

**Speech Dr Shirin Ebadi**  
**CCBE Plenary Session 29 November 2019**  
**Brussels**

Ladies and Gentlemen

I would like to thank you for paying attention to your Iranian colleagues. I remember many years ago, when I had just started Law School, one of my professors said to me: The knowledge that you are acquiring here is sacred. You must use the sacred knowledge of the law only to administer justice. Today, I am happy to be among lawyers who place pursuit of justice above all else. And we all know that justice knows no borders. We must fight injustice, be it in our country or anywhere else in the world. Justice has no borders.

I was rather hoping that our lawyers who are in prison because of their work and in the pursuit of justice would be commended by the Iranian Bar Association. However, this is not possible for reasons that I shall explain to you.

As you are aware, in 1979 an Islamic Revolution occurred in Iran. And from that moment, the entire legal system in Iran changed. Punishments dating back to the Middle Ages, such as stoning, cutting off thieves' hands and flogging, were adopted and entered Iran's legal system. Iranian people, particularly lawyers, objected vehemently, calling such laws unjust.

What the Islamic Republic did was to shut down the Bar Association. It then proceeded to assign the Bar's management to a Judiciary representative. Hence, for all intents and purposes, we did not have a Bar Association in the first 16 years of the Islamic Republic, as all its affairs were handled by the Judiciary. So, it is not hard to imagine the oppression independent lawyers were subjected to in such a situation. Many lawyers had their licences revoked; some were imprisoned. Subsequently, thanks to international pressure, the regime allowed the Bar Association to reopen after 17 years, but not before they adopted a law based on which any lawyers wishing to run in the election for the Bar Association's board of directors had to first have their qualifications approved by the Judiciary's Supreme Disciplinary Court, which, in turn, would make enquiries from the Intelligence Ministry. Subsequently, a list was drawn up of candidates whose qualifications were

endorsed. Bar members would then be allowed to elect members of the board of directors from that list. On many occasions, well-known lawyers, including Abdolfattah Soltani, Nasrin Sotoodeh, or even myself, registered as candidates to prove that these elections were improper. But they always rejected our applications, telling us we were not deemed qualified - because the Intelligence Ministry had not given permission. In such circumstance, the Bar Association is effectively managed by the regime's representatives not by bona fide representatives of lawyers. That is why we see that whatever adversity befalls lawyers in Iran, not a single group accepts to defend them. Moreover, on occasions, the very Bar Association acts against its members instead of defending them. We have many examples of that. For this very reason, many lawyers in Iran have ended up behind bars; merely for representing political and ideological defendants. The regime represses the people, arrests pro-democracy activists, while also repressing and arresting lawyers representing those activists. For example, I had co-founded an NGO with my colleague, Mr Abdolfattah Soltani, at which several like-minded lawyers, including Ms Sotoodeh, represented political and ideological defendants on a pro bono basis. The reason for our action is obvious: these defendants did not have the financial wherewithal to employ a decent lawyer. Hence, we provided pro bono representation to any pro-democracy activists who would turn to us for help after being arrested. Consequently, we all ended up in prison. I too was imprisoned for representing the family of a student shot dead by the police, after I filed a complaint against the police chief. What's interesting is that the first thing the prosecutor would say to us upon arrest was: 'Why do you provide pro bono defence? Why do you not take any money? You must have a foreign government, such as the United States, offering you money to be able to afford providing pro bono defense.' My response to the prosecutor was: 'Mr Prosecutor, my client has no money to give me. That is why we represent arrested individuals who are poor. Defending my client in court does not mean that I am cooperating with him. In that case, do you deem a lawyer who defends a murderer an accessory to the crime? Do you also see the lawyer as a murderer? Well. Our situation is the same. I am merely defending my client.'

Naturally, since Iranian courts are not independent, our defence is not heard. I witnessed on many occasions how security agents would tell our clients during interrogation in prison – after subjecting them to much torture – that if

you cooperate with us, we will make sure that your sentence is mitigated. Otherwise you will be sentenced to (for example) 15 years. And I would see how the judge would subsequently issue exactly that very sentence suggested by the interrogator. The judge has no independence whatsoever concerning cases related to political activists or religious minorities. The order comes from the security agent and the judge simply executes that order and signs the verdict.

Independence of the Judiciary in Iran has been totally obliterated. In the recent days an incident occurred in Iran after the government tripled the price of petrol overnight. The people protested and took to the streets everywhere around the country. The Iranian government shut down internet throughout the country for five days to cut off any contact with the outside world. It then proceeded to kill people on the streets. Based on the information that has reached me, supported by photographs and identification details, some 200 people have been killed, six of whom were juveniles under 18 years of age. They were all young people who were protesting against the political situation in Iran and the prevailing poverty. Many people were arrested. One of the country's MPs told a parliament session that 7000 people had been arrested. Of course, we know that the real figure of those arrested is much higher. And this trend has been continuing. More and more are arrested every day. The situation resembles that of Turkey after the failed coup attempt. And you saw the number of arrests then. A very similar situation is happening in Iran. There are three lawyers among those arrested; but I must contact their respective families first and ask for their consent before disclosing their identities.

Such is the situation in Iran. Lawyers no longer dare defend political activists, lest they end up in prison themselves. Moreover, the Bar Association does not defend its members. Therefore, in such circumstances, we greatly appreciate any support from colleagues outside Iran, such as the support given to us by you - our European colleagues. I thank you for commending these four lawyers; in doing so you have effectively shone the spotlight on the perilous predicament of lawyers as well as the violation of human rights in Iran. The fate of all of us in this world is intertwined. We cannot be indifferent to incidents occurring in another country. I would like to thank you for attaching great importance to rule of law in your respective countries, while also giving heed to the situation in other countries. I hope that one day

we may witness such gatherings in Iran and in other countries that are in a similar position as Iran. Thank you.