

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations

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Organization: Lawyers' Rights Watch Canada

Item: Item 4: Interactive Dialogue with the Special Rapporteur on the Islamic Republic of Iran

Date: 11 March 2019

Speaker: Ms. Hélène Ramos dos Santos

Oral Statement to the 40th Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), NGO in special consultative status

Re: Ongoing and Intensified Wrongful Treatment of Lawyers in the Islamic Republic of Iran

Mr. President,

Lawyers' Rights Watch Canada thanks the Special Rapporteur for his report¹ and calls on Council to take action to stop the criminalization of legal practice and peaceful human rights work in Iran.

LRWC's written report to Council in 2014² outlined Iran's failure to fulfil its obligations under the ICCPR³ and the UN *Basic Principles on the Role of Lawyers*.⁴ Iran continues to unlawfully intimidate and harass lawyers and human rights defenders. Iran has intensified its crackdown on lawyers and defenders since mid-2018,⁵ including the arbitrary arrest and ill-treatment of lawyers such as Amirsalar Davoudi, Arash Keykhosrqavi, Farokh Forouzan, Hoda Amid, Peyam Derafshan, Qasem Sholehsaadi, and Zeinab Taheri.⁶

LRWC notes that of nine lawyers wrongfully prosecuted and arbitrarily detained between 2009 and 2014, authorities continue to unlawfully interfere with human rights lawyer Nasrin Sotoudeh's lawful representation of cases. Authorities arbitrarily arrested Ms. Sotoudeh on 13 June 2018 in relation her defense of women protesting Iran's forced veiling laws and her opposition to the death penalty. She was subjected to an unfair trial conducted in her lawyer's absence on 30 December 2018. She remains arbitrarily detained in Evin Prison.⁷

As noted by the Special Rapporteur,⁸ imprisonment of lawyers undermines the protection of all rights, including fair trial rights. LRWC supports his recommendations made at paragraph 70, particularly sub-paragraph (j). LRWC also urges Council to call on Iran to:

1. Halt attacks on those advocating for human rights through their legal practice, peaceful work and writings; and
2. Immediately and unconditionally exonerate and release Nasrin Sotoudeh and all other arbitrarily arrested and detained lawyers and defenders.

Thank you, Mr. President.

References

¹ UN Human Rights Council, Situation of human rights in the Islamic Republic of Iran - Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, A/HRC/40/67, 30 January 2019, available at: http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/40/67.

² Joint written statement submitted by the Asian Legal Resource Centre, a non-governmental organization in general consultative status, the Lawyers' Rights Watch Canada, the Lawyers for Lawyers, non-governmental organizations in special consultative status, A/HRC/26/NGO/82, 6 June 2014, available at: <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/26/NGO/82&Lang=E>; or at <http://www.lrwc.org/ws/wp-content/uploads/2017/08/26-NGO-82.pdf>.

³ UN General Assembly, *International Covenant on Civil and Political Rights*, 16 December 1966, United Nations, Treaty Series, vol. 999, p. 171, signed by Iran on 4 April 1968, ratified on 24 June 1975, available at: <https://www.refworld.org/docid/3ae6b3aa0.html>

⁴ UN *Basic Principles on the Role of Lawyers*, Adopted by the Eighth UN Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990), available at: <https://www.ohchr.org/en/professionalinterest/pages/roleoflawyers.aspx>.

⁵ “Iran: Intensified Crackdown on Rights Defenders” Human Rights Watch, 5 September 2018, available at: <https://iranhumanrights.org/2018/12/crackdown-on-defense-lawyers-in-iran-amirsalar-davoudi-not-heard-from-since-arrest/>.

⁶ Amnesty International, Iran: Arrests of lawyers and women’s rights activists signal intensifying crackdown on civil society, available at: <https://www.amnesty.org/en/latest/news/2018/09/iran-arrests-of-lawyers-and-womens-rights-activists-signal-intensifying-crackdown-on-civil-society/>; “Iranian lawyer arrested for asserting executed Sufi man’s innocence,” Radio Free Europe/ Radio Liberty, 12 June 2018, available at <https://www.rferl.org/a/iran-lawyer-arrested-for-claiming-executed-sufi-man-s-innocence/29310350.html>.

⁷ “Human Rights Lawyer Nasrin Sotoudeh Convicted of ‘National Security’ Crimes,” Iran Human Rights Monitor, 8 March 2019, available at: <https://iran-hrm.com/index.php/2019/03/08/human-rights-lawyer-nasrin-sotoudeh-convicted-of-national-security-crimes/>.

⁸ Report of the Special Rapporteur, *supra* note 1, at p. 17.