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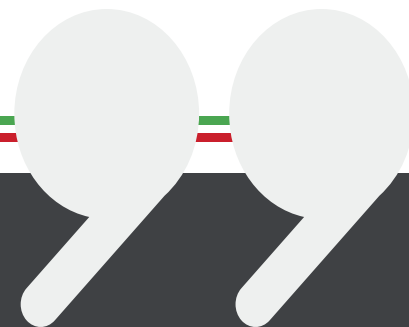
INTERNATIONAL
OBSERVATORY
OF LAWYERS

BROCHURE

INTERNATIONAL DAY FOR LAWYERS IN DANGER



IRAN



Since 2009, the International Day for Lawyers in Danger has been marked in cities, countries and continents around the world on the **24th of January, commemorating** the 1977 "Atocha Massacre" in which four colleagues were murdered in Madrid, at Calle Atocha 55.

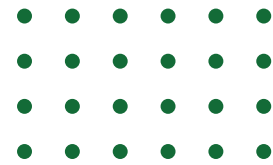
The purpose of this international day is to draw the attention of civil society and public authorities to the situation of lawyers in a particular country, chosen each year, in order to spotlight the

threats they face in exercising their profession.

Following on from the situation of lawyers in Turkey, the Philippines, Honduras, China, Egypt, Pakistan, Azerbaijan, Colombia and Afghanistan, the International Day for Lawyers in Danger 2024 will focus on the situation of lawyers in **Iran**.

BACKGROUND

Persecution by the police:



Since the announcement of Jina Mahsa Amini's death in custody in September 2022, the Iranian authorities have been trying to quell the revolt that is shaking the country. The many demonstrations that set the country ablaze in the autumn of that year were violently repressed by the Iranian authorities.

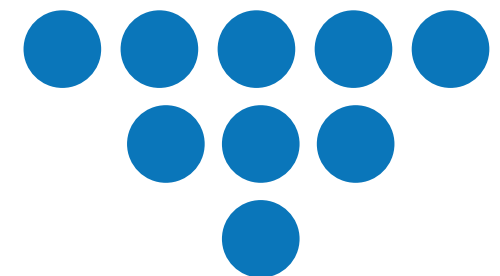
- According to the [NGO Iran Human Rights](#), at least 537 Iranian men and women, including 68 children, were killed by the Iranian security forces during the demonstrations.
- The [February report by the UN Special Rapporteur](#) highlights the fact that Iran's ethnic and religious minorities, who have long suffered discrimination, are the hardest hit by the current crackdown. More than half of the deaths linked to the demonstrations occurred in provinces populated by Baluchis and Kurds.
- [Hundreds of people have been blinded or have suffered serious eye injuries from metal projectiles fired by the security forces.](#) Medical staff report that the **authorities target women during demonstrations**, leaving hundreds with irreversible injuries. Finally, many demonstrators refuse any medical treatment for fear of being arrested.

In his 2023 report, the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, [Javaid Rehman](#), [expressed concern](#) about **"the continued repression and targeting** of civil society activists, human rights defenders, women's rights activists, **lawyers** and journalists (...)". The [Human Rights Committee](#) **had also noted the restricted access to a lawyer and, what is more, to a fair trial.**

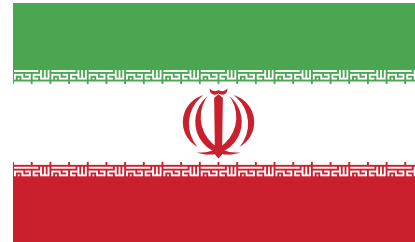
Summary trials for demonstrators:

The Iranian authorities have issued [more than a thousand indictments in connection with the protests that took place between September and November 2022](#). This has alarmed the [UN Special Rapporteur](#). Summary trials are being held in violation of the State's obligation to guarantee everyone's right to a fair trial and due process.

The vast majority of those arrested during the demonstrations did not have access to a lawyer. In the rare cases where court-appointed lawyers have attempted to obtain justice, **their efforts have been severely hampered by the speed with which defendants are sentenced.** Lawyers are often given only a few hours, or even minutes, to examine files (or are denied access to files) and therefore simply do not have the time or opportunity to prepare their defence effectively.



THE LEGAL PROFESSION UNDER CONTROL



It appears that **prisoners charged in connection with the recent protests have been [assigned lawyers with links to the authorities](#)** under Article 48 of the Iranian Code of Criminal Procedure.

Although Iran has been a member state of the International Covenant on Civil and Political Rights (ICCPR) since 1975, the situation has deteriorated considerably in recent months, with the Iranian regime constantly violating the right to a fair trial and the rights of the defence.

Those arrested are forced to use lawyers on a list approved by the head of the judiciary, Gholam-Hossein Mohseni Ejei, notorious for his human rights violations. This list only includes lawyers approved by the judiciary as "trusted lawyers".

[There are various categories of lawyers in Iran:](#)

1

The first category comprises affiliated lawyers who are members of the Bar which vets them. They are **independent lawyers who take on all kinds of cases. Some of them focus more on cases of human rights violations**, supporting their clients in the media and refusing to cooperate with the security agencies. This is therefore the most persecuted group.

2

The second category comprises a **group of lawyers who are also members of the Bar Association**, which is also responsible for issuing their licences. Like the first category, they also accept all types of cases, but the lawyers in this category appear on the list of "trusted lawyers". This list is prepared by the Judiciary and these lawyers are generally called upon to handle political and security cases.

3

The third category comprises **lawyers under article 187 who are not members of the Bar association and are chosen entirely by the Judiciary, which even issues them their licence**. As part of its ongoing efforts to deprive lawyers of their independence, the Judiciary has issued more licences to lawyers in this category in recent years.

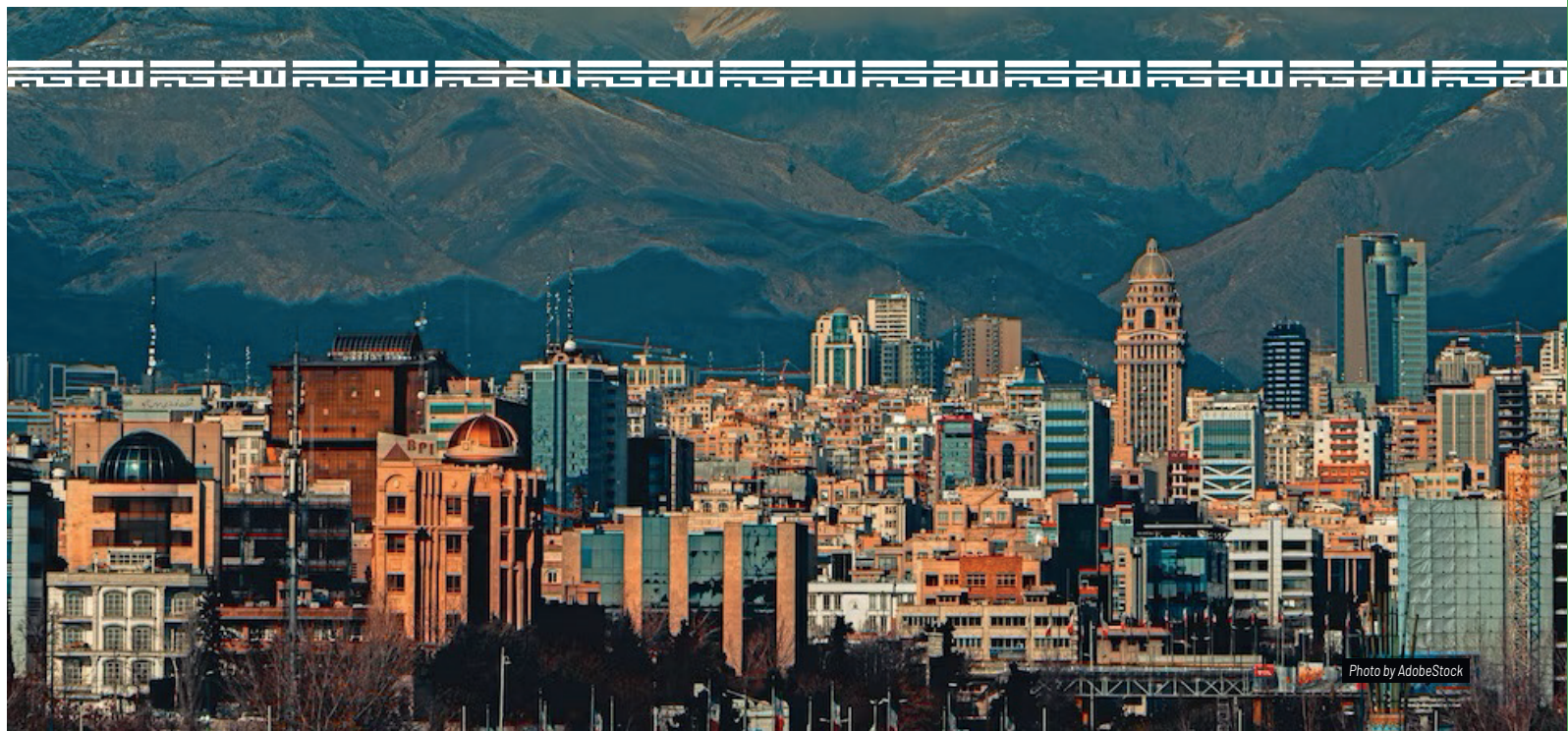
THE HAZARDOUS SITUATION OF LAWYERS IN IRAN



Lawyers specialising in the defence of human rights are often **prevented from meeting their clients and having access to files and evidence**. In some cases, they have even been banned from attending court hearings.

Human rights lawyers subject to arrests and threats

The more lawyers fight for their independence, the more they are persecuted. **Lawyers who defend human rights have always been targeted**, and many have been **sentenced to long prison terms or have left the country to escape prosecution**. Last year, five lawyers were **murdered** and ten others were **targeted and injured** in failed assassination attempts. These threats, along with others such as phone tapping, criminalisation and disbarment, are all examples of threats to human rights lawyers that have intensified, particularly following the death of Jina Mahsa Amini and the subsequent national uprising.

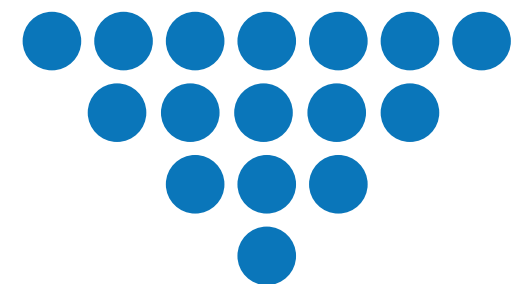


Lawyers targeted for representing demonstrators

Between September 2022 and May 2023, at least 66 defence lawyers were **arrested by the Iranian security forces** to prevent them from seeking justice for activists and demonstrators who had been arbitrarily arrested. As of 9 August 2023, at least [at least 54 Iranian lawyers who had expressed their support for the family of Jina Mahsa Amini after her death had been summoned to court.](#)

The involvement of human rights lawyers is grounds for arrest by the Iranian authorities who regard the activism of human rights defenders as a threat to the regime in power. These **arrests are often unfounded and constitute flagrant restrictions of the legal profession in the country**. Furthermore, torture and ill-treatment in detention, harassment of lawyers' families and summary trials all exacerbate the violations identified.

The **Iranian regime violates lawyers' right to perform all their professional duties without intimidation, hindrance, harassment or undue interference**. The State is also violating Principle 16 of the Basic Principles on the Role of Lawyers by threatening them with prosecution for actions they undertake in accordance with recognised professional duties, standards and ethics.



THE IRANIAN BAR UNDER CONTROL



Since **the Islamic revolution of 1979**, the Bar Association has not been able to adequately protect lawyers from state-imposed pressures, let alone guarantee their safety.

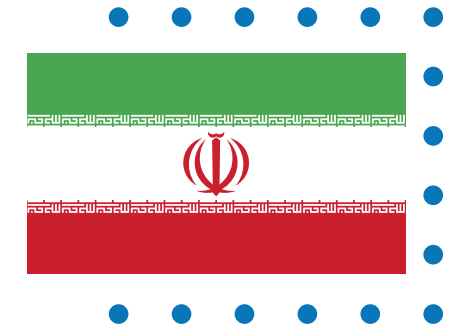
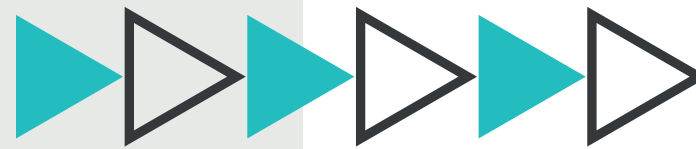
Under the Islamic Republic, State bodies and the judiciary have exerted constant and increasing pressure on the bar associations and have gradually stripped them of their autonomy and authority by enacting various laws.

A week before becoming president, Ebrahim Raisi, as chief justice, introduced a **series of regulations in June 2021 to restrict bar associations**. Raisi also introduced another set of regulations a year earlier, in May 2020, which led more than 12,000 legal practitioners to write to him alarmed by their "devastating" impact, and to denounce the distortions of "fair legal enquiry procedures".

On 21 August 2023, **Parliament approved a new bill that effectively transforms the Bar Associations into subsidiaries of the State** by obliging them to comply with the decisions of the Regulatory Council of the Ministry of the Economy. The resolution also gives the Ministry of the Economy the power to issue, renew and revoke lawyers' licences and to evaluate their performance in coordination with the Ministry of Justice and the Judiciary. The Ministry is required to create a "system for evaluating the commitment and effectiveness of lawyers by clients" and to publish the "results of the evaluation of each lawyer by previous clients".



PORTRAITS OF LAWYERS



Portrait of Nasrin Sotoudeh, Iranian lawyer



Nasrin Sotoudeh is a **human rights lawyer** whose activism earned her the **prestigious Sakharov Prize in 2012 and the Alternative Nobel Prize in 2020**. She has defended opposition politicians, women who refused to wear the hijab and prisoners sentenced to death for crimes committed when they were minors.

Ms Sotoudeh was first arrested in 2010 and imprisoned in Evin prison. She was finally released in 2013, after which she decided to continue her activism. In 2018, after defending women prosecuted for taking part in peaceful demonstrations against the imposition of the hijab she was arrested again and sentenced to a total of **38 years in prison (12 of which were mandatory) and 148 lashes by the Iranian authorities**. Nasrin Sotoudeh carried on serving her sentence from her home in July 2021 for medical reasons. She was arrested again and severely beaten on 29 October 2023, while attending the funeral of Armita Garavand, a young Iranian woman who died following her arrest for "not wearing a headscarf".

Nasrin Sotoudeh's husband, Reza Khandan, was also the subject of reprisals in February 2023, a few days after he made a statement to the effect that **Iranian demonstrators wanted a change of regime**. These sanctions demonstrate the Iranian government's determination to silence Nasrin Sotoudeh and her husband, who work together for human rights.

Portrait of Amir-Salar Davoudi, Iranian lawyer



Amir-Salar Davoudi is a **human rights lawyer and a member of the Human Rights Commission of the Iranian Bar Association**. He is also the founder and director of a Telegram channel called "Without Retouching". Throughout his tenure, Mr Davoudi has **represented numerous human rights defenders and political prisoners**.

He was **arrested by security guards at his law office** on 20 November 2018. On 28 May 2019, he was sentenced to **30 years in prison and 111 lashes by Tehran's Revolutionary Court**, which charged him with "insulting the Supreme Leader", "spreading propaganda against the system" and "forming a group with the aim of disrupting national security", all in connection with his human rights work.

On 1 December 2021, at a retrial, he was **again sentenced to fourteen years in prison by Section 36 of the Tehran Court of Appeals**, including two years for "insulting the Supreme Leader", two years for "disconcerting public opinion" and ten years for "forming a group with the aim of acting against national security". He is currently serving a ten-year sentence. His application for judicial review was rejected by Iran's Supreme Court in May 2023.