March 13, 2013

Ayatollah Sayed ‘Ali Khamenei
The Office of the Supreme Leader
Tehran
Islamic Republic of Iran

Re: Mr. Abdolfattah Soltani

Your Excellency:

The American Bar Association (ABA) is an independent, voluntary, non-governmental organization of nearly 400,000 lawyers and judges worldwide. It regards human rights and the rule of law as cornerstones of a free and just society and has committed to strengthening them in the United States and internationally.

The ABA is deeply concerned about the Government of Iran’s treatment of human rights lawyer and advocate, Abdolfattah Soltani. A co-founder of the Defenders of Human Rights Center with Nobel Peace Prize Laureate, Shirin Ebadi, Mr. Soltani was sentenced in 2012 to 18 years in prison (later reduced to 13 years), and his law license revoked for 20 years, on various charges related to his human rights advocacy, including spreading anti-government propaganda and endangering national security. These charges are similar to those filed against another prominent Iranian human rights lawyer, Nasrin Sotoudeh, about which ABA President Stephen Zack expressed concern in November 2011 (letter enclosed for reference). The charges and convictions appear to represent a pattern of governmental harassment against human rights lawyers and advocates in Iran, in contravention of well-established international human rights law and principles.

Article 19 of the International Covenant on Civil and Political Rights, to which Iran is a party, states, in pertinent part, that:

1. Everyone shall have the right to hold opinions without interference.

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

Further, the United Nations Declaration on Human Rights Defenders calls upon states to “take all necessary measures to ensure the protection by the competent authorities of [human rights defenders] against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary actions” as a consequence of their legitimate effort to promote human rights. And the
UN Basic Principles on the Role of Lawyers affirm that lawyers have “[t]he right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights” and must be allowed to carry out their work “without intimidation, hindrance, harassment or improper interference.”

The charges of which Mr. Soltani was convicted appear to constitute harassment for work that is safeguarded under international law. The ABA therefore respectfully urges the Government of Iran, consistent with its obligations under international law, to release Mr. Soltani from state custody, restore his law license, and refrain from further interference with his work as a human rights defender. At a minimum, he should receive a new trial conducted in accordance with all the fair trial and due process protections set forth under international law, including prompt and unfettered access to legal counsel of his choice and access by independent observers.

Sincerely,

Laurel G. Bellows

cc: Ayatollah Sadegh Larijani, Islamic Republic of Iran  
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    United States Department of State