

The International Observatory of Endangered Lawyers (OIAD) is an initiative of the French National Council of Bar Associations (France), the Paris Bar (France), the Consejo General de la Abogacía Española (Spain) and the Consiglio Nazionale Forense (Italy).

Launched in 2015, the **Observatory** aims to protect lawyers who are threatened as a result of their professional practice, as well as to denounce situations that violate the rights of the defense.



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INTERNATIONAL
OBSERVATORY
FOR LAWYERS

OBSERVATORY'S NEWSLETTER

December 2019 / January 2020

24 JANUARY 2020 : DAY OF THE ENDANGERED LAWYER

The purpose of this international day is to focus the attention of civil society and public authorities on the situation of lawyers in a particular country in order to raise awareness of the threats faced by lawyers in the exercise of their profession.

After the situation of lawyers in Iran, Turkey, the Philippines, the Basque Country, Honduras, China and Egypt, the Day of the Endangered Lawyer 2020 will be dedicated to the situation of lawyers in Pakistan. It will be dedicated to Pakistani lawyers to testify to the seriousness of the situation in that country.

Find informations about what is the World Day here.

Edition 2020 dedicated to the lawyers in Pakistan

This year's International Day of the Endangered Lawyer focuses on Pakistan, where lawyers are constantly targeted, threatened, murdered and where the practice of the profession is particularly difficult.

This targeted violence against lawyers not only reflects the general state of violence in

Pakistan, in particular against human rights defenders, but also reflects a systematic strategy of killing all judicial actors suspected of blasphemy because of their profession and their fight for their independence and for the protection of the Rule of Law.

The Quetta attacks

The city of Quetta became a symbol of violence against lawyers on February 17th 2007, when for the first time, a terrorist was blown up in a courtroom, killing 16 people, including a judge and six lawyers.

Then, on August 8th 2016, a bomb decimated the bar by killing 70 lawyers gathered outside the city hospital after the murder of their President a few hours earlier. In total, some 150 of Baluchistan's 280 lawyers were killed or wounded on the 8th of August in Quetta.

Threats against Pakistani lawyers

Threats linked to the terrorism cases

Terrorism cases will very often generate risks for the lawyers who handle them. They will become the target of threats from the authorities as they

question the way in which the Pakistani state fights terrorism.

Prosecutors will also be threatened in such cases, but unlike lawyers, persecution will come from

terrorist organizations against which they are prosecuting.

Threats due to minority status

Ahmadism is a minority current of Islam that considers that there is another Prophet and thus challenges the very foundations of Islam for Sunnis and Shiites. Ahmadism was declared "non-Muslim" by the Pakistani Parliament in 1974.

As soon as a lawyer defends a person belonging to this Ahmadi minority, he becomes almost simultaneously a target of persecution, and even more if he/she himself/herself is a member of this minority.

Threats based on the charge of blasphemy

Pakistan's anti-blame law is one of the toughest in the world, since it automatically punishes the

insult to the Prophet Mohammed with the death penalty. These laws introduced in 1986 into the Pakistani Criminal Code (articles 295 B, 295 C, 298 A, 298 B, 298 C) have the effect of severely restricting freedom of religion and expression.

Lawyers defending persons accused of blasphemy are generally threatened with violence by groups and individuals who want to do justice themselves. **The lawyer is then assimilated to the person for whom he/she is in charge of the defence.** Pressure from the street and religious leaders is exerted at all levels of the judicial system. **Lawyers, judges, police or prosecutors are under intense pressure and live in fear of reprisals.** Thus, finding a lawyer who agrees to defend this type of case is a particularly difficult task.

The case of lawyer Saif ul-Malook

Saif ul-Malook defended the Christian Pakistani woman, Asia Bibi, in Pakistani courts from 2010 and saved her from being hanged for blasphemy.

He fled to the Netherlands in November 2018 after violent protests against the Pakistani Supreme Court's decision to overturn Bibi's death sentence in 2010. He returned to Islamabad on 26th of January 2019 to defend her as she faced a final appeal from the Supreme Court's decision. The final appeal was rejected at the end of January 2019. Bibi, who had been in preventive detention until then, was finally allowed to leave Pakistan and arrived in Canada on May 8th 2019.

The events organized for the World Day:

- **Conference with the lawyer Saif ul-Malook in Rome and Paris**



- Gathering in front of the Pakistani embassy in Brussels and Paris



- Conference on the situations of lawyers all over the world in [Milan](#), [Rome](#), [Turin](#), [Bologne](#), [Vérone](#), [Messina](#) and [Trapani](#).
- Deployment of a banner in Paris and Bergamo (Italy)



- **Published articles:**

- French : [Libération](#), [La Vie](#), RFI ?, [Barreau de Paris](#),
- Italian : [Castelli Notizie](#), [ilDubbio](#),
- Spanish : [Consejo General de la Abogacía Española](#),

OUR MISSIONS



Peru: Mission of support and accompaniment to the Collective of Lawyers of the Southern Andes / Participation at the National Congress of Human Rights of Peru (3 - 10 November 2019)

Eco-territorial conflicts in Latin America generate disputes that mainly relate to the control of natural resources and common goods. The legal teams that defend the interests of the communities present on these lands are often exposed to the same risk of reprisals as the communities, thus limiting the free exercise of the profession. Faced with this risk, many colleagues from various institutions and the Collective have been trained by lawyers, particularly environmental specialists.





Colombia: Mission of support and accompaniment of the lawyer Daniel Prado / Observation of the hearings convened within the framework of the trial of the "12 Apostles" (6 - 13 November 2019)

Lawyer Daniel Prado Albarracín, a member of the Colombian NGO Inter-Church Justice and Peace Commission (CIJP), represents a number of victims in the emblematic case of the "12 Apostles".

The main accused in this process is Santiago Uribe Vélez, brother of former president and current senator Álvaro Uribe Vélez, who has been accused of co-founding the paramilitary group known as the 12 Apostles of Antioquia, a group that is credited with committing crimes against humanity in the 1990s.

The crimes for which he has been tried are concerted crimes in the form of forming illegal groups for the purposes of paramilitarism and murder.



OUR ALERTS



KAZAKHSTAN: On the 1st October 2019, **Belgian police carried out a search without a warrant at the home of the human rights lawyer and Kazakh refugee in Belgium, Botagoz Jardemalie.**

According to information received, the Belgian authorities have responded to a request for judicial cooperation with the Kazakhstan concerning the political refugee Botagoz Jardemalie, who was granted refugee status in 2013.

The search took place at her apartment while the lawyer was away and the police did not present any

warrants to her family members who were present and who had requested one. In addition, **the police were accompanied during the search of two Kazakh officials** (a magistrate and a member of the anti-corruption services) **even though the lawyer had obtained refugee status in Belgium, due to the persecution of the Kazakh regime against her.**

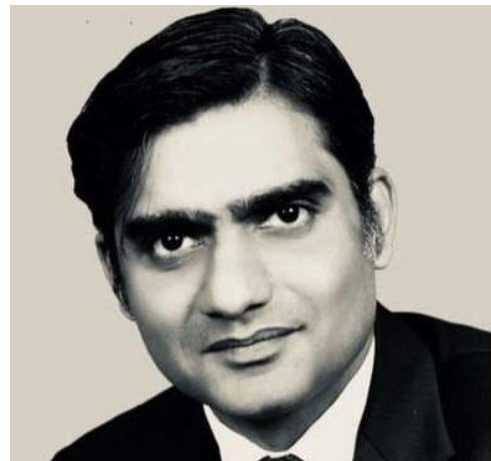
Many computer tools and confidential files were seized during this search, as well as data covered by professional secrecy in connection with her activities as a lawyer. The access codes entered, in particular to mailboxes, Facebook, Instagram or other social networks, have already been used to intrude into Ms. Jardemalie's mailboxes.

These seizures could have serious repercussions on the safety of the lawyer and her clients since her couriers contained privileged and confidential communications and sensitive information about her clients. The seizures could also have consequences for the safety of his brother, Iskander Yerimbetov, who has been held in political detention in Kazakhstan since the 13th of November 2017.

Find our complete alert [here](#).

PAKISTAN: For the second time in eight months, the 38-year-old lawyer and human rights defender **Shafiq Ahmed** was abducted in Punjab province.

The lawyer was first abducted in March 2019. He had been held incommunicado and forced to confess that he was using his social networks to communicate with anti-Pakistani elements. He was then found on the side of the road in a nearby town. Shafiq Ahmed was a victim of particularly serious acts of torture and was hospitalized for several months.



Shafiq Ahmed is indeed known for his publications on Twitter and Facebook in support of the Pashtun protection movement and against state policies. According to his brother, he received many death threats by phone.

According to the latest information, he was abducted again on 10 December 2019, International Human Rights Day, by half a dozen people in civilian clothes, probably belonging to the famous Pakistani intelligence agency, the ISI.

Find our alert [here](#).



GABON : The OIAD denounces with the greatest firmness the attempted kidnapping of Mr. Anges-Kévin Nzigou, a French-Gabonese lawyer registered at the Gabonese bar on the night of 24 to 25 November.

It would appear that this attempted kidnapping was carried out by the Gabonese State's special services.

Mr. Nzigou is a committed lawyer who, on many occasions, and in a very difficult context, has defended political opponents and personalities in a delicate relationship with the authorities. He had recently carried an OIAD mandate concerning Me Michelle Ndoki in Cameroon.

Find our alert [here](#).

OUR ARTICLES

Turkey: submission of an alternative report on lawyers in Turkey to the Universal Periodic Review

The OIAD, together with the Law Society of England and Wales and twelve other organizations, submitted an alternative report on the situation of lawyers and judges in Turkey as part of the third cycle of the Universal Periodic Review of the United Nations Human Rights Council.

Find the complete information sheet [here](#).

Find the full report [here](#).

Find the Summary of Stakeholders' submissions on Turkey [here](#).

Poland: New bill seriously undermining the independence of the judiciary and the freedom of expression of legal actors

The Polish Conservatives submitted a bill on Thursday (12 December) to punish judges who question controversial reforms carried out by the government.

The proposed legislation is described by the opposition as an “attempt to gag” critical judges. It would effectively ban any dissent by judges, prosecutors and lawyers who criticise the changes in the judicial system and prosecutions that the government majority has implemented in Poland since 2015. It would also provide for severe methods of repression, up to the elimination of “defiant” judges and prosecutors.

On 28 November 2019, President of the Bar of Warsaw, Mikolaj Pietrzak, was invited by the Paris Bar to speak at a conference on the Rule of Law and Fundamental Freedoms in Europe. As a human rights lawyer, since 2016 he has been strongly denouncing, both nationally and internationally, violations of the Rule of Law in Poland, the weakening of the separation of powers and attacks on the independence of the judiciary.

At this conference, he expressed his concern about the disciplinary proceedings already implemented against 200 magistrates and recalled that lawyers are at risk of being the next victims of the current reforms.

Find the full article [here](#).



GOOD NEWS!

Two lawyers supported by the Observatory, of Syrian and Pakistani origin, obtained their refugee status in France at the beginning of 2020!

The OIAD is pleased to welcome three new active members!



Neuchâtel bar, Switzerland: The Neuchâtel Bar Association gathers 250 lawyers registered at the bar of the canton of Neuchâtel. It joined the Observatory on 27 November 2019.



Lualaba bar, DRC: the Lualaba bar association gathers 156 lawyers in the Lualaba province in the Democratic Republic of Congo. .



Cologne bar, Germany: The Cologne Bar Association corresponds to the judicial district of the Cologne Court of Appeal and includes the judicial districts of Cologne, Bonn, Leverkusen and Aachen. It has about 13,000 members, of which about 3,000 are in-house lawyers.

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