

IOE General Council
Geneva, 31 May 2011

ICEA Presentation,
New Information as to Case No: 2567

Mr. President,

My name is Shohreh Tasdighi, from Iran, and I am representing the Iranian Confederation of Employers' Associations (ICEA).

Mr. President, Ladies and Gentlemen,

I would like to draw your kind attention to the complaint filed, by the International Organization of Employers--IOE, against the government of the Islamic Republic of Iran, with the Committee on Freedom of Association, in 2007.

The complaint, registered as case No. 2567, concerns allegations of government interference in the election of the Iranian Confederation of Employers' Associations (ICEA), its subsequent dissolution by the administrative authority (Labor Ministry), and the official backing of a parallel newly-established employers' organization, while assigning the registration number of ICEA to it.

Since no logic governed the government's "claims" so, ICEA was forced to appeal to: 1) the Administrative Justice Tribunal requesting the annulment of the ICEA dissolution order—issued by an administrative authority, and 2) the Justice Ministry claiming the dissolution of parallel newly established employers' organization, to regain its legal status. Simultaneously, the government (the Iranian Labor Ministry)

along with the parallel new organization filed their own petitions before the court claiming the opposite.

After a three-year long exhausting legal process, the court ruled on legality and legitimacy of ICEA, while dismissing all claims made by the government (the Iranian Labor Ministry), due to lack of any legal grounds. (An official translated copy of the relevant verdict was immediately submitted to the IOE as well as to the ILO.) At the same time, the Administrative Justice Tribunal, too, ruled on annulment of the order, issued by the Ministry of Labor, as to the dissolution of ICEA.

Last year, Mr. President, we had the pleasure of informing the IOE General Council of the judiciary bodies' decisions, and this year, we are pleased to inform the General Council that the fair judicial solution, which developed in line with our expectations, has been fully implemented

To that effect,

- First, the Iranian Government has adopted a position of non-interference and neutrality in the exercise of freedom of association in relation to the rights of the employers to membership of the ICEA, and to elect their representative in full freedom.
- Second, the Government has taken the necessary measures in re-registering and re-recognizing the ICEA, as the country's most representative employers' organization.
- Third, the Government issued the Ministry of Labor and Social Affairs Circular No. 122212 dated March 14, 2011, endorsing the results of the elections which took place in the extraordinary session of the ICEA General Assembly, in October 2010. (A copy of the Circular translated into English forwarded earlier to the IOE.)

- Fourth, the Government has kept its commitment to the ICEA as well as to the internationally-recognized principle of freedom of Association.

ICEA has now been able to practice its activities without any hindrance.

We take pride that the state has established an effective judicial mechanism which ensures that they are accessible, effective, independent, impartial, and free from political as to the ICEA.

Mr. President,

It is no exaggeration to attribute the success of ICEA, in the whole process of court's examination, to ICEA President, Mr. Otaredian, who also stood trial on charges, lodged against him by the government, including criminal charges of: disseminating false reports, distortion of the truths and applying fake job titles and positions, from all of which he was finally acquitted by the court.

Mr. President,

ICEA suffered a legitimacy crisis, but invested time and effort, while adopting, patiently, a just and rational stand. And at the end it has recorded a successful year throughout 2010 with respect to proving its correct stand.

And, there is absolutely no doubt that this remarkable achievement has been gained through sincere and unbiased supports and efforts of the IOE, too. Among various actions undertaken, a particularly important contribution has been the unsparing and unflinching support of the IOE Secretary General, Mr. Antonio Penalosa.

Antonio, please know how truly grateful we are.

To conclude, in its last examination in 2010, the Committee on Freedom of Association has drawn the special attention of the ILO Governing Body to this case, because of its extreme seriousness and urgency.

Today, ICEA requests the IOE to take note of these welcoming developments. And, as far as ICEA is concerned it will be meaningful if the possibility of closing the case No. 2567 is announced.

Mr. President, Ladies and Gentlemen, thank you all for your attention.
