

President of the Islamic Republic
His Excellency Hassan Rouhani
Sa'adabad Palace
Darband, Zafaraniyeh,
Tajrish, Valiasr Street
Tehran
Islamic Republic of Iran

Brussels, 15 January 2015

Re: Concerns regarding the deprivation of the passport, the travel ban and the prohibition to work in human rights cases against Mr. Masoud Shafii, a lawyer

Your Excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it also has observer representatives from a further thirteen European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE writes to express its serious concern over the punishment suffered by Mr Masoud Shafii. Mr. Shafii is a lawyer who fought for the freedom of three American citizens who were captured on July 2009 and who were held by the Iranian authorities for 2 years and 2 months. Since their release on September 2011, Mr Shafii's passport has been confiscated and he has been barred from leaving Iran. Moreover, he has been prohibited from representing new human rights clients.

In this context, the CCBE wishes to draw to your attention the following Articles of the United Nations Basic Principles on the Role of Lawyers (1990):

Article 16 states that:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Art. 18 says that:

Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

Furthermore, Article 20 states that:

Lawyers shall enjoy civil and penal immunity for relevant statements made in good faith in written or oral pleadings or in their professional appearances before a court, tribunal or other legal or administrative authority.

In view of the above, the CCBE respectfully urges you to return to Mr Shafii his passport, annul the travel ban imposed against him and allow him to work for the protection of human rights and the rule of law. In addition, the CCBE asks you to take all necessary measures to guarantee that all lawyers in Iran are able to perform their professional duties without fear of reprisal, hindrance, intimidation or harassment.

I look forward to hearing from your Excellency urgently.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Maria ŚLAZAK', written in a cursive style.

Maria ŚLAZAK
President