



The Law Society of  
Upper Canada

Barreau  
du Haut-Canada

February 10, 2015

President Hassan Rouhani  
Office of the President  
Palestine Avenue  
Azerbaijan Intersection  
Tehran, 13168-43311  
Islamic Republic of Iran

Office of the Treasurer

Osgoode Hall  
130 Queen Street West  
Toronto, Ontario  
M5H 2N6

tel 416-947-3415  
fax 416-947-7609

Your Excellency:

**Re: The ongoing harassment of human rights lawyer and activist Narges Mohammadi**

I write on behalf of the Law Society of Upper Canada\* to voice our grave concern over the case of Narges Mohammadi. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Narges Mohammadi is a prominent human rights lawyer and activist, as well as Spokesperson and Vice-President of the Defenders of Human Rights Centre ("DHRC") in Iran. The history of her harassment by Iranian authorities has been well documented.

Reports indicate that, on 14 February 2012, Narges Mohammadi was sentenced to six years in prison for the offences of "propaganda against the Islamic Republic", "assembly and collusion against national security" and "membership in an illegal group" (the DHRC). This was a reduction of her initial sentence of eleven years on the same charges, which was handed down in October 2011. The international community believed this to be an unjust persecution of a human rights defender.

It is reported that Narges Mohammadi was unsuccessful in appealing her six-year sentence and was taken into custody on 21 April 2012. According to sources, she was released on bail on 31 July 2012 for medical reasons, and has continued her work for the defence of human rights in Iran.

On International Women's Day, in March 2014, she met with Catherine Ashton, the High Representative of the European Union for Foreign Affairs & Security Policy, at the Austrian Embassy in Tehran. Reports indicate that, following the release of photographs of the meeting, Narges Mohammadi was harshly criticized by the state-controlled media and members of the Iranian Parliament, who described her as "a sedition activist and convict." Shortly after these events, she allegedly received a notice from the Islamic Revolution Prosecutor's Office banning her from travelling abroad.

It is reported that Narges Mohammadi was summoned on 1 June 2014 to the Prosecutor's Office located at Evin Prison and interrogated. She was allegedly asked to defend herself against numerous accusations of "disturbing the public opinion" and "assembly and collusion against the national security." These accusations arose as a result of her attendance and participation in meetings at which participants criticized the Citizenship Charter in Iran, and discussed International Women's Day and the Day of Clean Air.

Reports indicate that on 3 November 2014, she delivered a speech during a ceremony marking the second anniversary of Sattar Beheshti's death. Beheshti, a prominent blogger, died from torture in police custody in November 2012. During the speech, Narges Mohammadi allegedly asked: "How is it that the Parliament Members are suggesting a Plan for the Promotion of Virtue and Prevention of Vice, but nobody spoke up two years ago, when an innocent human being by the name of Sattar Beheshti died under torture in the hands of his interrogator?"

Two days later, Narges Mohammadi received another summons to attend the Prosecutor's Office at Evin Prison related to unspecified charges. Multiple sources quote Mohammadi as stating the following: "In the summons I received on 5 November 2014, it is stated that I must turn myself in 'for charges,' but there is no further explanation about these charges." There have been no reports indicating whether or not Narges Mohammadi has been taken into custody, or if she has been officially charged in relation to her most recent summons.

Given the history of Narges Mohammadi's harassment by Iranian authorities for her work advocating for human rights in Iran, the Law Society of Upper Canada is deeply concerned that she is at high risk of being arrested and charged contrary to international law.

The harassment of Narges Mohammadi by Iranian authorities contravenes Principles 16 and 23 of the United Nations *Basic Principles on the Role of Lawyers*. Principle 16 states:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Principle 23 states:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the rights to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organisations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organisation.

The actions of Iranian authorities also contravene Article 19 of the *Universal Declaration of Human Rights*, which guarantees that "everyone has the right to freedom of opinion and expression."

Organizations believe that Iranian authorities continue to harass and intimidate Narges Mohammadi in order to prevent her from carrying out peaceful human rights activities, and that her ongoing harassment constitutes part of a trend of harassment against human rights defenders in Iran.

The Law Society urges the government of the Islamic Republic of Iran to:

- a. put an end to all acts of harassment against Narges Mohammadi as well as other human rights lawyer and defenders in Iran;
- b. guarantee in all circumstances the physical and psychological safety and integrity of Narges Mohammadi;
- c. guarantee all the procedural rights that should be accorded to Narges Mohammadi, if ever she is taken into custody and put on trial;
- d. conduct a fair, impartial and independent investigation into any allegations of misconduct in the harassment of Narges Mohammadi in order to identify all those responsible, bring them to trial and apply to them civil, penal and/or administrative sanctions provided by law;
- e. guarantee that adequate reparation would be provided to Narges Mohammadi if found to be a victim of abuses;
- f. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours very truly,

Janet E. Minor

Treasurer

*\*The Law Society of Upper Canada is the governing body for more than 47,000 lawyers and 6,000 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.*

cc:

H.E. Mr. Mostafa Pourmohammadi  
Minister of Justice of the Islamic Republic of Iran  
Department of Justice  
Tehran, Islamic Republic of Iran

H.E. Mr. Abdolreza Rahmani Fazli  
Minister of Interior of the Islamic Republic of Iran  
Ministry of Interior  
Tehran, Islamic Republic of Iran

H.E. Dr. Mohammad Javad Zarif  
Minister of Foreign Affairs of the Islamic Republic of Iran  
Ministry of Foreign Affairs,  
Bagh-e Melli, Tehran, Islamic Republic of Iran

Alex Neve, Secretary General, Amnesty International Canada

Mary Lawlor, Executive Director, Front Line Defenders

Vincent Forest, Head of European Union Office, Front Line Defenders

Kenneth Roth, Executive Director, Human Rights Watch

Adrie van de Streek, Executive Director, Lawyers for Lawyers

David F. Sutherland, Chair, Lawyers' Rights Watch Canada

Yves Berthelot, President, Observatory for the Protection of Human Rights

Dr. Ali Najafi Tavan, President, Iran Central Bar Association

Michel Forst, Special Rapporteur on the situation of human rights defenders, Office of the High Commissioner for Human Rights

Gabriella Knaul, Special Rapporteur of the Human Council on the independence of judges and lawyers, Office of the United Nations High Commissioner for Human Rights

Sarah Smith, Human Rights and Rule of Law Policy Adviser, The Law Society of England and Wales