

URGENT ACTION

HUSBAND OF HUMAN RIGHTS LAWYER HARASSED

Reza Khandan, who has publicly campaigned for fair treatment for his wife, imprisoned human rights lawyer Nasrin Sotoudeh, was summoned for questioning by the Iranian authorities on 16 January and detained overnight. He was released the following morning but is at risk of further harassment by the security authorities.

Reza Khandan was held overnight in Evin Prison, Tehran, after being summoned to appear at the office of Tehran's Prosecutor at the prison on 16 January. He was kept waiting for three hours before being taken to a prison cell where he was required to put on prison clothing and was held in a cell with another inmate. He was questioned for about 10 minutes while blindfolded and asked to put two of his replies in writing. He was told that he was accused of "publishing lies" and "disturbing public opinion" on account of an unpublished letter he wrote to the Prosecutor's Office in which he complained about the conditions of detention of his wife, **Nasrin Sotoudeh**.

He was released on 17 January after a guarantee of 500 million Iranian Rials (about USD 50,000) was provided; this amount would be forfeit by the guarantor if he should fail to respond to a future summons. Nasrin Sotoudeh's sister offered to act as his guarantor but the authorities did not deem her suitable and another guarantor then had to be found. Reza Khandan remains at risk of further harassment and faces possible trial and imprisonment.

Reza Khandan was summoned after his wife, Nasrin Sotoudeh, was sentenced to 11 years in prison and subjected to a 20 year ban on continuing to practice as a lawyer and leaving Iran.

PLEASE WRITE IMMEDIATELY in Persian, English, or your own language:

- Reminding the Iranian authorities that the harassment and arrest of family members of prisoners, solely in order to stop their public campaigning amounts to reprisals which violate Article 12 (2) of the UN Declaration on Human Rights Defenders;
- Calling for the immediate and unconditional release of prisoner of conscience Nasrin Sotoudeh, who is imprisoned solely for her peaceful exercise of her rights to freedom of expression and association, including her work as a lawyer;
- Reminding the authorities that lawyers 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 must be allowed to carry out their work "without intimidation, hindrance, harassment or improper interference".

PLEASE SEND APPEALS BEFORE 02 MARCH 2011 TO:

Leader of the Islamic Republic

Ayatollah Sayed 'Ali Khamenei
The Office of the Supreme Leader
Islamic Republic Street – End of
Shahid Keshvar Doust Street, Tehran,
Islamic Republic of Iran
Email: info_leader@leader.ir
via website:
<http://www.leader.ir/langs/en/index.php?p=letter> (English)

Salutation: Your Excellency

Head of the Judiciary

Ayatollah Sadegh Larijani
[care of] Public relations Office
Number 4, 2 Azizi Street
Vali Asr Ave., above Pasteur Street
intersection
Tehran, Islamic Republic of Iran
Email: bia.judi@yahoo.com (In subject
line: FAO Ayatollah Sadegh Larijani)

Salutation: Your Excellency

And copies to:

Secretary General, High Council for
Human Rights.
Mohammad Javad Larijani
High Council for Human Rights
[Care of] Office of the Head of the
Judiciary, Pasteur St., Vali Asr Ave.
south of Serah-e Jomhuri, Tehran
1316814737, Islamic Republic of Iran
Email: info@humanrights-iran.ir (In
subject line: FAO Mohammad Javad
Larijani)

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date. This is the fourth update of UA 197/10. Further information: <http://www.amnesty.org/en/library/info/MDE13/087/2010/en>

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ADDITIONAL INFORMATION

Article 12 (2) of the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms states that “[t]he State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration.

Nasrin Sotoudeh has defended many high profile human rights campaigners and political activists, as well as juvenile offenders on death row. Her clients include Nobel Peace Laureate Shirin Ebadi. Her three hunger strikes against her detention included three days in which she drank no water (a “dry” hunger strike) and have adversely affected her health.

Nasrin Sotoudeh’s lawyer, Nasim Ghanavi, has faced pressure from the authorities, including threats of arrest and summons, apparently on account of her representation of Nasrin Sotoudeh.

Following the 2009 post-election political unrest in Iran, the Iranian authorities have cracked down on human rights defenders and activists, including prominent human rights defender Emadeddin Baghi, the recipient of the 2009 Martin Ennals award, and journalist and human rights activist Shiva Nazar Ahari, a member of the now-banned Committee of Human Rights Reporters (CHRR), both currently serving prison sentences for their human rights work. Several other CHRR members are also facing imprisonment or have fled the country for their own safety. Other organizations whose members have been arrested or sentenced include the Committee for the Defence of Political Prisoners in Iran, Human Rights Activists in Iran and the Committee of Human Rights Reporters. Student activists and leaders have also been targeted.

Lawyers have been the latest victims of this ongoing clampdown on human rights defenders and activists. In addition to Nasrin Sotoudeh, Mohammad Olyaeifard, a lawyer and board member of the Committee for the Defence of Political Prisoners in Iran, a human rights organization, is currently serving a one-year prison sentence for speaking out about the execution of one of his clients, a juvenile offender (see Iran urged to release lawyer imprisoned for criticizing juvenile’s execution, 6 May 2010, <http://www.amnesty.org/en/news-and-updates/iran-urged-release-lawyer-imprisoned-criticizing-juveniles-execution-2010-05-06>). Mohammad Olyaeifard is in poor health. Last year, on 30 October 2010, prominent lawyer Mohammad Seyfzadeh was sentenced to nine years in prison and banned from practicing law for 10 years. He is currently free pending an appeal.

Prior to her arrest, Nasrin Sotoudeh’s assets were frozen and she was summoned to the tax office. Afterwards, she said she had seen that 30 other lawyers had cases of tax irregularities being prepared against them, in what would appear to be a concerted effort by the authorities to prevent these lawyers from continuing their work. (see Iran: Lawyers’ defence work repaid with loss of freedom, Index: MDE 13/093/2010, 1 October 2010, <http://www.amnesty.org/en/library/info/MDE13/093/2010/en>)

On 23 November 2010, the UN High Commissioner for Human Rights, Navanetham Pillay, expressed concern for Nasrin Sotoudeh. She called her case part of a much broader crackdown on human rights defenders. The UN High Commissioner urged the Iranian authorities to review her case urgently and expedite her release.

The UN Basic Principles on the Role of Lawyers provide that lawyers must be allowed to carry out their work “without intimidation, hindrance, harassment or improper interference.” In addition, it affirms the right of lawyers to freedom of expression, also provided for in Article 19 of the ICCPR, 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”.

Further information on UA: 197/10 Index: MDE 13/007/2011 Issue Date: 19 January 2011

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