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## Lawyers' Rights Watch Canada

An NGO in Special Consultative Status with the Economic and Social Council of the United Nations  
Promoting human rights by protecting those who defend them  
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HRC section: Agenda item 4

Speaker: Ms. Vani Selvarajah

### **Oral Statement to the 25th Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC) & Lawyers for Lawyers (L4L), non-governmental organizations in special consultative status**

#### **Situation of Lawyers in Iran and independence of the legal profession remain precarious**

Mr. President:

LRWC and L4L welcome the report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran.<sup>1</sup> LRWC and L4L share all concerns raised including: Government action targeting lawyers<sup>2</sup> and erosion of independence of the legal profession, which is fundamental to human rights and the rule of law.<sup>3</sup>

In Iran, lawyers continue to be prosecuted, arbitrarily detained and imprisoned as a result of their human rights advocacy.<sup>4</sup> LRWC and L4L express grave concerns about reprisals against founders and members of the Centre for Human Rights Defenders. At least three founders are still imprisoned, sentenced for founding the Centre.<sup>5</sup>

While LRWC and L4L welcome the release of Ms. Nasrin Sotoudeh and Mr. Javid Houtan Kian in 2013, many lawyers remain detained. We urge the immediate release of all other lawyers detained, charged or sentenced because of their legitimate performance of professional functions.<sup>6</sup>

We share the Special Rapporteur's concerns about the draft Bill on Formal Attorneyship which could further impede the independent functioning of the legal profession.<sup>7</sup> The Bill would introduce indirect supervision of lawyers through (i) a 'Supervisory Committee' to grant and revoke licenses of attorneys<sup>8</sup> and (ii) undefined 'competent bodies'<sup>9</sup> with power to suspend lawyers from practicing law.<sup>10</sup> Despite concerns of Iranian lawyers and international organizations that the Bill severely threatens independence of the legal profession, the Bill has not been amended.

Further, despite repeated requests, the Special Rapporteur has been denied access to Iran to engage in a constructive dialogue.<sup>11</sup> We join the Special Rapporteur in urging that the government of Iran promptly facilitates a visit.<sup>12</sup> Thank you Mr. President.

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<sup>1</sup> Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Mr. Ahmed Shaheed, A/HRC/22/56, 28 February 2013 (the Report).

<sup>2</sup> Paragraph 23 of the Report.

<sup>3</sup> Paragraph 21 of the Report; Iran: IBA Concern over Access to Justice and Independence of the Legal Profession, IBA, <<http://www.ibanet.org/Article/Detail.aspx?ArticleUid=8281ffa3-1ce7-4976-a93d-e488cc0fa333>>.

<sup>4</sup> Paragraph 23 states that the Special Rapporteur is alarmed by the reports of Government action targeting lawyers.

<sup>5</sup> Mr. Ali Dadkhah, Mr. Mohammad Seyfzadeh and Mr. Abdolfattah Soltani are imprisoned.

<sup>6</sup> These lawyers include Mr. Abdolfattah Soltani, Mr. Afshin Karampour, Mr. Amir Eslami, Mr. Farshid Yedollahi, Mr. Hassan Sarchahi, Mr. Mohammed Seyfzadeh, Mr. Mohammed Ali Dadkhah, Mr. Mustafa Daneshjou and Mr. Omid Behrouzi.

<sup>7</sup> Paragraph 21 of the Report.

<sup>8</sup> Article 22 of the draft Bill.

<sup>9</sup> In the draft Bill the term 'competent bodies' is undefined.

<sup>10</sup> Article 48 of the draft Bill.

<sup>11</sup> Paragraph 2 of the Report.

<sup>12</sup> Paragraph 81 (a) of the Report.