

NEDERLANDSE
ORDE VAN
ADVOCATEN

MR. J.D. LOORBACH
ALGEMEEN DEKEN



Zijne Excellentie
De Minister van Buitenlandse Zaken
T.a.v. M.J.M. Verhagen
Ministerie van Buitenlandse Zaken
(Directie Noord Afrika en Midden Oosten)
Postbus 20061
2500 EB Den Haag

Rotterdam, 13 september 2010

Excellentie,

De omstandigheden waaronder advocaten moeten werken in Iran zijn buitengewoon zorgelijk. Daardoor is ook onmiddellijk sprake van ernstige beperkingen in een goede en onafhankelijke bewaking van rechten van Iraanse burgers. Een voorbeeld van een dergelijke bejegening door de Iraanse autoriteiten van Iraanse advocaten betreft mevrouw Nasrin Sotoudeh.

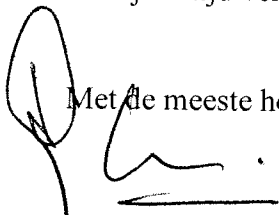
In hetgeen mij daarover is medegedeeld heb ik aanleiding gevonden om in mijn hoedanigheid van Algemeen Deken van de Nederlandse Orde van Advocaten een drietal brieven te schrijven, die in kopie aan deze brief worden gehecht.

Ik heb ervoor gekozen mij in mijn correspondentie te beperken tot Iraanse autoriteiten op het gebied van mensenrechten en justitie.

De Nederlandse advocatuur zou het op hoge prijs stellen wanneer u uw invloed zou willen aanwenden in de daarvoor beschikbare politieke en diplomatieke kanalen.

Te zijner tijd verneem ik over één en ander graag van u.

Met de meeste hoogachting,



J.D. Loorbach

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ORDE VAN
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ALGEMEEN DEKEN



BY AIRMAIL

His Excellency Ali Reza Avaei
Head of the Judiciary in Tehran
Karimkhan Zand Avenue
Sana'i Avenue, Corner of Ally 17, No. 152
TEHRAN
ISLAMIC REPUBLIC OF IRAN

Rotterdam, 9 september 2010

Subject: Mrs. Nasrin Sotoudeh

Your Excellency,

The Dutch Lawyers for Lawyers Foundation ('*Stichting Advocaten voor Advocaten*') has expressed its grave concerns about the arrest of our colleague, Mrs. Nasrin Sotoudeh, a respected human rights lawyer. As a Dutch lawyer, I fully share these concerns.

According to my information, Mrs. Sotoudeh was arrested on 4 September 2010 in Tehran, after she had been summoned to the court at the Evin Prison. A week before her arrest, her assets were frozen and her home and office were searched. Documents, a computer and other personal belongings were taken.

Mrs. Sotoudeh was summoned to the taxation bureau, where she was questioned. Here she found out that the taxation bureau is investigating the cases of other human rights lawyers as well. The consequence of the abovementioned events is that Mrs. Sotoudeh can no longer exercise her profession in freedom. She has defended several human rights defenders and has stood up for juveniles who have – in violation of international law – been sentenced to death. Furthermore, she has diligently fought to improve the human rights situation for women in Iran.

Unfortunately, the charges against Mrs. Sotoudeh are not specified. Various organizations, among them Lawyers for Lawyers Foundation, tend to consider the arrest as an attempt by the Iranian government to curb Mrs. Sotoudeh's legitimate activities as a lawyer defending human rights in Iran. If forged tax charges, indeed, are used in support of the prosecution of people who have committed no crimes whatsoever, this would be an extremely disturbing development. If it is true that more lawyers are similarly being investigated by the taxation bureau, this is even more disturbing.

In this context, I urge the Iranian government to recognize the valuable role that all lawyers play in a civilized society and to promote, support and protect their work in line with the *Basic Principles on the Role of Lawyers*, adopted, with the support of Iran, by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1990, which provide for a number of rights and responsibilities for lawyers acting in their professional capacity.

In particular paragraphs 16 and 17 of the *Basic Principles on the Role of Lawyers*, state that the Government is under an obligation "to ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference." Further, "[w]here the

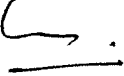
security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.”

These principles are universally applicable. Therefore, your government is under an obligation to adequately protect and support Iranian lawyers.

In view of the above, I urge your government, in compliance with its international human rights obligations, to release Mrs. Sotoudeh immediately. Furthermore, I urge your government to put an end to all acts of intimidation, hindrance, harassment or improper interference against Mrs. Sotoudeh and her colleagues. Moreover, I call upon your government to assure that any action against Mrs. Sotoudeh is taken in conformity with the principles cited above and other international legal obligations binding upon Iran.

I thank you for your attention to this very important matter. I am confident of your good will and sense of justice and will continue to monitor this case closely.

Sincerely,



Jan Loorbach
President

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MR. J. D. LOORBACH
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BY AIRMAIL

His Excellency Ayatollah Sadeq Larijani
Head of the Judiciary
Howzeh Riyasat-e Qoveh Qazaiyeh
Pasteur St., Vali Asr Ave., south of
Serah-e Jomhuri
TEHRAN 1316814737
ISLAMIC REPUBLIC OF IRAN

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Unfortunately, the charges against Mrs. Sotoudeh are not specified. Various organizations, among them Lawyers for Lawyers Foundation, tend to consider the arrest as an attempt by the Iranian government to curb Mrs. Sotoudeh's legitimate activities as a lawyer defending human rights in Iran. If forged tax charges, indeed, are used in support of the prosecution of people who have committed no crimes whatsoever, this would be an extremely disturbing development. If it is true that more lawyers are similarly being investigated by the taxation bureau, this is even more disturbing.

In this context, I urge the Iranian government to recognize the valuable role that all lawyers play in a civilized society and to promote, support and protect their work in line with the *Basic Principles on the Role of Lawyers*, adopted, with the support of Iran, by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1990, which provide for a number of rights and responsibilities for lawyers acting in their professional capacity.

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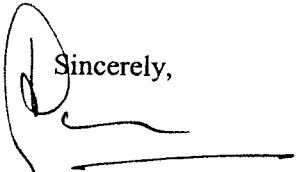
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BY AIRMAIL

Mohammad Javad Larijani
Sec. General High Council for Human Rights
Howzeh Riassat-e Ghoveh Ghazaiyeh
Pasteur St, Vali Asr Av., south of Serah-e Jomhuri
TEHRAN 1316814737
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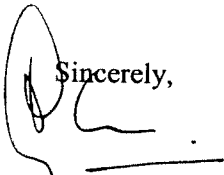
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