

URGENT ACTION

HEALTH FEARS FOR JAILED IRANIAN TEACHER UNIONIST

The health of jailed trade unionist Esmail Abdi has deteriorated following a hunger strike he started on 30 April in protest at the criminalization of peaceful trade unionists. He is a prisoner of conscience serving a six-year sentence in Tehran's Evin prison.

Esmail Abdi, a mathematics teacher and a member of the board of directors of the Teachers' Trade Association of Tehran (ITTA-Tehran), started a hunger strike on 30 April, on the eve of International Workers' Day 2017. He is protesting the lack of independence of the judiciary and the sentencing of peaceful trade union activists to imprisonment on national security-related offences. In an open letter, dated 22 April, Esmail Abdi highlighted the Iranian authorities' criminalization of peaceful activities in defence of workers' rights. He asked in this letter: "Is it a crime to be a member of a trade association and participate in peaceful demonstrations? Is it a crime to speak out against the theft of public funds...? Is it a crime to gather signatures petitioning the government to uphold the law?" Information received by Amnesty International indicates that his general health has deteriorated as a result of the hunger strike. He is believed to be suffering from kidney pain, dizzy spells and alarming fluctuations in his blood pressure, and is said to have lost about seven kilograms of weight. On 12 May, he was transferred to the prison's medical clinic where a prison doctor advised that he requires immediate examination by a specialist outside prison.

Esmail Abdi was first arrested by Revolutionary Guards officials on 27 June 2015 and held for 40 days in solitary confinement. He was released on bail on 14 May 2016 following a two-week hunger strike. In February 2016, he was sentenced to six years in prison after an unfair trial before Branch 15 of the Revolutionary Court in Tehran, which convicted him of "spreading propaganda against the system" and "gathering and colluding to commit crimes against national security". The conviction stems solely from his peaceful trade union activities, including associating with Education International, the world's largest federation of unions. It also includes organizing peaceful demonstrations by teachers outside parliament in April 2015 to protest against poor wages, the inadequate education budget and imprisonment of teacher trade unionists. In October 2016, Esmail Abdi's sentence was upheld on appeal and he was arrested on 9 November 2016 to begin serving his sentence. His request for judicial review (*e'adeh dadresi*) is currently pending before Branch 33 of the Supreme Court.

Please write immediately in Persian, English or your own language:

- Calling on the Iranian authorities to release Esmail Abdi immediately and unconditionally, as he is a prisoner of conscience held solely for his peaceful trade union activities;
- Calling on them to ensure that he is transferred to a medical facility outside prison where he can access specialized medical care in compliance with medical ethics, including the principles of confidentiality, autonomy and informed consent;
- Calling on them to respect and protect the right of everyone to form and join the trade union of their choice, which is guaranteed under the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR), both of which Iran has ratified.

PLEASE SEND APPEALS BEFORE 28 JUNE 2017 TO:

Head of the Judiciary

Ayatollah Sadegh Larijani
c/o Public Relations Office
Number 4, Deadend of 1 Azizi
Above Pasteur Intersection
Vali Asr Street, Tehran, Iran

Salutation: Your Excellency

Prosecutor General of Tehran

Abbas Ja'fari Dolat Abadi
Office of the General and Revolutionary
Prosecutor
Corner (Nabsh-e) of 15 Khordad Square
Tehran, Iran

Salutation: Your Excellency

And copies to:

President
Hassan Rouhani
The Presidency
Pasteur Street, Pasteur Square
Tehran, Iran

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the third update of UA 171/15. Further information:

<https://www.amnesty.org/en/documents/mde13/5332/2016/en/>

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ADDITIONAL INFORMATION

The trial that led to Esmail Abdi's conviction violated international fair trial standards: he was denied access to his lawyer during the entire investigation phase and his lawyer was not allowed to obtain and review his court file before the trial. In an open letter Esmail Abdi wrote from inside prison in April 2016, he demanded that the authorities drop the national security charges against him and other trade union activists. He argued that these charges were used to criminalize his peaceful work to advance workers' and teachers' rights. He wrote: "according to the evidence used to convict [me] you could say that any efforts... to improve the lives and livelihood of teachers and workers in Iran may be considered acts against national security".

Esmail Abdi was originally arrested on 27 June 2015 after he went to the Prosecutor's Office in Evin prison to inquire about the travel ban imposed on him. He had been prevented from travelling to Armenia to apply for a visa to attend the 7th Education International World Congress in Canada in July 2015. Before his arrest, intelligence officials had repeatedly summoned Esmail Abdi for interrogation. During these interrogations, intelligence officials warned him against associating with international organizations such as Education International, and said his participation in international gatherings was a "red line". This warning against associating with international organizations blatantly violates Iran's obligations under international law, including Article 8 (b) of the International Covenant on Economic, Social and Cultural Rights (ICESCR), which guarantees the right of trade unions to join international organizations.

The intelligence officials also pressured him to resign from his ITTA-Tehran position. For example, on 3 May 2015, intelligence officials summoned him again and threatened to enforce the suspended 10-year sentence he had received in 2011 for his peaceful trade union activities unless he made a formal announcement on Facebook that he was resigning from his ITTA-Tehran post and cancelled planned nationwide demonstrations that the ITTA had helped organize. Although Esmail Abdi made the announcement, the ITTA-Tehran did not accept his resignation. The protest went ahead as planned, with thousands of teachers gathering peacefully in front of parliament in Tehran and outside the offices of the Ministry of Education in different cities.

On 22 July 2015, thousands of teachers attempted to gather in front of parliament to demand Esmail Abdi's release and protest against the harassment and abuse of teacher union activists. However, security forces stationed around parliament from early morning disrupted the gathering and arrested scores of protesting teachers, though, according to an announcement by Iran's Minister of Education on 27 July 2015, they were later released.

By criminalizing peaceful trade union activities and banning the formation of independent trade unions, the Iranian authorities are flagrantly violating their human rights obligations under international law. The International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR), both of which Iran has ratified, impose an obligation on the Iranian authorities to respect and protect the rights to freedom of expression, association and peaceful assembly, as well as the right to form and join trade unions of one's choice. Article 22 (1) of the ICCPR states: "Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests". Article 8 of the ICESCR guarantees both "the right of everyone to form trade unions and join the trade union of his choice."

Trade unionists are also protected under the UN Declaration on Human Rights Defenders, which highlights the obligation on states to respect the right to defend human rights, which includes trade union rights, and protect human rights defenders from harassment, arbitrary arrest and detention, torture and other ill-treatment.

Name: Esmail (also spelled: Ismail) Abdi

Gender m/f: m

Further information on UA: 171/15 Index: MDE 13/6260/2017 Issue Date: 17 May 2017