



20 March 2019

To the Rt Hon Jeremy Hunt,  
Secretary of State for the Foreign and Commonwealth Office

Dear Secretary of State,

The Bar Council of England and Wales and the Bar Human Rights Committee of England and Wales (“BHRC”) invite the Secretary of State to join them in condemning the sentencing of human rights lawyer Nasrin Sotoudeh to a total of 38 years’ imprisonment and 148 lashes for undertaking her professional obligations to her clients by enabling them to exercise the basic human right of access to justice. Her important and courageous work includes defending women prosecuted under Iran’s laws on compulsory veiling and peaceful public protest. In 2012, she received the European Union’s most prestigious human rights award, the Sakharov Prize for Freedom of Thought.

Amnesty International reports that Nasrin Sotoudeh was arrested at her home on 13 June 2018. This week, she was informed by the office for the implementation of sentences in Tehran’s Evin prison where she is jailed that she had been convicted on seven charges in response to her peaceful human rights work. These include “inciting corruption and prostitution”, “openly committing a sinful act by... appearing in public without a hijab” and “disrupting public order”.

We note that the sentence passed against Nasrin Sotoudeh under Article 134 of Iran’s Penal Code, is the harshest sentence Amnesty International has documented against a human rights defender in Iran in recent years. This suggests that the authorities are adopting measures against lawyers which flagrantly breach international standards and obligations.

We note that there have been widespread reports of arbitrary arrests and detentions of lawyers and human rights defenders in 2018. The Bar Council and BHRC wrote in January 2018 to His Excellency, the Ayatollah Sayyid Ali Khamenei about the fate of Abdolfattah Soltani and Narges Mohammadi, prominent Iranian lawyers imprisoned for 13 years and 6 years respectively in relation to their work advocating for the rule of law in Iran.

The Bar Council and the Bar Human Rights Committee draw your attention to the prohibition against arbitrary arrests and detentions, as well as torture, cruel, inhuman and degrading treatment contained in the International Covenant on Civil and Political Rights (ICCPR), to which the Islamic Republic of Iran is a party. Article 14 of the ICCPR guarantees fair trial rights, which includes that a person charged with a crime has the right to communicate with a legal advisor of their choice. The United Nations Human Rights Committee also states that flogging, which constitutes cruel, inhuman and degrading punishment, is prohibited.

Such conduct by the Islamic Republic of Iran also breaches principle 16 of the UN Basic Principles on the Role of Lawyers which provides that “Governments shall ensure that lawyers are able to perform

all of their professional functions without intimidation, hindrance, harassment or improper interference” and “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 services.” Principle 18 of the Basic Principles provides that lawyers “shall not be identified with their clients or their clients' causes as a result of discharging their functions”.

Lawyers play a crucial role in ensuring the protection of human rights of all those subject to domestic law. We are concerned that the criminal prosecution of lawyers, as well as the manifestly excessive sentence, represents a grave threat to the rule of law in Iran, and places Iran in breach of its international obligations. We respectfully urge you to condemn publicly the improper use of criminal sanctions in the Islamic Republic of Iran against lawyers engaged in the defence of their clients. In particular, we call upon you to make a public statement expressing the UK's profound concern at the failure by the Islamic Republic of Iran to comply with its international obligations. We ask you to call for the immediate release of Nasrin Sotoudeh, and all lawyers detained in Iran for performing their professional duties.

We are willing to meet with you to discuss the ramifications of this case further, and indeed the wider human rights picture, at your convenience.

Yours,



Richard Atkins QC

Chair of the Bar Council



Schona Jolly QC

Chair of BHRC