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# Systemic persecution of lawyers and interference with the legal profession in Iran

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# Systemic persecution of lawyers

- Lawyers in Iran have been subjected to harassment, arbitrary prosecution and deprivation of liberty, and unfair trials.
- Many have faced threats from security forces, been charged with national security-related offences, and tried before the Revolutionary Courts, when seeking to represent their clients.
- During the 'Woman, Life, Freedom' protests, from Sept 2022 - March 2023, at least 66 lawyers were arrested for performing their professional duties, with at least 11 sentenced to imprisonment. Some have even been forced to flee the country, fearing for their lives.



# Interference with the independence of the Iranian Bar Association (IBA)

- 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 IBA and to “evaluate the judicial credentials” of lawyers affiliated with the IBA, enabling them to designate which lawyers are entitled to practise.
- A separate body of legal practitioners (the Centre of Legal Advisors and Experts of the Judiciary) was established to operate under the direct supervision of the judiciary, in parallel, and in competition, with the IBA.

# Lack of fair trial guarantees

- A Note to Article 48 of the Code of Criminal Procedures requires detainees arrested for crimes of internal or external security or organised crime (offences typically used against lawyers, human rights defenders and political opponents) to select their lawyers from a list approved by the Head of the Judiciary during the investigation phase.
- This means detainees cannot access a lawyer of their choosing during the investigation phase, when most at risk of torture and coerced confessions.
- In practice, the application of this provision has been extended by Revolutionary and criminal courts beyond the investigation phase to all stages. Since the start of the 2022 protests, independent lawyers have largely not been permitted to defend their clients in trials before these courts.



# Recommendations

- Ensure that lawyers can perform their professional functions without intimidation, hindrance, harassment or improper interference.
- Ensure the immediate and unconditional release of lawyers, who have been arbitrarily detained and prosecuted for carrying out their legitimate professional activities.

# Recommendations

- Stop all interference with the Iranian Bar Association and restore its position as the principal body organising and representing lawyers.
- Uphold the right to a fair trial, and guarantee everyone's right of access to a lawyer of their choosing, including by repealing the Note to Article 48 of the Criminal Code of Procedure.
- Repeal all laws that interfere with the independence of the judiciary.

# Thank you, from all members of our coalition:

- Law Society of England and Wales
- Lawyers for Lawyers
- Frontline Lawyers
- Iran Human Rights Documentation Center
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