencies and Iranian newspapers. The following organisations were reported by the ILNA to have signed the statement in question:

Driver Training Organisation of Iran, Organisation of Inter City Bus Drivers of Iran, Trade Organisation of Inter City Bus Drivers of Kerman, Driving School Teachers' Trade Organisations of Tehran, Mashad, Arak, Shahrekord, Esphahan, Free Newspaper Reporters' Trade Organisation of Tehran, Painters' Trade Organisation of Tehran, Trade Organisation of the Employees of Khatamolnbiya Hospital, Driving School Teachers' Trade Organisation of Khoramabad, Islamic Labor Council of Tehranshimi Company, Trade Organisation of Mehrad Hospital Employees.

### **14 - 17 February**

On 15 February, the International Union Action Day on Iran, worldwide protest actions took place. The initiative enjoyed participation from many unions worldwide, including from many unions in the Middle East. Unions met with Iranian diplomatic representatives in Geneva, Tokyo, Bangkok, Mumbai and Wellington. Protest actions took place in front of Iranian Embassies in Australia, the Philippines, Norway, Great Britain and Canada. Unions in Bangladesh, Austria, USA as well as unions in Egypt, Iraq, Tunisia and Morocco, Jordan and Tunisia also held their protest actions. Unions including those in Australia, Canada, Korea, Russia, Turkey and New Zealand and many others sent protest letters to the Iranian government.

The Union released its statement "On the Support and Solidarity of Workers Internationally" on 16 February. It revealed the authorities' announcement that the detainees would only be released if they signed a pledge to stop participating in union activities. Apparently, the authorities also said that it was not "wise at this time to allow the formation of trade unions in the country, and anyone deciding to participate in the union activities would be considered the opponent of the Islamic Republic System and thus will be prosecuted".

#### **17 – 22 February**

All detainees were released except the seven Executive Committee members (Mansour Osanloo, Ebrahim Madadi, Mansour Hayat Gheibi, **Yusseff Moradi**, Yagoub Salimi, Ali Zadeh Hosseini, **Mohammad Ebrahim Noroozi Gohari**). Justice Minister *Jamal Karimi-Rad* admitted that these men were being held for "illegal acts" but failed to specify the charges. The authorities and the official press initially were silent about the case. Bus workers held a protest rally outside the Ministry of Labour on 22 February, demanding their reinstatement.

#### **4 March**

The Union's spokesperson, **Gholamreza Mirzaie**, was arrested in Tehran.

#### **13 – 15 March**

Around 120 workers once again gathered outside various government offices and the bus company headquarters in protest at the continued barring of around 1,000 bus workers from work who had been without pay for the past six weeks. In the meantime, a list of 46 workers whose contracts had been terminated was published by the Company (see below). The list included five members of the Union's Executive Committee who were still in prison (marked with asterisks). The company stated that the orders had come from the regime's intelligence authorities. The names of dismissed workers are as follows:

Mohammad Ebrahim Noroozi Gohari \*, Hassan Karimi, Gholamreza Khoshmaram, Hadi Kabiri, Mohammad Eslamian, Gholamreza Fazeli, Abbas Najand Kodaki, Masoud Ali Babaiee Nahavandi, Hasan Mirzaee, Seyed Behrooz Hosseini, Abdolreza Tarazi, Gholamreza Mirzaie \*, Nematollah Amirkhani, Hossein Karimi Sabzevar, Yagoub Salimi \*, Habib Shami Nejad, Hassan Mohammadi, Hassan Karimi, Mohammad Na'mani Poor, Soltan Ali Shekari, Atta Babakhani, Fazlollah Mazaheri, Ahmad Moradmand, Aliakbar Pir Hadi, Vahaab Mohammadi Zarankesh, Davood Norouzi, Saeed Torabian, Amir Ghaneie, Mahmoud Hojabti [or Hojabri], Ayat Jadidi, Ali Zadeh Hosseini, Gholamreza Gholamhosseini, Seyed Reza Nematipoor, Gholamreza Khani, Amir Takhiri, Ebrahim Gholami, Seyed Davoud Razavi, Seyed Mohammad Hossein Dadkhah, Masoud Foroghi Nejad, Mohammad Sadegh Khandan, Jamil Bahadori, Mansour Hayat Gheibi \*, Ebrahim Madadi \*, Seyed Hossein Rekhshat, Naser Gholami, Reza Shahabi Dekarba.

#### **18 March - 10 April**

All detainees except Mansour Osanloo were released. However, Mansour Hayat Gheibi was re-arrested within 24 hours of his release and subsequently released again.

#### **27 April**

The ITF Executive Board meeting unanimously accepted the application for affiliation of the Union.

### **1 May**

1,000 police and security forces surrounded the 250 bus workers who had gathered at the Tehran Bus Company for a May Day rally and arrested 13 members, including Abbas Najand Kodaki, Yagoub Salimi, Mahmoud Hojabti [or Hojabri], **Gholamreza Gholamhosseini**, Gholamreza Mirzaie, **Hassan Dehghan Gholamreza Khani**, **Fazeli**, and Ebrahim Madadi, the Vice-President of the Union.

### **6 May**

The 13 members of the Union arrested for participating in the May Day rally were released. Mansour Osanloo remained in prison.

### **15-19 July**

Eight members of the Union were arrested after a peaceful rally in front of the Labour Ministry. They were Ebrahim Madadi, **Seyed Davoud Razavi**, Yagoub Salimi, Atta Babakhani, Naser Gholami, **Seyed Reza Nematipoor**, **Manochehr Mahdavi Tabar** and Ebrahim Noroozi Gohari. Protest letters were sent by the ICFTU, ITF and German union, ver.di. All were released on bail on the fourth day. Mansour Osanloo, however, was not released.

### **Discussions between the Iranian Government and the ICFTU**

As has been reported above, the ICFTU and ITF, as well as a large number of their affiliates, have consistently campaigned since December 2005 for the release of Mansour Osanloo, the recognition of the Union at Sherkat-e Vahed and the Union's right to negotiate a collective agreement with the Company. In the last three to four months, the Government, through its Ministry of Labour and Social Affairs (MOLSA), has on repeated occasions provided very firm guarantees, both orally and in writing, that it was doing all it could to secure the release of Osanloo. Direct contacts were held between senior representatives of the Labour Ministry and the ICFTU General Secretary in Geneva, at the time of the March 2006 Session of the ILO Governing Body. Subsequent contacts were held between Ministry and ICFTU representatives during the same Governing Body Session, thereafter shortly before and after the Labour Day (1<sup>st</sup> May 2006) events described above, and subsequently during the 95<sup>th</sup> Session of the International Labour Conference, in June 2006. In mid-May, in particular, MOLSA wrote on at least three occasions to the ICFTU that it was actively seeking Osanloo's release and expressed the hope that these efforts were "soon to bear fruit" and that "good news [was] coming to [the ICFTU] shortly". Similar assurances were repeated during the 95<sup>th</sup> ILC by a MOLSA representative to an ICFTU official. It should be noted that several of the letters sent by the MOLSA to the ICFTU in mid-May 2006 were also copied to the ILO Director-General as well as to a number of senior ILO officials.

### **Possible obstacles to Osanloo's release**

At the same time, however, it may be noted that MOLSA repeatedly hinted that the difficulty in obtaining Osanloo's release rested not with the Labour Ministry, but with the judicial authorities of the Islamic Republic and, more specifically, with the Information Ministry, with which the Labour Ministry had held several meetings at very senior level. While MOLSA acknowledged that these efforts had hitherto been unsuccessful, it also referred to some undisclosed elements in Osanloo's file which, in its view, tended to establish that he was detained not for trade union-related but other, unspecified charges. The Ministry representative also repeated an earlier invitation for an ICFTU delegation to visit the country and provided assurances that such a mission would be allowed to meet with Mr. Osanloo, outside or inside his prison, and that the prisoner would at the time offer assurances to the ICFTU that he had abandoned any trade union activity and no

longer considered himself as a trade unionist. These latest elements, in particular, are a source of extreme concern to the ITF and ICFTU, inasmuch as they cast an ominous shadow on Mr. Osanloo's current physical and psychological integrity.

On each occasion, therefore, the ICFTU made it very clear that it could not determine its attitude in this important case on unspecified elements and that, if the Government had other elements against Osanloo than his commitment to trade unionism and his participation in and leadership of legitimate trade union activities, it should produce the prisoner in open court, formally indict him and, in the meantime, allow him unrestricted access to defence counsel. To the best of the ICFTU's and ITF's knowledge, this had not been the case at the time of writing.

**Meeting of Osanloo's lawyers with their client**

In fact, it would appear that the first meeting between Mr. Osanloo and his lawyers, to the best of our information, took place very recently, i.e. on Tir 3<sup>rd</sup>, 1385 (on or around Saturday 24 June 2006). On or around that date, according to the government's official Iranian Students' News Agency (ISNA), his lawyers, Mr. Youssef Moulai and Mr. Khorshid, met Osanloo in Evin prison. They were reportedly quoted as expressing concern about his health, in particular his eye condition. They reportedly also stated that they had – hitherto unsuccessfully – applied for his file to be transferred from the prison to the Revolutionary Court. In the complainant's understanding, this request is motivated by defence counsel's desire to see his legal case transferred from supervision by the Information (i.e. Security or Intelligence) Ministry to the country's judiciary authorities.

In view of the gravity of events described above, and the continued detention of the leader of the Union, Mansour Osanloo, the ICFTU and the ITF request that you kindly bring this complaint to the attention of the Committee on Freedom of Association as a formal complaint against the Government of the Islamic Republic of Iran.

Yours sincerely,

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General Secretary  
ICFTU

David Cockroft  
General Secretary  
ITF