

24 January, 2026

2026 World Day of the Endangered Lawyer:

United States of America



This brochure was produced by the International Observatory for Lawyers at Risk (OIAD) in collaboration with the International Coalition for the Day of the Endangered Lawyer.

INTRODUCTION

The World Day of the Endangered Lawyer has been commemorated on **24 January** since 2009. On this date, in 1977, the sinister "**Atocha Massacre**" killed **four colleagues** in Madrid, Calle Atocha 55.

The purpose of this international day is to draw the attention of civil society and public authorities to the **situation of lawyers** in a given country, chosen each year, in order to raise awareness of the threats faced by lawyers in the exercise of their profession in their country.

After focusing on the situation of lawyers in Turkey, the Philippines, Honduras, China, Egypt, Pakistan, Azerbaijan, Colombia, Afghanistan, Iran and Belarus, the 2026 World Day of the Endangered Lawyer will be dedicated to the situation of lawyers in the **United States**.

"Clients have the right to access their lawyer without government interference. Lawyers must be free to represent their clients and exercise their ethical duty without fear of reprisal. Government action denies clients access to justice and betrays our fundamental values." (William R. Bay, President of the American Bar Association)

FINDINGS

01.

Increased online intimidation and attacks against lawyers defending political opponents, migrants, environmental activists and demonstrators.

02.

More than 50 lawyers prosecuted or sanctioned for their defence activities relating to civil rights or social justice.

03.

Searches and seizures of professional data during federal and local investigations.

04.

Political pressure on lawyers involved in cases of police violence.

05.

Threats of sanctions against American lawyers working with the International Criminal Court.



Context



POLITICAL AND INSTITUTIONAL FRAMEWORK

The American system is based on a strict separation of powers and a strong independence of the judiciary. However, recent political developments have undermined this balance: contested judicial appointments, pressure on the Department of Justice, public attacks on judges and the use of disciplinary procedures.

Lawyers are caught in the middle of these tensions, and their professional activities may now be the subject of investigations, prosecutions, smear campaigns or intimidation, particularly when they challenge government decisions or defend fundamental rights.

The 2026 edition of the World Day of the Endangered Lawyer is a reminder that no country is immune to a decline in the rule of law.

Attacks on the independence of lawyers are not restricted to states considered "authoritarian".

Although considered an "established democracy", the United States is now experiencing a worrying increase in threats to the independence of lawyers, judges and prosecutors.

Since 2025, political pressure, administrative reprisals, attacks on judges and the criminalisation of certain defence activities have created an unprecedented climate of professional insecurity.

LEGAL AND INTERNATIONAL FRAMEWORK

The United States has claimed a role as a global defender of freedoms since the Second World War and remains bound by international standards that it does not always respect in practice.



As a State party to the International Covenant on Civil and Political Rights (ICCPR), the United States must guarantee:

- The right to an effective and efficient recourse (articles 2 and 14)
- The right to a fair trial (article 14)
- Freedom of expression, association and opinion (articles 19 and 22).



The United Nations Basic Principles on the Role of Lawyers state that lawyers must be able to carry out their work without intimidation, hindrance, harassment or undue interference.

They also state that disciplinary proceedings must be conducted by independent bodies and may not be used to sanction positions taken in the professional context. As such, the State is supposed to guarantee the security, freedom of speech and institutional integrity of the legal profession.



The United States Constitution also protects individuals and lawyers when they defend their clients against the State.

However, recent political pressures highlight a gap between guaranteed rights and actual practice.

Main types of threat to the legal profession in the United States

POLITICAL REPRISALS AGAINST LAWYERS DEFENDING SENSITIVE CASES

Since January 2025, the executive has publicly targeted **lawyers** involved in the defence of personalities considered not to be aligned with its policies, or engaged in **electoral proceedings** (voting disputes, electoral redistricting), **the defence of migrants or asylum seekers**, cases relating to **police violence** or action taken to combat **climate change**.

In February 2025, Executive Order 14203 deemed the International Criminal Court's investigations into the United States and Israel to constitute "threats", making it illegal for US lawyers to work with prosecutor Karim Khan and exposing them to prosecution, fines and prison sentences.

Today, all American individuals and companies, including lawyers, are prohibited from providing services to nine ICC judges, in addition to prosecutor Karim Khan.

On 22 March 2025, a Presidential Memorandum ordered the Attorney General to "effectively hold accountable" attorneys and law firms whose practices are deemed to be contrary to the Executive Branch doctrine. The New York City Bar Association and the American Immigration Lawyers Association (AILA) have denounced this attack on the independence of the rule of law.

“

Keli Stump, President of the AILA, stated:

"This administration's rhetoric (...) seeks to delegitimise the work of determined professionals who ensure that immigrants (...) have access to fair legal representation".

”

Some lawyers and law firms have been the subject of **criminal investigations, requests for searches or threats and prosecutions** directly linked to their cases. This is particularly the case of WilmerHale, which has been accused of using its pro bono practice "for political purposes" by the President, who has restricted the firm's access to federal buildings.

SELF-CENSORSHIP IN THE LEGAL PROFESSION

The combination of political reprisals and public threats has led to self-censorship among US lawyers.

Some **lawyers** have indicated that they will not defend **cases** involving civil rights, **environmental regulation** or **immigration** out of fear to become the **target of smear campaigns or administrative actions**. In large law firms, the prospect of security clearances being withdrawn, access to federal buildings being restricted or public contracts being called into question has prompted several departments to review the selection of cases they handle, particularly those considered "politically sensitive". This phenomenon threatens the guarantee of access to justice in the country. The defence of fundamental rights largely depends on the commitment of independent lawyers, capable of representing marginalised clients and political opponents without fear of political or professional reprisals.



ATTACKS ON JUDICIAL INDEPENDENCE

Political interference in the judiciary was illustrated in 2023 when **federal judge Tanya Chutkan** received **death threats** from Donald Trump supporters while overseeing her trial for attempting to manipulate the 2020 elections.

Recently, **direct interventions by the executive against federal judges** and **magistrates** have multiplied in the United States. Some decisions have triggered **public attacks by the US administration, online smear campaigns and political pressure** to call into question the impartiality of the judges concerned, or even to force them to leave their posts.

Lawyers see their professional practice directly influenced by this pressure against judges. Attacks on judicial independence create a climate that is highly unfavourable to the minorities defended by lawyers, some of whom tend to be reluctant to take on certain cases deemed "sensitive".

Consequences for the rule of law

The use of administrative tools (eviction, withdrawal of accreditation, criminal investigations, access restrictions) to target legal professionals sets a dangerous precedent: the executive is capable of turning legal disagreements into professional sanctions.

In the United States, access to effective defence - particularly for minorities - has been drastically reduced by the loss of independence of the judiciary and the polarisation of public discourse on legal decisions. These factors discourage lawyers from representing certain clients, at the risk of reprisals.

This dynamic constitutes a serious risk to the country's ability to uphold the fundamental standards of the rule of law.



Recommendations

The current situation shows that even an "established" democracy can see a decline in the independence of its lawyers and, moreover, in the rule of law. In the United States, political pressure, public attacks on legal professionals and the abusive use of administrative measures are undermining the profession and compromising access to an effective defence.

As a constitutional state and party to the International Covenant on Civil and Political Rights, the United States must **guarantee that lawyers can carry out their work without intimidation, interference or risk of reprisal**.

Protecting lawyers means protecting citizens; protecting citizens means protecting democracy.

On World Day of the Endangered Lawyer, we call on the US authorities to:

01.

End political pressure, targeted investigations and retaliatory measures against lawyers;

02.

Strengthen the safety, freedom of expression and independence of lawyers, judges and prosecutors;

03.

Bring their practices into line with constitutional and international standards of the rule of law.

A strong rule of law can only exist if lawyers are truly free, independent and protected.

2026

**INTERNATIONAL DAY
FOR LAWYERS IN DANGER
UNITED STATES OF AMERICA**

INTERNATIONAL
OBSERVATORY
FOR LAWYERS

Presentation of the International Observatory for Lawyers at Risk

The International Observatory for Lawyers at Risk (OIAD) is an initiative of the Conseil national des barreaux (France), the Paris Bar Association (France), the Consejo General de la Abogacía Española (Spain) and the Consiglio Nazionale Forense (Italy).

Launched in 2016, the aim of the OIAD is to defend lawyers threatened in the exercise of their profession and to denounce situations that infringe the rights of the defence.

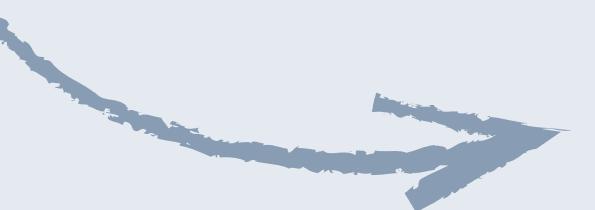
Its aim is to become an integral part of the landscape of protection mechanisms for lawyers in general and human rights defenders in particular, by complementing existing mechanisms and working closely with established networks.

By bringing together as many Bars and organisations as possible, the OIAD is establishing itself as a key international player in the defence of endangered lawyers.

The OIAD is made up of 42 Bars (active members) and 17 organisations (associate members).



INTERNATIONAL
OBSERVATORY
OF LAWYERS



Presentation of the Coalition Day of Endangered Lawyers

The Coalition for the Day of Endangered Lawyers coordinates a group of legal associations, bar associations and activist networks that mobilise on the occasion of the Day of Endangered Lawyers by organising events, demonstrations, conferences, public statements, media campaigns and joint actions in various jurisdictions.

- Conseil National des Barreaux (CNB)
- Barreau d'Aix-en-Provence
- Barreau des Hauts de Seine
- Barreau de Lille
- Barreau de Lyon
- Barreau de Marseille
- Barreau de Nantes
- Barreau de Nice
- Barreau de Paris
- Barreau de Rouen
- Barreau de Strasbourg
- Barreau de Tours
- Barreau de Cayenne

- Barreau de Genève
- Barreau de Neuchâtel
- Barreau de Bruxelles
- Barreau de Diyarbakir (Turquie)
- Barreau d'Istanbul (Turquie)
- Barreau du Cameroun
- Barreau du Lualaba (RDC)
- Barreau de Hamm (Allemagne)
- Barreau de Cologne (Allemagne)
- Ilustre y Nacional Colegio de Abogados de México
- Barreau Vaudois (Suisse)

ASSOCIATE MEMBERS:

- Avocats Européens démocrates
- ASF France
- China Human Rights Lawyers Concern Group
- Conférence des bâtonniers
- CCBE
- Défense sans Frontières – Avocats Solidaires
- Endangered Lawyers – Avvocati Minacciati
- FNUJA
- Fronline Lawyers Association
- DHBP
- Lawyers for Lawyers
- SAF
- UJA Aix en Provence
- The Arrested Lawyers initiative
- Union des Jeunes Avocats de Marseille
- Berliner Anwaltsverein e.V
- Association des juristes progressistes (Genève)
- Union Internationale des Avocats (UIA)
- Afghanistan Independent Bar Association in Exile (AIBAE)
- Asociación de Abogadas y Abogados, Jueces y Fiscales de Derechos Humanos de América Latina y El Caribe (AJUFIDH)
- Belarusian Association of Human Rights Lawyers