



## THE BAR ASSOCIATION OF INDIA

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### Statement of Concern on the CBI Search at the Residence and Offices of Senior Advocates Indira Jaising and Anand Grover

The Bar Association of India during its Executive Committee Meeting held on 13<sup>th</sup> July, 2019 noted with concern the search conducted by the Central Bureau of Investigation (CBI) at the residence and offices of noted Senior Advocates, Ms. Indira Jaising and Mr. Anand Grover.<sup>1</sup> The meeting was presided by Dr. Lalit Bhasin, President, BAI and attended by Mr. Prashant Kumar, President-Elect, BAI, Mr. Amarjit Singh Chandhiok, Vice President, BAI, Mr. Shyam Divan, Vice President, BAI, Mr. Uday Prakash Warunjikar, Vice President, BAI among others. It was decided to release the following statement ;

“The Bar Association of India condemns the excessive, disproportionate and unjustified action, which amounts to an assault on the independence of lawyers engaged in constitutionally protected activities of advancing human rights and upholding the rule of law.

The Bar Association of India considers the rights and duties of members of the legal profession to perform their professional functions and work

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<sup>1</sup> The Express News Service, New Delhi, 'CBI searches Anand Grover-Indira Jaising home & NGO offices, Oppn says coercion,' <<https://indianexpress.com/article/india/cbi-searches-anand-grover-indira-jaising-home-ngo-offices-oppn-says-coercion-5825999/>> accessed 13<sup>th</sup> July 2019.



towards protecting and promoting the rule of law, administration of justice and human rights as fundamental to any justice delivery system.

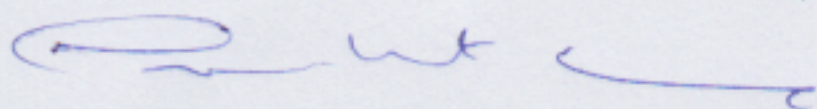
The Bar Association of India draws attention to the rights to life, liberty and security, against torture, to fair trial, and to freedom of expression guaranteed by Article 3, Article 5, Article 9 and Article 10 of the Universal Declaration of Human Rights 1948 (UDHR).

The Bar Association of India also draws attention to Article 16 of the United Nations Basic Principles on the Role of Lawyers, which states:

16. 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. (<https://www.ohchr.org/en/professionalinterest/pages/roleoflawyers.aspx>.)

The Bar Association of India notes the obligations on States under the United Nations Declaration on Human Rights Defenders to guarantee the adequate protection of human rights defenders. Namely, states must ensure, "...the protection by competent authorities of human rights defenders against any violence, threats [or] retaliation... as a consequence of his or her legitimate exercise of the rights referred to in the Declaration on Human Rights Defenders".

(<https://www.ohchr.org/Documents/Issues/Defenders/Declaration/declaration.pdf>)



PRASHANT KUMAR  
President-Elect