

**Leader of the Islamic Republic,
His Excellency
Ayatollah Sayed Ali Khamenei,
The Office of the Supreme Leader,
Shoahada Street, Qom,
Islamic Republic of Iran,
Faxes: + 98 21 649 5880 / 21 774 2228**

Re: Concerns regarding the case of lawyer Mr. Mohammad Mostafaei

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 around one million European lawyers. In addition to membership from EU bars, it has also observer representatives from a further eleven 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.

We are writing to express our serious concerns over the situation facing prominent lawyer Mohammad Mostafaei, an Iranian human rights defender, and his family.

According to the information received, Mr. Mohammad Mostafaei was summoned to the Islamic revolutionary courts, interrogated and later released. Subsequently, on the same day, he was summoned again by phone. In the evening, Ms. Fereshteh Halimi and Mr. Farhad Halimi, his wife and brother-in-law respectively, were detained. The two reportedly told their family on the phone that they had been charged with "helping Mr. Mostafaei hide". The revolutionary court also informed them that they would remain in prison until Mr. Mostafaei turned himself in.

It seems that Mr. Mostafaei refused to heed the second summons, as summons by phone calls are illegal under the Iranian law, thus prompting the security forces to effectively keep his family in confinement. The reason that Mr. Mohammad Mostafaei was summoned and his family subsequently imprisoned seems to be only to sanction his human rights activities.

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.

Furthermore, the provisions of the Declaration on Human Rights Defenders, adopted on December 9, 1998 by the United Nations General Assembly, in particular its article 1 states that:

“Everyone has the right, individually or in association with others, to promote the protection and realization of human rights and fundamental freedoms at the national and international levels”,

In view of the above, the CCBE respectfully urges you to investigate the above mentioned facts and to take immediate and effective action to guarantee in all circumstances the physical and psychological integrity of Mr. Mohammad Mostafaei’s family as well as all human rights defenders, and to ensure the immediate release of his family unless they are to be charged with a recognisable offence, in order to preserve the independence and integrity of the administration of justice in Iran.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'JMD', written over a horizontal line.

JOSÉ-MARÍA DAVÓ-FERNÁNDEZ
President