

PUBLIC

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UA 66/09 **Prisoner of Conscience**

IRAN **Ali Nejati (m), trade unionist**

Trade unionist Ali Nejati was arrested on 8 March by Ministry of Intelligence officers, following a raid on his home on 28 February. He appears to have been taken to a Ministry of Intelligence detention centre in the province of Khuzestan. Amnesty International considers him a prisoner of conscience, detained solely for the peaceful exercise of his right to freedom of expression and association.

Ali Nejati is one of the leaders of the Haft Tapeh Sugar Cane Company (HTSCC) Trade Union. On 20 December 2008 he was reportedly charged with “acting against national security” and “spreading propaganda against the regime”, in connection with interviews he and other trade union leaders gave to foreign journalists about working conditions at the plant. The interviews took place during May Day protests in 2008 against the HTSCC’s repeated failure to pay its workers on time - it sometimes delayed payment for up to five months - and other violations of their employment rights. On 20 May 2008 he was ordered to present himself for questioning at a court in the town of Shoush, Khuzestan. He was subsequently brought to trial in two court hearings on 17 and 23 February 2009, but it is not known whether a verdict has been issued.

Seven other HTSCC trade unionists were arrested and detained between 22 February and 3 March 2009, but all were subsequently released on bail by 7 March. Four of them were tried with Ali Nejati on 17 and 23 February, on similar charges. One of them has received a sentence, the details of which are not known to Amnesty International, while the other three, like Ali Nejati, do not know if a verdict has been issued against them. The arrests took place after HTSCC workers had refused to take part in elections on 22 February for the company’s Islamic Labour Council (ILC), a government-sponsored organization that controls and represses independent labour activities in the company.

The HTSCC Trade Union was formed on 22 October 2008, when its board members were elected, and is only the second independent union to be formed in Iran since the Islamic Revolution. In the course of 2008, more than 1,900 HTSCC workers had called for the dissolution of the company’s ILC and for the creation of such an independent labour body. HTSCC workers had set up a trade union in 1973, but in the early 1980s the authorities banned it when the creation of free and independent labour organizations was prohibited. The HTSCC Trade Union held elections without the permission of the Ministry of Labour, which, together with the Ministries of Industry and Intelligence, has told the HTSCC that it does not recognize the union. This lack of official status puts the union’s members at risk of prosecution.

BACKGROUND INFORMATION

Under Iranian labour legislation, workers are allowed to form Islamic Labour Councils (ILCs) in companies with more than 50 workers. They are not, however, permitted to set up any other labour organization. The ILCs’ objectives, under 2001 legislation, are mainly to “propagate and spread Islamic culture, and defend the achievements of the Islamic Revolution”; set up Friday prayers; recite and pay tribute to religious slogans; “establish meetings for sermons, religious discourse and lectures, on various occasions”; and “endeavour to enrich the times of rest for the workers and their families”. Defending the terms and conditions of their members’ employment does not fall within their remit. Those permitted to stand for leadership positions in the ILCs are vetted and approved by an official selection body.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Persian, French, English or your own language:

- calling on the authorities to release Ali Nejati immediately and unconditionally, as he is a prisoner of conscience, detained solely for the peaceful exercise of his right to freedom of expression and association in connection with his trade union activities;
- urging them to ensure that Ali Nejati is not tortured or otherwise ill-treated;
- urging them to ensure that Ali Nejati is given regular access to his family and legal representation of his choice, and any medical treatment that he may require.

APPEALS TO:

Head of the Judiciary

Ayatollah Mahmoud Hashemi Shahroudi

Howzeh Riyasat-e Qoveh Qazaiyeh (Office of the Head of the Judiciary)

Pasteur St., Vali Asr Ave., south of Serah-e Jomhouri, Tehran 1316814737, Islamic Republic of Iran

Email: shahroudi@dadgostary-tehran.ir (In the subject line write: **FAO Ayatollah Shahroudi**)

Salutation: Your Excellency

Leader of the Islamic Republic

Ayatollah Sayed 'Ali Khamenei

The Office of the Supreme Leader

Islamic Republic Street – End of Shahid Keshvar Doust Street, Tehran, Islamic Republic of Iran

Email: info_leader@leader.ir

via website: <http://www.leader.ir/langs/en/index.php?p=letter> (English)

<http://www.leader.ir/langs/fa/index.php?p=letter> (Persian)

Salutation: Your Excellency

COPIES TO:

President

His Excellency Mahmoud Ahmadinejad

The Presidency

Palestine Avenue, Azerbaijan Intersection, Tehran, Islamic Republic of Iran

Fax: + 98 21 6 649 5880

Email: via website: <http://www.president.ir/email/>

and to diplomatic representatives of Iran accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 21 April 2009.