

*Le bâtonnier*

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Paris, March 4th 2013

Your Excellency,

I am writing you on behalf of the Paris Bar association representing 24 500 members, about the new Bill of “Formal Attorneyship” proposed by the Iranian Judiciary and examined by the Commission of Government Bills.

The Paris Bar considers that this new Bill could be regarded as a very dangerous threat to legal practice in Iran and to independence of the Bar

One of the most controversial changes of this Bill seems to be creation of a dependent body called the supervision Commission whose members would be appointed by the head of the Judiciary.

In addition, the new Bill runs counter to international instruments and the Iran’s obligations under international law. According to international standards, not only is an individual guaranteed the right to counsel and a defence, but those services should be provided through independent lawyers. The preamble of the UN Basic Principles on the Role of Lawyers (1990) stresses the necessity of “effective access to legal services provided by an independent legal profession”.

Moreover, the contravention of the right to defence and the prevention of access to independent lawyers will lead to violation of the right to “fair trial” which is stipulated in numerous international instruments including in article 10 of the Universal Declaration of Human Rights and article 14 of the International Covenant on Civil and Political Rights.

As a result, lawyers will not be capable of effectively defending their clients’ rights.

Therefore, we urge you to withdraw the Bill as soon as possible and respect the international standards regarding independence of the Bar and safeguarding the right to defence and guaranteeing fair trial.

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We look forward to hearing from you on this important matter.

Yours respectfully,



Christiane Féral-Schuhl