



**United Nations Human Rights Council
35th Regular Session 06 June to 23 June 2017
Agenda Item 3**

**Interactive Dialogue with Special Rapporteur on the independence of
judges and lawyers**

**Joint¹ oral statement of the International Bar Association's Human
Rights Institute²
12 June 2017**

Thank you Mr President.

The International Bar Association's Human Rights Institute (IBAHRI) and the five co-sponsoring organisations welcome the first annual report of the Special Rapporteur on the Independence of Judges and Lawyers, Mr Diego Garcia Sayan.

We warmly welcome the priorities identified by the Special Rapporteur for his mandate. We especially welcome the focus on the situation of lawyers at risk and the issue of bar associations.

The IBA's 2016 report on Benchmarking Bar Association explains the fundamental role of self-governing bar associations for protection of the rule of law and human rights. It provides a comprehensive overview of the benchmarks for bar associations to ensure a society based on the rule of law that guarantees access to justice and rights for all.

¹ Co-sponsoring organisations: **International Bar Association's Human Rights Institute, Commonwealth Magistrates' and Judges' Association, Judges for Judges, Lawyer's Rights Watch Canada, Lawyers for Lawyers, Law Society of England and Wales, Southern Africa Litigation Centre**

² The [International Bar Association](#) (IBA), established in 1947, is the world's leading organisation of international legal practitioners, bar associations and law societies. Through its global membership of individual lawyers, law firms, bar associations and law societies it influences the development of international law reform and shapes the future of the legal profession throughout the world.
The [International Bar Association's Human Rights Institute](#) (IBAHRI), an autonomous and financially independent entity, works to promote, protect and enforce human rights under a just rule of law, and to preserve the independence of the judiciary and the legal profession worldwide.

We note with concern the increasing lack of respect for the independence of lawyers, prosecutors and judges, and we encourage the Council to give lawyers and other jurists focus as human rights defenders, as key to safeguarding their independence and security. Such focus is important, as they have been subjected to threats and attacks due to the very nature of legal practice, but also, and increasingly, for their role in protecting the right to fair trial and defending individuals and causes.

States must continuously ensure that laws and regulations fully comply and implement with the UN Basic Principles on the Independence of Lawyers, the UN Basic Principles on the Independence of the Judiciary, and the UN Guidelines on the Role of Prosecutors.

While the issue of corruption is essential to the mandate, we encourage the Special Rapporteur to consider corruption from the State itself, as well as private entities.

We warmly welcome the Special Rapporteur's interest in collaboration with civil society and our organizations stand ready to work collaborate with him to fulfil his mandate.

Thank you Mr President.

This statement was delivered by:
Laure Elmaleh, IBAHRI UN Geneva Consultant, Laure.Elmaleh@int-bar.org