

Congress of the United States
Washington, DC 20515

April 25, 2022

President Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Biden,

We write to you regarding the case of Steven Donziger, a human rights lawyer who has been imprisoned or on house arrest for 986 days for a criminal contempt charge related to his work on behalf of Indigenous peoples in Ecuador in their pursuit of environmental justice against Chevron. In light of the highly unusual and deeply troubling legal process of this case, we respectfully ask that you use your power of executive clemency to pardon Mr. Donziger.

In April 2021, many of us wrote to Attorney General Merrick Garland asking him to thoroughly review the ongoing legal case against Mr. Donziger. At that time, Mr. Donziger had been subjected to an unprecedented 600+ days of pre-trial house arrest while awaiting trial on a petty misdemeanor charge related to a discovery dispute. We are unaware of such restriction having been imposed on any lawyer in the United States facing a similar allegation.

We are deeply concerned that the legal case against Mr. Donziger personally was tied to his previous work again Chevron. In 2003, Mr. Donziger led a legal team in Ecuador on behalf of the Indigenous peoples, and other affected campesino communities of the Amazon basin, against Chevron for decades of dumping deadly, carcinogenic waste from oil and gas production on their lands in this environmentally fragile yet important region. The lawsuit resulted in a \$9.5 billion judgement against Chevron, an amount the company has yet to pay.

In September 2021, a United Nations Working Group on Arbitrary Detentions (Working Group) comprised of high-level international jurists and human rights experts appointed by the UN Human Rights Council concluded that Mr. Donziger's extended pre-trial detention was arbitrary under international human rights standards and therefore unlawful. The Working Group identified several violations of norms relating to the right to a fair trial and the impartiality of the legal system. Based on its findings, the Working Group called on Mr. Donziger to be released immediately and for a full and independent investigation into the unprecedented legal circumstances of the case against him.

In addition, a coalition of 56 Nobel Prize Laureates, Amnesty International USA and other human rights organizations, as well as distinguished members of the European Parliament, have issued statements calling for Mr. Donziger's immediate release and questioning his disparate treatment by the U.S. Courts. Perhaps most importantly to Mr. Donziger, the Indigenous communities in the Amazon basin that he advocated on behalf of have steadfastly stood by him over the years.

In October 2021, despite the Working Group transmitting its findings to the United States government, Mr. Donziger was sentenced to the maximum penalty of six months in prison without the possibility to be released pending an appeal. He spent 45 days in prison and has been serving the remainder of his sentence under house arrest. He is scheduled to be released on April 25, 2022.

Notwithstanding the personal hardship this unprecedented legal process has had on Mr. Donziger, we are deeply concerned about the chilling effect his case will have on attorneys working on behalf of other frontline communities, victims of human rights violations, and those seeking environmental justice in the future. Those working on behalf of marginalized communities will feel as though tactics of intimidation – at the hands of powerful corporate interests, and most troubling the U.S. courts – can succeed in stifling robust representation when it is needed most. That is a dangerous signal to send.

We respectfully ask that you use your authority to pardon Mr. Donziger. We thank you in advance for your thoughtful and expedited consideration of our request.

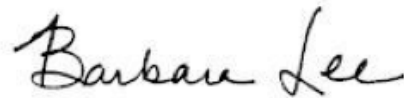
Sincerely,



James P. McGovern
Member of Congress



Rashida Tliab
Member of Congress



Barbara Lee
Member of Congress



Jamie Raskin
Member of Congress



Raúl M. Grijalva
Member of Congress



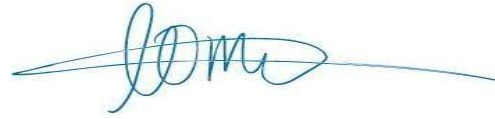
Jesús G. "Chuy" Garcia
Member of Congress



Cori Bush
Member of Congress



Ayanna Pressley
Member of Congress



Ilhan Omar
Member of Congress



Alexandria Ocasio-Cortez
Member of Congress