



December 9, 2014

The Law Society of
Upper Canada

Barreau
du Haut-Canada

President Hassan Rouhani
Office of the President
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Tehran, Islamic Republic of Iran

Office of the Treasurer

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Re: arrest and continued harassment of human rights lawyer Nasrin Sotoudeh

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

Nasrin Sotoudeh is a prominent human rights lawyer in Iran and the 2012 recipient of the European Parliament's Sakharov Prize for Freedom of Thought. In the past, she has defended journalists and notable human rights activists, such as Nobel Peace Laureate Shirin Ebadi.

The Iranian government's harassment of Nasrin Sotoudeh is well-documented, and includes her unlawful conviction and imprisonment in 2011. Recent reports indicate that in October 2014, she was banned from practising law for three years, and eight days later, she was detained while peacefully protesting.

It is reported that on 18 October 2014, the Iranian Bar Association's disciplinary committee informed Nasrin Sotoudeh that it had revoked her law licence because a revolutionary court convicted her on national security charges in 2011. Instead of appealing the decision, Nasrin Sotoudeh chose to protest her suspension outside the Iranian Bar Association. It is reported that her initial attempt to protest was interrupted by police and intelligence officials. She maintained that the protest was related to her right to work and earn a salary.

Reports indicate that on 25 October 2014, Nasrin Sotoudeh and a small number of her supporters were gathered in front of the Iranian Bar Association in Tehran, protesting her suspension from practising law. At around noon, the group allegedly attempted to join a peaceful demonstration against acid attacks targeting women in the city of Esfahan, in front of the Interior Ministry. A number of persons were arrested, including Nasrin Sotoudeh.

According to reports, authorities released the others shortly after their arrest, but transferred Nasrin Sotoudeh to an Intelligence Ministry detention facility in Tehran, where they kept her for approximately seven hours. During her detention, Nasrin Sotoudeh reported that security agents threatened to charge her with the crime of *moharebeh*, or "enmity against God," which can carry the death penalty. The interrogators also allegedly attempted to forcibly blindfold her.

The Law Society of Upper Canada expresses concern for the physical and psychological well-being of Nasrin Sotoudeh. The Law Society is concerned that Iranian authorities are illegally attempting to prevent Nasrin Sotoudeh from acting as a lawyer and advocate for human rights, by the use of threats, intimidation, arbitrary arrests, and detentions.

The Law Society notes that the *Universal Declaration of Human Rights* prohibits arbitrary arrests and detentions under Article 9. In addition, the Law Society recognizes Articles 1, 5 and 6 of the *Declaration on human rights defenders*. These provisions grant individuals and groups the right of peaceful assembly to promote the realization of human rights and fundamental freedoms.

Nasrin Sotoudeh's ongoing harassment by authorities, including any unlawful government pressure to suspend her licence to practise law, 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, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Moreover, 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.

Organizations believe that Iranian authorities continue to harass and intimidate Nasrin Sotoudeh in order to prevent her from carrying out her peaceful human rights activities. Groups are calling on the Iranian government to cease immediately any illegal actions against her.

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

- a. put an end to all acts of harassment against Nasrin Sotoudeh;
- b. guarantee in all circumstances the physical and psychological integrity of Nasrin Sotoudeh;
- c. conduct a fair, impartial and independent investigation into any allegations of misconduct in the arrest and ongoing harassment of Nasrin Sotoudeh, in order to identify all those responsible, bring them to trial and apply to them civil, penal and/or administrative sanctions provided by law;
- d. guarantee that adequate reparation would be provided to Nasrin Sotoudeh if she is found to be a victim of abuses;
- 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,

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:

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

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

Hon. 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 Defenders

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

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

Nicholas Fluck, President, The Law Society of England and Wales

Sarah Smith, International Development and Human Rights, The Law Society of England and Wales

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