



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

1st April 2019

Your Excellency,

Iran – Ms Nasrin Sotoudeh – Lawyer convicted and sentenced to 38 years imprisonment and 148 lashes

The Law Society of England & Wales is the professional body representing more than 180,000 solicitors in England and Wales. It aims to promote and support solicitors while upholding the rule of law, legal independence, ethical values, and the principle of justice for all around the world. The Law Society holds Special Consultative status with the United Nations Economic and Social Council since 2014.

Lawyers for Lawyers is an independent civil society organization which seeks to promote and protect the independence of the legal profession through the support of lawyers around the world, who face reprisals, improper interferences or restrictions in carrying out their professional functions. Lawyers for Lawyers has Special Consultative status with the UN Economic and Social Council since 2013.

The Law Society and Lawyers for Lawyers previously sent letters (on 22 August 2018 jointly, and the Law Society on 21 December 2018) on the ongoing judicial harassment of Ms. Nasrin Sotoudeh, a human rights lawyer in Iran.

We are deeply concerned by the recent conviction and sentencing of Ms Sotoudeh to 33 years in prison and 148 lashes after being tried in absentia and without access to a legal representative of her own choosing on 30 December 2018 by Branch 28 of the Revolutionary Court in Tehran on charges that include: “assembly and collusion against national security;” “propaganda against the state;” “encouraging corruption and prostitution;” “appearing at the judiciary without Islamic hijab;” “disturbing public peace and order;” and “publishing falsehoods with the intent to disturb public opinion”. On 13 June 2018, Ms. Sotoudeh was arrested at her home in Tehran and taken to Evin prison, where she is still being held.

At the time of her arrest, she was informed that she was being detained to serve a five-year prison sentence after a conviction in September 2016 by Branch 28 of the Revolutionary Court in Tehran on charges of “spreading propaganda against the system” and “gathering and colluding to commit crimes against national security”. In that particular case she was also convicted in absentia and did not have access to a legal representative of her own choosing. Moreover, she had not been informed that she

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had been convicted until her arrest in June 2018; almost two years after her conviction. The two sentences that have now been imposed on Ms. Sotoudeh mean that she is facing 38 years imprisonment in total, together with 148 lashes.

Prior to her arrest in June 2018, Ms. Sotoudeh acted as the legal representative of women's rights activists protesting against compulsory veiling in Iran. Ms. Sotoudeh had also been previously convicted in absentia in a Revolutionary Court in Tehran in 2010 on charges of 'spreading propaganda' and 'conspiring to harm state security' and sentenced to 11 years imprisonment, as well as a ban on practising as a lawyer and leaving the country for 20 years. After she appealed, her prison sentence was reduced to 6 years. In September 2013, after 3 years in prison, Ms Sotoudeh was finally released.

Iran is bound by the international legal obligations set out in the **International Covenant on Civil and Political Rights**, which it ratified on 24 June 1975:

Article 7

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

Article 9(1)

Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

Article 10 (i)

All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.

Article 14. 1. All persons shall be equal before the courts and tribunals. In the determination of any criminal charge against him, or of his rights and obligations in a suit at law, everyone shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by law. [...]

2. Everyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to law.

3. In the determination of any criminal charge against him, everyone shall be entitled to the following minimum guarantees, in full equality: [...] (b) To have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing; [...] (d) To be tried in his presence, and to defend himself in person or through legal assistance of his own choosing

The **United Nations Basic Principles on the Role of Lawyers**, endorsed by the UN General Assembly, provide guidance to States on their obligation to promote the role of lawyers and ensure that they are free to carry out their professional duties:

1. All persons are entitled to call upon the assistance of a lawyer of their choice to protect and establish their rights and to defend them in all stages of criminal proceedings.

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16. Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference (...) 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.

23. Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right 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 organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognized standards and ethics of the legal profession.

In view of the above, we respectfully urge that the relevant authorities in Iran take the following actions:

1. Immediately and unconditionally release Ms. Sotoudeh, withdraw all charges against her, vacate any convictions and sentences imposed on her, and put an end to all acts of harassment against her;
2. Ensure the psychological and physical integrity of Ms Sotoudeh and comply with all international standards regarding conditions of detention; and
3. Comply with Iran's international obligations to ensure that members of the legal profession and human rights defenders can carry out their professional functions without harassment and improper interference, including judicial harassment.

We will continue to monitor the situation of Ms Sotoudeh, as well as the situation of other lawyers and human rights defenders in Iran.

Yours sincerely,

A handwritten signature in black ink that reads "Christina Blacklaws".

Christina Blacklaws
President
The Law Society of England & Wales

A handwritten signature in black ink that reads "Judith Lichtenberg".

Judith Lichtenberg
Executive Director
Lawyers for Lawyers

cc.

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The Law Society
of England and Wales

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