

URGENT ACTION

LAWYER JAILED FOR DEFENDING WOMEN'S RIGHTS

Iranian human rights lawyer Nasrin Sotoudeh has been held in Tehran's Evin prison since her arrest on 13 June. She is facing charges including "spreading propaganda against the system" in connection with her work as a lawyer defending women who have peacefully protested against compulsory veiling (*hijab*). She is a prisoner of conscience.

Award-winning human rights defender **Nasrin Sotoudeh**, 55, was arrested at her home in Tehran on 13 June and taken to Evin prison, where she is being detained in the women's ward. At the time of her arrest, she was informed that she was being detained to serve a five-year prison sentence based on charges on which she had never been tried or convicted. She has since been told that she is facing new charges of "spreading propaganda against the system" and "gathering and colluding to commit crimes against national security". She has refused to post bail, which is set at 6.5 billion rials (US\$150,000), saying that the charges are baseless and fabricated.

Nasrin Sotoudeh's charges stem from her peaceful work as a lawyer defending women who have been arrested and prosecuted for peacefully protesting against the degrading practice of compulsory veiling in Iran. These arrests began in December 2017, after a woman staged a solo act of resistance by removing her headscarf and silently waving it on the end of a stick while standing on top of a raised structure, an act which has since been replicated by countless other women across the country in a campaign that has become known as the "Girls of Revolution Street". The activities that Nasrin Sotoudeh has undertaken in her role as a defence lawyer, including meeting with her clients, appear to have been used to build a criminal case against her. According to Reza Khandan, Nasrin Sotoudeh's husband, she has said that, as she is currently unable to defend these women because of her detention and since she believes that compulsory veiling "is inhuman and against human rights", she plans to remove her headscarf in prison in protest until she is released.

Prior to her arrest, Nasrin Sotoudeh had publicly criticized a decision by the judiciary to oblige detainees who face particular charges, including ones related to national security, to choose their legal representative from a list of lawyers who have been vetted and approved by the Head of the Judiciary, undermining the right of detainees to a lawyer of their own choosing. Human rights defenders in Iran have expressed outrage that the list produced for Tehran province contains former prosecutors and judges who are not independent. According to Reza Khandan, the authorities have refused to authorize the lawyer whom Nasrin Sotoudeh has chosen to represent her and have said she needs to select a lawyer from the Tehran province list.

Please write immediately in English, Persian, or your own language, calling on the Iranian authorities to:

- Release Nasrin Sotoudeh immediately and unconditionally as she is a prisoner of conscience detained solely for her work as a human rights lawyer, including her defence of women protesting against compulsory veiling in Iran;
- Ensure that Nasrin Sotoudeh has regular access to her family and to a lawyer of her own choosing;
- Ensure that lawyers in Iran are able to carry out their work without intimidation, hindrance, harassment, or prosecution, and protect their rights to freedom of expression and to take part in public discussion of matters concerning the law, the administration of justice, and the promotion and protection of human rights.

PLEASE SEND APPEALS BEFORE 16 AUGUST 2018 TO:

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
Salutation: Your Excellency

Prosecutor General of Tehran
Abbas Ja'fari Dolat Abadi
Office of the General and Revolutionary
Prosecutor
Corner (Nabsh-e) of 15 Khordad Square
Tehran, Iran
Salutation: Your Excellency

And copies to:
Minister of Foreign Affairs
Mohammad Javad Zarif
c/o Permanent Mission of Iran to the
United Nations in Geneva
Chemin du Petit-Saconnex 28
1209 Geneva, Switzerland

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

According to Reza Khandan, Nasrin Sotoudeh informed him during a visit he made to Evin prison on 17 June that she had been told her charges relate to her "colluding" with Shaparak Shajarizadeh, one of the women she was representing in a case brought against a number of individuals who had protested against compulsory veiling, while they were in the prosecutor's office in Kashan, Isfahan province. He also said: "It is the most laughable thing to say that a lawyer has met and colluded with her client. Fundamentally, the essence of working as a lawyer is meeting with clients... The more interesting thing is that Shaparak Shajarizadeh was arrested in Kashan (245km south of Tehran), but Nasrin Sotoudeh was not able to go there and therefore no meeting took place in the Kashan prosecutor's office."

Prior to her arrest, Nasrin Sotoudeh had also been highly critical of the recent implementation of the Note to Article 48 of Iran's 2015 Code of Criminal Procedure, which denies individuals facing some offences, including those related to national security, the right to access a lawyer of their own choosing during the investigation of the charges against them and forces them to choose their lawyer from a list approved by the Head of the Judiciary, Ayatollah Sadegh Larijani. In line with this Note, on 4 June 2018, the judiciary issued a list with only 20 state-approved lawyers for Tehran province from which individuals can select to represent them, to be followed with lists for other provinces. Human rights defenders in Iran are concerned that the list contains one judge who has issued hundreds of death sentences and a prosecutor who was involved in the mass trials of peaceful protesters that followed mass protests in 2009. The list also contains no female lawyers. Amnesty International opposes this practice in its entirety as it violates the right to a lawyer of one's choosing, which is a fundamental safeguard of the right to a fair trial. The organization has repeatedly called on the Iranian authorities to repeal or amend Article 48 to bring it into line with international fair trial standards. Since 2015, Amnesty International has also documented a growing pattern whereby prosecution authorities and Revolutionary Courts fail to allow prisoners of conscience and others held for politically motivated reasons to be represented by lawyers of their own choosing even at the trial stage. The authorities cite as justification the Note to Article 48 of Iran's 2015 Code of Criminal Procedure, even though this provision only concerns the investigation stage.

On 5 June 2018, in an interview given to the Centre for Human Rights in Iran prior to her arrest, Nasrin Sotoudeh said, "In the past, political suspects had a limited right to defend themselves, and lawyers could take up their cases and carry out their professional duties despite all the dangers they faced, but now even that limited right is being completely eliminated... Just imagine that a suspect has been charged by powerful military and security agencies and he goes in front of a judge in a court in Evin prison under an intense climate of fear and intimidation and... his only hope is to have an independent and honourable lawyer to defend him. Now, with the implementation of the Note to Article 48, that path has been closed and we have to say goodbye to the legal profession in Iran... The judiciary's action is going to cut the flow of information regarding political cases and make it easier to violate the rights of suspects and to interrogate, prosecute, and sentence political and civil rights activists without information reaching the public."

Nasrin Sotoudeh was previously sentenced to 11 years' imprisonment in January 2011 on charges that included "spreading propaganda against the system" and "gathering and colluding to commit crimes against national security" for her work as a lawyer. Her sentence was reduced to six years on appeal and she was released early in September 2013 after receiving a pardon. As a result of her work as a human rights lawyer, she has faced years of harassment, intimidation, imprisonment, as well as a ban on practising law, which she was able to overturn through a daily protest that she undertook for several months outside Iran's Bar Association in 2014. Following her release from prison in 2013, she continued to work as a lawyer, despite attempts by the Iranian authorities to limit her work, including by rejecting many of her requests to represent individuals detained on politically motivated charges. In 2012, while in prison, she was awarded the Sakharov Prize for her human rights work.

Name: Nasrin Sotoudeh

Gender m/f: f

Further information on UA: 126/18 Index: MDE 13/8734/2018 Issue Date: 5 July 2018