



INTERNATIONAL ASSOCIATION
OF YOUNG LAWYERS

15 April 2019

To Supreme Leader of the Islamic Republic of Iran
Ayatollah Ali Hosseini Khamenei
C/o Permanent Mission of Iran to the UN
Chemin du Petit-Saconnex 28
1209 Geneva
Switzerland

Open letter to His Excellency Ayatollah Ali Hosseini Khamenei, Supreme Leader of the Islamic Republic of Iran, from the International Association of Young Lawyers (AIJA)

Your Excellency,

Established in 1962, AIJA is the only global association of young legal practitioners, bar associations and law societies. With over 4,000 members and supporters, including 60 bar associations and law societies, AIJA is present in more than 90 countries in Europe, the Americas, Asia and the Middle East. Through its Human Rights Committee, the association is committed to defend and actively promote core legal principles, such as the rule of law and human rights principles.

We are writing to you to express our concern over the ongoing detention of Nasrin Sotoudeh, a human rights lawyer and defender. According to the information we have received, Mrs Sotoudeh has been sentenced *in absentia* and detained since 17 June 2018.

On 9 February 2019, Nasrin Sotoudeh was informed by the office for the implementation of sentences in Tehran's Evin prison, where she is jailed, that the verdict in her most recent court case had been issued. She was allowed to read the verdict, which convicted her on seven charges and sentenced her to a total of 38 years in prison and 148 lashes. Her trial took place on 30 December 2018 before Branch 28 of the Revolutionary Court in Tehran in her absence. She has not been allowed access to her lawyer. Some of the charges against her are related to her opposition to mandatory hijab (veiling) laws, including 'inciting corruption and prostitution' and 'openly committing a sinful act...by appearing in public without a hijab'. Some of her legitimate activities that the authorities have cited as evidence against her include: opposing Iran's abusive, discriminatory and degrading mandatory hijab laws; removing her headscarf during prison visits; giving media interviews about the violent arrest and detention of women protesting against



mandatory hijab.

AIJA notes that Mrs Sotoudeh is a widely respected human rights defender and advocate. She had received the European Parliament's prestigious Sakharov Prize in 2012 for her work on high-profile cases, including those of convicts on death row for offenses committed as minors or political dissidents such as Nobel Laureate Shirin Ebadi. Despite her recognition and respect for her human rights work at the highest levels of the international community, AIJA understands that Mrs Sotoudeh has been prosecuted unlawfully by the Iranian authorities.

The International Covenant on Civil and Political Rights (ICCPR), to which the Islamic Republic of Iran is a party, states:

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 14 '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.'

In the same vein and with respect to the freedom of expression, the Universal Declaration of Human Rights also states the following:

Article 19 'Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.'

Article 9 'No one shall be subjected to arbitrary arrest, detention or exile.'

Additionally, AIJA wishes to respectfully remind Your Excellency of the United Nations Basic Principles on the Role of Lawyers, endorsed by the UN General Assembly:

Principle 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.'

Principle 16: '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.'



In the light of Iran's international commitments, AIJA expresses deep concern over the unwarranted interference with the judicial process, professional functions of a lawyer, fundamental freedoms and civil liberties in the case of Mrs Sotoudeh.

In view of the above, AIJA calls upon the Iranian authorities through you, Your Excellency, to release Nasrin Sotoudeh immediately and unconditionally. Pending her release, please ensure that Mrs Sotoudeh has regular contact with her family and a lawyer of her choosing in compliance with domestic and international standards.

Please rest assured, your Excellency, of our highest consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Xavier Costa'.

Xavier Costa
AIJA President 2018/19

