

**Ayatollah Sayyid Ali Khamenei
The Office of the Supreme Leader
Islamic Republic Street
End of Shahid Keshvar Doust Street
Tehran
Islamic Republic of Iran**

Brussels, 9th of April 2013

Re: Concerns regarding the proposal of a Bill entailing serious restrictions of the independence of the legal profession

Your Excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it has also observer representatives from a further eleven European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE writes to express its serious concerns over the Iranian government's proposal for a draft Bill on the regulation of the legal profession, the provisions of which Bill constitute a worrisome attack on the independence of the legal profession in Iran. According to information we have received the proposed Bill seems to pursue the single purpose of bringing the Iranian Bar Association under the control of the judiciary, while not providing any adequate protection for the independence of lawyers and the Bar".

The CCBE has been informed that the draft Bill provides for the constitution of a Supervision Commission with broad powers concerning the determination of lawyers' competence to practise, as well as the suspension and revocation of licences to practise. The Commission would also administer the bar exams and influence the constitution of the Bars' board of directors.

In addition the decisions made by the Commission will not be able to be challenged, and the properties and assets of the Bar would be transferred to the authority of the Commission.

The CCBE believes that the proposed provisions, together with the recent imprisonment of several prominent human rights defenders, including Nasrin Sotoudeh and Abdolfattah Soltani, constitute a serious infringement on the independence of lawyers in Iran. The independence of lawyers and of

their self-governing associations is an essential requirement for the promotion and protection of human rights and the rule of law.

In this context, the CCBE wishes to draw to your attention the following Articles of the United Nations Basic Principles on the Role of Lawyers (1990):

Article 16 states that:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Furthermore, Article 24 states that:

24. Lawyers shall be entitled to form and join self-governing professional associations to represent their interests, promote their continuing education and training and protect their professional integrity. The executive body of the professional associations shall be elected by its members and shall exercise its functions without external interference.

In view of the above, the CCBE respectfully urges you to immediately withdraw the proposed Bill or to introduce necessary amendments to bring the Bill in line with the abovementioned United Nations' Basic Principles. The CCBE also urges you to take immediately and effective steps to guarantee that lawyers in Iran are able to practise their professional activity independently and free from any improper interference.

Yours sincerely,



EVANGELOS TSOUROULIS

CCBE President