



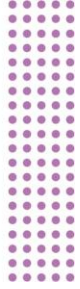
کانون وکلای دادگستری

شماره پروانه: ۸۷۳۷

شادی صدر

وکیل پایه یک دادگستری و مشاور حقوقی

کارشناس ارشد حقوق بین الملل



Honourable Chair of Iran Bar Association, Honourable members of the management committee,

You are aware that on Saturday 2<sup>nd</sup> Mordad 1389 (24<sup>th</sup> July 2010) the security forces invaded the offices of Mr Mohammad Mostafaei, one of the most active human rights lawyers in Iran, but could not find him. A few hours later they arrested his wife and brother-in-law in front of his office and took them to the Evin Prison. The investigator at Revolutionary Court in Evin prison has told them that they will stay in prison until Mr Mostafaei gives himself up.

Meanwhile, the state TV broadcast a report in which it was announced that those who brought the stoning case (of Mrs Sakineh Mohammadi) to the world public attention are terrorists and monafeq (which in the literature of IRI means being member of PMO- People's Mojahedin Organization of Iran). Mrs Sakineh Mohammadi, a 43 year-old mother of two from the city of Orumieh, was under sentence of death by stoning which was stopped because of widespread international pressure. Mr Mostafaei, Sakineh's attorney, who had tried without success all possible legal roads was the first person to bring this case to the world's attention.

Therefore it appears that the legal-security system, while forced to stop carrying out the stoning sentence, is hell bent on taking revenge on Mr Mostafaei by some trumped up charges. Since they were unable to find him, they have arrested his wife and brother-in-law. Not only is the evidence against Mr Mostafaei is questionable but there is no evidence that his wife and her brother had any role in his hiding. On the contrary, details of the events of Saturday point to the opposite.

This is not the first time in the history of the Islamic Republic of Iran that the family of a civil activist have been taken hostage. The policy of oppression of activists by pressurising their family members by different forms, from threatening them to extracting 'confessions' by torture, has been used brutally in the past few years. In one of the recent cases, husband of Mrs Shirin Ebadi, a member of the Bar Association of Iran, human rights activist and Nobel Laureate, was forced to speak against her on camera after several days of incarceration.



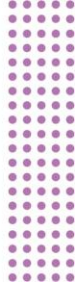
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It is five days now that Mr Mostafaei's wife, Fereshteh Halimi, his brother-in-law, Mr Farhad Halimi, are incarcerated in prison, their only crime being related to Mr. Mostafaei and his crime was only to carry out his duties as a lawyer, to defend under-age, those sentenced to death by stoning and political prisoners. Their seven-year old daughter is now deprived of her mother as well as her father.

I knew Mohammad Mostafaei from the time when we collaborated on the cases of women sentenced to stoning, such as that of Nazanin Fatehi. He was one of active members of a network of volunteer lawyers in 'Campaign for Law without Stoning'. This campaign succeeded in saving the lives of at least nine women and two men in less than two years and was influential in removing death by stoning from the Islamic Penal Code in Iran. In Esfand 1385 (March 2007), when I together with 32 other women rights activists were arrested, Mohammad Mostafaei took my case. At the time the Management Committee of the Bar Association wrote a very effective letter to Judiciary in protest to my arrest while defending a client.

Defending the rights of lawyers to carry out their duties is one of the most basic charges of the Bar Association and the main Reason D'etre for setting up of it, the oldest civil law entity in Iran. Therefore, as a lawyer, a member of the Central Court lawyers, also as a client and defendant, I urge you, who lead this oldest civil law society in Iran, not to remain silent on state kidnap and retaliation. At this moment a member of this Bar, whose only crime is defending his client and the rights of the vulnerable, is, together with his family, under intense pressure. Your silence on this matter not only means failure to discharge your duty of care of lawyers but also questions your independence from the judicial-security system. It is time that every one of us act against the policy of state hostage taking and retaliation. If we do not act against this policy, whose victims today are Shirin Ebadi and Mohammad Mostafaie, it will attack every single one of us tomorrow.

Hoping for human rights,

Shadi Sadr,

Legal Attorney

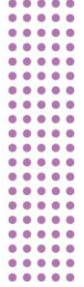


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International bar Association (IBA),

The Council of Bar and Law Societies in Europe (CCBE),

Advocaten voor Advocaten,

School of Law, Goethe University,

School of Law, Santa Clara University,

Lawyers Without Borders,

Max Planck Institute,

And international human rights organisations.