

**United Nations Human Rights Council
39th Regular Session
Agenda Item 6**

Oral Statement on the outcome of the Universal Periodic Review of Azerbaijan

AZERBAIJAN: ACCESS TO JUSTICE & THE INDEPENDENCE OF LAWYERS & THE LEGAL PROFESSION

20 September 2018

The International Commission of Jurists (ICJ) welcomes the acceptance by Azerbaijan of the recommendations by France (140.70), by Greece (141.12), Austria (141.13), Estonia (141.68), Slovenia (141.71), and Mexico (141.77), to respect the rights of lawyers.

The ICJ regrets, however, that Azerbaijan only noted and did not explicitly support the recommendations by Sweden (141.33), USA (141.39), Czechia (141.67) and Germany (141.76) and rejected the recommendation by the United Kingdom (141.60) to “End all interference in the work of lawyers through disbarment or other disciplinary measures on improper grounds such as expressing critical views »

These recommendations call for the amendment of the Law on Advocates and Advocates' Activities to ensure the effective independence of the Bar Association of Azerbaijan. They also call for the setting up of independent and transparent mechanisms for lawyers' admission to practice, and disciplinary proceedings against lawyers, in conformity with the UN Basic Principles on the Role of Lawyers.

The ICJ notes that the support of most recommendations is predicated on the assumption that the situation of the independence of the legal profession in Azerbaijan is in line with international law.

This, however, not the situation in the country.

The ICJ expresses concern at the persistent lack of independence of the Bar Association of Azerbaijan; indeed, it has actually played a role in undermining the work of lawyers defending human rights. The situation is exacerbated by recent hasty reforms that prohibit lawyers from appearing in any court hearing unless they are members of this non-independent Bar association, furthermore without a sufficient and meaningful transition period. This seriously curtails access to justice for human rights violations in the country.