

Ayatollah Sayyid Ali Khamenei
The Office of the Supreme Leader
Islamic Republic Street
End of Shahid Keshvar Doust Street
Tehran
Islamic Republic of Iran

Brussels, 18 June 2012

Re: Concerns regarding the sentencing of lawyer, Mr Mohammad Ali Dadkhah

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 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.

My predecessor wrote to you on 22 July 2011 expressing grave concerns about the sentencing of Mr Mohammad Ali Dadkhah, a prominent lawyer and human rights activist at the Centre for Human Rights Defenders, for nine years in prison and a ten-year ban from teaching at universities and practising as a lawyer. Mr Ali Dadkhah has faced charges of 'interviewing with foreign media', 'being a member of the Defenders of Human Rights Centre' and 'representing clients in the Isfahan Metro case'. Now it has been brought to our attention that the Islamic Revolution Court has upheld the nine-year prison sentence.

The CCBE believes that the sentencing and disbarment of Mr Ali Dadkhah is as a result of his peaceful and legitimate activities as a human rights lawyer. Mr Ali Dadkhah has defended many political activists, students and prisoners of conscience, such as Hossein Ronaghi and Malek Ebrahim Yazdi, who were jailed in the aftermath of the country's 2009 disputed elections. He has also represented 32-year-old Yusuf Naderkhani, whose sentencing to death for apostasy triggered an international outcry. The sentencing of Mr Ali Dadkhah follows a record of prevailing intimidation by security forces, including raiding of his offices in Tehran and detaining him for more than 60 days in July 2009.

The CCBE is alarmed by these facts, which indicate a repressive environment for human rights lawyers in Iran.

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, Article 23 states that:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the rights to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organisations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organisation. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognised standards and ethics of the legal profession.

In view of the above, the CCBE urges you to take immediate and effective steps to release Mr Ali Dadkhah, drop all charges brought against him and guarantee in all circumstances that lawyers in Iran are able to conduct their professional duties without intimidation, hindrance, harassment or improper interference, and that they do not suffer prosecution for any action taken while carrying out their duties.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Prunbauer-Glaser', with a long vertical stroke extending downwards from the end of the signature.

Marcella PRUNBAUER-GLASER

CCBE President