



**Human Rights Council
37th Regular Session
26 February to 23 March 2018
Agenda Item 3**

Joint Oral Statement in the Clustered Interactive Dialogue
with the Special Rapporteur on Human Rights Defenders and the Special Rapporteur on Torture

Delivered by the International Commission of Jurists (ICJ) on behalf of the International Bar Association's Human Rights Institute (IBAHRI), Union Internationale des Avocats (UIA), Lawyers for Lawyers (L4L), the Law Society of England and Wales, Lawyer's Rights Watch Canada (LRWC), and the Bar Human Rights Committee of England and Wales (BHRC)

ATTACKS ON LAWYERS AND THE LEGAL PROFESSION IN CHINA, AZERBAIJAN, KAZAKHSTAN AND TURKEY

1 March 2018

Mr President, Mr Special Rapporteurs

Our organizations welcome that the main report ([A/HRC/37/51](#), para 13) and communications report ([A/HRC/37/51/Add.1](#), e.g. paras 278-297, 431, 508-510) of the Special Rapporteur on Human Rights Defenders recognizes the role of lawyers as human rights defenders. In this regard, we would highlight the global problem of continued attacks on lawyers and threats to the independence of their profession, including for example as is well known in China ([A/HRC/37/51/Add.1](#), paras 278-297), but also in Azerbaijan, Kazakhstan and Turkey.

In Azerbaijan, lawyers face criminal prosecution, suspension or disbarment for statements clearly constituting protected freedom of expression. The lack of independence of the Bar Association is a serious concern, even more so now that new legislation prohibits lawyers from representing clients before courts unless they become a member.

In Kazakhstan, a proposed new law threatens the independence of lawyers by providing for representatives of the executive to be included on disciplinary bodies of the legal profession, contrary to international standards.

Finally, the situation of lawyers in Turkey under the current state of emergency is of particular concern. In particular, echoing the recent [statement](#) of five UN special procedures mandate holders for his release, we express concern at the current detention of Taner Kiliç, lawyer and president of Amnesty International Turkey.

These arrests, trial and disbarments as well problematic legislative changes have a chilling effect on the work of lawyers. They undermine access to effective and independent legal assistance to protect human rights, in contravention of the rights of both the lawyers and their clients, including as mentioned in the report of the visit to Turkey by the Special Rapporteur on Torture ([A/HRC/37/50/Add.1](#), paras 24, 26, 41, 63-66, 71, 101(d)(e)(h), 106(c)).

Our organizations urge the Council to address these worrying developments threatening the rule of law.

Statement delivered by Mr Massimo Frigo of the International Commission of Jurists ([massimo.frigo\(a\)icj.org](mailto:massimo.frigo(a)icj.org) , [+41 22 979 3805](tel:+41229793805))