



INTERNATIONAL
COMMISSION
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AMNESTY INTERNATIONAL AND INTERNATIONAL COMMISSION OF JURISTS JOINT STATEMENT

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Rights organizations condemn continued persecution campaign against lawyers in Iran

Amnesty International and the International Commission of Jurists (ICJ) today condemned the ongoing arrests and imprisonment of several prominent lawyers in Iran which they see as part of an orchestrated attempt by the Iranian authorities to repress dissent in the country.

The two organizations are calling for the immediate and unconditional release of lawyers Nasrin Sotoudeh, Mohammad Seyfzadeh, Maedeh Ghaderi, and Ghasem Sholeh Saadi, who are detained arbitrarily in violation of Iran's obligations under international law. They are prisoners of conscience, held solely for the peaceful exercise of their rights to freedom of expression and association, or for their work as defence lawyers.

The two organizations are also calling for the conviction of Khalil Bahramian, a lawyer sentenced for publicly expressing his views about flaws in the judicial process in the cases of some of his clients who were executed, to be overturned, as he would be a prisoner of conscience if imprisoned.

In addition, the organizations are seeking clarification of the current legal status of Javid Houtan Kiyani, a lawyer who represented Sakineh Mohammadi Ashtiani, a woman sentenced to death by stoning for "adultery while married", including any charges brought against him and any sentences imposed. If – as appears - he is held solely for the peaceful exercise of his right to freedom of expression, including in connection with his work as a defence lawyer on behalf of Sakineh Mohammadi Ashtiani, he should be released immediately and unconditionally. The allegations that he has been tortured while in detention should be investigated immediately and anyone found responsible for abuses brought to justice.

The recent targeting of lawyers, notably those who defend political prisoners and prisoners facing the death penalty, is part of the Iranian government's ongoing crackdown on civil society following the post-June 2009 election unrest in the country. By targeting defence lawyers, the Iranian

authorities are limiting access to competent legal representation, a basic right and important fair trial guarantee.

The two organizations welcome the recent release on 19 April 2011 of prisoner of conscience **Mohammad Oliyaeifard**, a defence lawyer and a board member of the Committee for the Defence of Political Prisoners in Iran, a human rights organization, after serving the complete one year prison sentence imposed for speaking out against the execution of one of his clients during interviews with international media. His client, juvenile offender Behnoud Shojaee, had been hanged for a murder he committed when he was 17 years old. Mohammad Oliyaeifard has also defended many prisoners of conscience, including independent trade unionists, as well as juvenile offenders.

However, Amnesty International and the ICJ condemn the increasing number of lawyers who face or who have been convicted of vaguely worded charges stemming from their peaceful exercise of their rights to freedom of expression and association and their work as lawyers.

These lawyers are:

Nasrin Sotoudeh, the defence lawyer of Mohammad Oliyaeifard, is herself currently imprisoned in Tehran's Evin Prison. She was arrested on 4 September 2010 after she presented herself in compliance with a court summons. A mother of two young children, Nasrin Sotoudeh was sentenced on 9 January 2011 to 10 years on the charge of "acting against national security, including membership of the Centre for Human Rights Defenders (CHRD)" (a human rights organization forcibly closed by the authorities) and one year for "propaganda against the system" and has been banned from practising law and leaving the country for 20 years.

Another prominent lawyer, **Mohammad Seyfzadeh**, is believed to remain held by Ministry of Intelligence officials in a detention facility in Oroumieh in north-west Iran. He was arrested on new charges on 11 April 2011 for allegedly attempting to leave the country illegally, and was held in conditions amounting to enforced disappearance for around two weeks, as he was not permitted to contact anyone until 21 April when he contacted his family. On 23 April 2011 Mohammad Seyfzadeh's lawyer and son attempted to visit him in Oroumieh, but only his son was permitted a visit, lasting approximately two minutes. During this visit Mohammad Seyfzadeh is reported to have been limping and had lost weight. Mohammad Seyfzadeh had previously been sentenced on 30 October 2010 to nine years' imprisonment for "forming an association... whose aim is to harm national security" and "being a member of an association whose aim is to harm national security" in relation to the Centre for Human Rights Defenders CHRD, a human rights organization he co-founded with Nobel Peace Laureate Shirin Ebadi and others. He was also sentenced to a 10-year ban on practising law, despite the fact that only the Disciplinary Court for Lawyers may impose such professional bans. This sentence remains under review by Branch 54 of the Tehran Appeals Court. He was banned from leaving the country in 2009.

Maedeh Ghaderi, a member of Iran's Kurdish minority, is a lawyer based in Mashhad, north-east Iran. She was arrested on or about 2 March 2011. Maedeh Ghaderi had been representing her husband, Ali Parandian, a member of the opposition Green Movement who was arrested in January 2011. It is not known whether Ali Parandian has had access to any other lawyer since his wife's arrest. She went on hunger strike in mid-April 2011 to protest at her continuing detention without charge or trial, after which unconfirmed reports suggested that she and her husband are under investigation by Branch 904 of the Revolutionary Court in Mashhad on suspicion of contacts with the Party For Free Life of Kurdistan, a Kurdish armed group known by its Kurdish acronym PJAK. PJAK was formed in 2004, and carried out armed attacks against Iranian security forces, but declared a unilateral ceasefire in 2009, although it still engages in armed clashes with security forces in what it terms "self-defence".

University professor, lawyer, and former Member of Parliament **Ghasem Sholeh Saadi** was arrested on 3 April 2011 at Tehran's Mehrabad Airport after a flight from Shiraz and taken to Tehran's Evin Prison. Ghasem Sholeh Saadi had sought to run as a candidate for president during the June 2009 elections, but was not approved by the Council of Guardians, which screens candidates for popular election under discriminatory selection procedures. Ghasem Sholeh Saadi had previously been detained for 36 days at Evin Prison in Tehran in 2003 following a critical open letter he wrote to the Supreme Leader Ayatollah Sayed 'Ali Khamenei in 2002. Amnesty International and the ICJ understand that Ghasem Sholeh Saadi was sentenced to one-and-a-half years' imprisonment in June 2006 on charges stemming from this letter, which was upheld on appeal, and then overturned by the Head of the Judiciary, who sent the case for retrial, although this is not known to have taken place. According to reports, Ghasem Sholeh Saadi was nevertheless told on arrest that this was the reason for his detention. After his arrest, Ghasem Sholeh Saadi was also informed that a new one-year sentence had been passed against him, along with a 10-year ban on teaching and a 10-year ban on practising law, apparently imposed for interviews he had given to foreign media.

Khalil Bahramian, who has represented many political prisoners, including some on death row - such as Sherko Moarefi, a member of Iran's Kurdish minority who is at risk of imminent execution - was sentenced in February 2011 to 18 months in prison and banned from the practice of law for 10 years by Branch 28 of Tehran's Revolutionary Court on charges of "propaganda against the system" and "insulting the Head of the Judiciary". Khalil Bahramian has been practising law in Iran for 46 years. He is currently free pending appeal against this sentence.

Javid Houtan Kiyan, a member of Iran's Azerbaijani minority, is a lawyer based in Tabriz, north-west Iran, who represented Sakineh Mohammadi Ashtiani, a woman sentenced to death by stoning for "adultery while married". He was arrested on 10 October 2010 in his office along with Sajjad Qaderzadeh, Sakineh Mohammadi Ashtiani's son and two German journalists who were conducting an interview with them about her case. Sajjad Qaderzadeh was released on bail in December 2010, and the German journalists were released in February 2011 after being sentenced to a fine. In March 2011, a letter attributed to Javid Houtan Kiyan alleged that he was tortured while held in solitary confinement in Section 209 of Evin Prison from 11 October to 12 December 2010. Since 1 November 2010, when a prosecutor said that he was held on suspicion of having three forged or duplicate ID cards, the Iranian authorities have given no information concerning his legal situation. Other sources have since suggested that he has been sentenced to between one to 11 years in prison on various charges, and may still be facing other charges. Most - if not all - of these appear to relate to his defence of Sakineh Mohammadi Ashtiani.

Principle 16 of the UN Basic Principles on the Role of Lawyers provides that lawyers must be allowed to carry out their work "without intimidation, hindrance, harassment or improper interference." Principle 18 states that lawyers "shall not be identified with their clients or their clients' causes as a result of discharging their functions". In addition, Principle 25 affirms the right of lawyers to freedom of expression, also provided for in Article 19 of the International Covenant on Civil and Political Rights, which includes "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".

The UN Special Rapporteur on the Independence of Lawyers and Judges has not been permitted to visit the country despite the Standing Invitation issued by Iran to all UN human rights mechanisms in 2002.

Public Document

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