



The Law Society of
Upper Canada

Barreau
du Haut-Canada

April 28, 2014

Office of the Treasurer

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President Hassan Rouhani
Office of the President
Palestine Avenue
Azerbaijan Intersection
Tehran, Islamic Republic of Iran

Your Excellency:

Re: Ongoing detention and lack of medical treatment for Farshid Yadollahi and imprisoned human rights lawyers

I write on behalf of the Law Society of Upper Canada* to voice our grave concern over the ongoing detention and lack of medical treatment for Farshid Yadollahi and other imprisoned human rights lawyers. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Farshid Yadollahi is a human rights lawyer who is well known for representing religious minorities in Iran. In late 2011, he was arrested for “propagating lies and creating public anxiety” after successfully representing Gonabadi Sufi clients. His arrest followed the filing of a complaint against Iranian intelligence services for unlawful behaviour, which was a legitimate exercise of his duties as a lawyer. Until recently, Farshid Yadollahi was serving his sentence in the Evin Prison. It is reported that he has been illegally transferred from Evin Prison to Rajai-Shahr Prison, west of Tehran.

In addition to Farshid Yadollahi’s transfer to Rajai-Shahr prisons, it has come to our attention that human rights lawyers imprisoned in the Evin and Rajai-Shahr prisons are not receiving appropriate medical treatment and the prisons lack the facilities required for sick prisoners. We are concerned that imprisoned lawyers seeking medical treatment are being judicially blocked from receiving treatment by Justice Salavati. They are not receiving medical treatment for issues such as heart conditions, breathing problems, dental issues and kidney and spinal conditions.

It is also reported that imprisoned lawyers who attempt to access proper medical care are further harassed by authorities. Many of these lawyers’ medical problems have been brought about by ill treatment and the lack of access to proper medical care in prison. If imprisoned lawyers who are connected to the Dervish community are allowed to access medical treatment, then they are expected to remain shackled and in their prisoner uniforms.

The Law Society is deeply concerned about situations where lawyers are targeted in the legitimate exercise of their duties. International human rights instruments, including the *Universal Declaration of Human Rights* and the *International Covenant on Civil and Political Rights* state that respect for human rights is essential to advancing the rule of law. Article 16 of the *United Nations Basic Principles on the Role of Lawyers* states “governments shall ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; are able to travel and to consult with their clients freely; and shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics”. Article 18 states “lawyers shall not be identified with their clients or their clients’ causes as a result of discharging their functions”.

The Law Society urges the government of Iran to,

- a. guarantee all the procedural rights that should be accorded to Farshid Yadollahi and other human rights defenders in Iran;
- b. guarantee in all circumstances proper medical care and the physical and psychological integrity of Farshid Yadollahi and other human rights defenders;
- c. put an end to all acts of harassment against Farshid Yadollahi and other human rights defenders in Iran;
- d. ensure that all Iranian lawyers can carry out their peaceful and legitimate activities without fear of physical violence or other human rights violations; and
- e. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours very truly,

Thomas G. Conway
Treasurer

**The Law Society of Upper Canada is the governing body for 46,200 lawyers and 6,200 paralegals in the Province of Ontario, Canada. The Treasurer is the head of the Law Society. The mandate of the Law Society is to govern the legal profession in the public interest by upholding the independence, integrity and honour of the legal profession for the purpose of advancing the cause of justice and the rule of law.*

copy : Mr. Mostafa Pourmohammadi
Minister of Justice
Department of Justice
Tehran, Islamic Republic of Iran