



Law Council  
OF AUSTRALIA



Lawyers' Rights Watch Canada



**UN Human Rights Council, 47<sup>th</sup> session**  
**Agenda Item 3**

**Interactive Dialogue with the UN Special Rapporteur on the Independence of Judges and Lawyers**  
**28 June 2021**

*Joint Statement of the International Bar Association's Human Rights Institute, Lawyers for Lawyers, National Union of Peoples' Lawyers, Lawyers' Rights Watch Canada, The Law Council of Australia*

The International Bar Association's Human Rights Institute (IBAHRI), Lawyers for Lawyers, Lawyers Rights Watch Canada, National Union of Peoples' Lawyers, The Law Council of Australia, welcome the recent report of the Special Rapporteur.

We are alarmed that the pandemic provided a legitimate justification for some governments to enact measures that limit fundamental rights and freedoms, without regard for the principles of legality, necessity and proportionality. In India, Turkey and Belarus, the judiciary has selectively used legislation to intimidate dissenting voices, approving systematic human rights violations by state agents. In Azerbaijan and the Philippines, emergency measures adopted under the guise of containing the spread of COVID-19 further limited the independence of lawyers.

Digital justice in remote pre-trial detention hearings endangered confidential communication between lawyers and clients and the assessment of any undue pressure, like in Poland and Hungary. In recent months, lawyers who have been representing individuals arrested during mass protests have experienced difficulties in accessing their clients, like in Thailand, the Russian Federation, Belarus and Algeria.

We witness lawyers being targeted simply for performing their duties, with states often the source of these threats. June 13th marked the third anniversary<sup>1</sup> of the imprisonment of Nasrin Sotoudeh's<sup>2</sup> who, like many other imprisoned lawyers in - for example - Iran, Turkey and Egypt, remains excluded from COVID-19 prisoner release programmes. We reiterate that judicial independence is a key pillar of the rule of law, and we call on states to protect the independence of judges and lawyers from any undue interference including during the pandemic.

This statement was delivered by:

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<sup>1</sup> <https://lawyersforlawyers.org/wp-content/uploads/2020/12/Joint-statement-Nasrin-4Dec2020.pdf>

<sup>2</sup> [www.ihonet.org/Article/NewDetail.aspx?ArticleId=11044300-16b9-4c05-83f6-177a29d7c9d5](http://www.ihonet.org/Article/NewDetail.aspx?ArticleId=11044300-16b9-4c05-83f6-177a29d7c9d5)