

## **Greetings and respect,**

Ladies and gentlemen,

I would like to begin by thanking UPR-Info for the invitation and for giving me the opportunity to discuss the situation of legal practice and human rights in Iran.

I am Mohammad Moghimi, a human rights lawyer from Iran and representative of the Frontline Lawyers Association. This association was established with the aim of supporting endangered lawyers and promoting human rights in Iran. I am speaking today on behalf of a coalition of eight lawyers' and human rights organisations who have facilitated my attendance.

My statement addresses i) the systemic persecution of legal professionals and ii) interference with the independence of the legal profession.

These issues are fundamental to the rule of law and the protection of all human rights in Iran, evidenced by the range of recommendations received by Iran in previous UPR cycles: 11 referring to lawyers, 7 on the independence of the judicial system, and 1 specifically referring to the Bar Association.

### **i) Systemic persecution of legal professionals**

The Bar Associations in Iran, among the oldest civil society institutions in the Middle East, have played a vital role in defending human rights and access to justice. Lawyers in Iran, in their pursuit of freedom, democracy, and human rights, have always been at risk. After the Islamic Revolution, the associations were closed for years, and many lawyers were arbitrarily arrested.

During the "Women, Life, Freedom" protests, 3 female lawyers were killed and more than 200 lawyers were summoned or detained, often with no fair trial and harsh conditions in prison. Currently, 4 lawyers are imprisoned, and at least 16 others have been sentenced to heavy prison terms.

Unfortunately, the judiciary in Iran, which operates under the control of the Supreme Leader, who can appoint and remove judges and the Head of the Judiciary, lacks the independence to protect lawyers against government abuses.

### **ii) Interference with the independence of the legal profession**

The independence of the legal profession has been systematically undermined through laws and practice. In June 2023, the Iranian Parliament granted the Head of the Judiciary, the Ministry of Intelligence, and the Islamic Revolutionary Guard Corps' intelligence, the power to scrutinise the operation of the Iranian Bar Association and the "judicial credentials" of lawyers, enabling them to arbitrarily designate which lawyers are entitled to practise.

The government has, through an unlawful amendment to Article 48 of the Criminal Procedure Code, compelled political and ideological defendants to choose their lawyers from a list approved by the Head of the Judiciary. This not only puts independent lawyers under pressure, but also violates the right to a defence and weakens the overall human rights system in Iran.

## **Recommendations:**

I urge the international community and the UN Human Rights Council to pay special attention to the situation of lawyers in Iran. Iranian lawyers, who stand at the forefront of defending human rights, need support and protection. Today, the global community must be the voice of these courageous lawyers.

To support the independence of the legal professions in Iran, I propose the following recommendations to Iranian authorities:

1. Ensure that lawyers can perform their professional functions without intimidation, hindrance, harassment or improper interference.
2. Ensure the immediate and unconditional release of lawyers, who have been arbitrarily detained and prosecuted for conducting their legitimate professional activities.
3. Stop all interference with the Iranian Bar Association and restore its position as the principal body organising and representing lawyers.
4. Uphold the right to a fair trial, and guarantee everyone's right of access to a lawyer of their choosing, including by repealing the amendment to Article 48 of the Criminal Code of Procedure.

5. Repeal all laws that interfere with the independence of the judiciary.

Thank you for your attention, and I hope we can make positive changes in supporting endangered lawyers in Iran.

Thank you very much.