



OBSERVATOIRE
INTERNATIONAL
DES AVOCATS

Newsletter de l'OIAD

May - june 2019

At-risk lawyers : alerts published by the OIAD

Algeria : Salah Dabouz



Salah Dabouz is known to have defended prisoners during the Ghardaïa events as well as followers of Ahmadism (a minority movement of Islam) who were sentenced to suspended prison terms in 2018 for "offending Islam". He was the president of the Algerian League for the Defence of Human Rights (LADDH).

After protesting the arrest of one of his clients, Kamel Eddine Fekhar, a Mozabi activist and trade unionist, **Mr. Dabouz was arrested on 7 April 2019** in an Algerian restaurant. He was presented to an investigating judge in Algiers and then transferred to Ghardaïa, 600 km away from his home.

The lawyer is facing 14 charges. In particular, he is accused of contempt for having criticised the level of Algerian justice, especially in the wilaya of Ghardaïa, by announcing on Facebook his intention to refer the case to a United Nations Special Rapporteur concerning the prosecution of Mozabites by the Ghardaïa courts.

Mr. Dabouz was released the next day but was placed under very restrictive judicial

control: he must appear 3 times a week before the investigating judge in Ghardaïa, 600 km away from his home.

On May 17, during an Algerian demonstration, Mr. Dabouz was beaten up by police officers and detained for a few hours.

Find our alert [here](#).

[United-Kingdom / Turkey : Özcan Keleş](#)



Mr. Özcan Keleş is a British lawyer of Turkish origin. In 2016, he testified - as President of the Dialogue Society - before the Foreign Affairs Committee of the British Parliament in a session on "Gülenists' and the role of the People's Democratic Party".

In the context of an extradition request issued by the Turkish courts against him, Özcan Keleş was arrested on Monday the 20th of May and presented to a Westminster court for alleged acts of propaganda in favour of a terrorist organisation.

The lawyer is accused by **the Turkish government of belonging to the movement of preacher Fethullah Gülen**, to whom the July 2016 coup attempt is attributed. He is suspected of visiting Gülen, who resides in the United States, and of publishing photos and videos of the preacher on social networks. **Turkish authorities have announced that he faces a 10-years prison sentence for the alleged offences.**

This extradition request is in line with many similar requests made by the Turkish regime against its opponents residing abroad. But all these requests have been rejected by the British authorities as inadmissible because they were politically motivated. This is the case, for example, of media owner Hamdi Akın İpek, whose extradition was refused in April 2019.

[Iran : Amir Salar Davoodi](#)



Amir Salar Davoodi is an Iranian political opponent who, as a lawyer, has defended many political prisoners and members of religious or ethnic minorities. Very active on social networks, he led a network group (Telegram) between human rights lawyers.

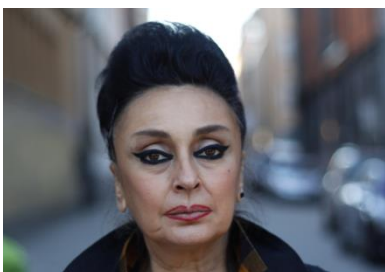
Mr. Davoodi was arrested on 20 November 2018 after searches conducted without a warrant by intelligence agents. He has since been remanded in custody and has since faced particularly difficult conditions of incarceration: initially secret detention facilities; solitary confinement; prohibition of access to his lawyer and prison doctor; inability to receive visits....

On June the 1st of 2019, the Tehran Revolutionary Court sentenced Amir Salar Davoodi to 30 years of imprisonment (15 of which will be served under Iranian law, which provides that only the heaviest penalty applies), as well as 111 lashes and a fine of 60 million rials (approximately \$4,000).

According to his lawyer, Mr. Vahid Moshkani Farahani, Amir Salar Davoodi is accused, in a first case, of "gathering" and "collusion", "spreading false information", "insulting the Supreme Leader" and "propaganda against the system", and, in a second case, of having formed a "group to overthrow the government" and of having "cooperated with the United States government".

This sentence comes in a context of drastic restrictions on the rights of the defence.

[Turquie : Eren Keskin](#)



Co-president of the Turkish Human Rights Association, Eren Keskin founded in 1997, a legal aid office dedicated to women sexually abused or raped by security forces in Turkish prisons.

Highly critical of successive governments, she has regularly spoken out against abuses committed against minorities, naming the Kurds - which has led her to be accused several times of "denigrating the Turkish state".

As part of a solidarity campaign in support of the pro-Kurdish newspaper Özgür Gündem, she served as co-editor-in-chief of the daily from 2013 to 2016.

As a result of this campaign, Eren Keskin is being pursued with Asli Erdogan, novelist and editorial writer at Özgür Gündem and Erol Önderoğlu, Reporters Without Borders' (RSF) representative in Turkey, and many other human rights defenders. The charges include "association with a terrorist group", "attack on national unity" and "public incitement to crime". She was sentenced on the 30th of March 2018, to 7.5 years in prison for articles written in the newspaper.

On 21 May 2019, Eren Keskin was again sentenced to 3 years and 9 months of imprisonment for "propaganda on behalf of a terrorist organisation", again for her support of the newspaper Özgür Gündem.

Eren Keskin is subjected to real judicial harassment: **as of 20 March 2018, she had already been convicted in 49 cases.** Find more details in our alert.

Egypt : Release of Mr Masom Marzok, lawyer detained arbitrarily since August 2018



Mr Masom Marzok is an Egyptian human rights lawyer and long-time opponent of President al-Sissi.

He was arrested in August 2018 after publicly criticizing the regime and proposing a Facebook referendum on its political action. In particular, he had been charged for collaborating with a terrorist organization.

In addition to very difficult conditions of detention (isolation, lack of light in his cell), Mr. Marzok was in a particularly worrying situation: suffering from an abdominal hernia, he was refused by the authorities the surgical operation, necessary for his survival.

On the 21st of May 2019, Mr. Khaled Ali, Mr. Marzok's lawyer, announced on his Facebook page that the order to release him had been confirmed by the prosecutor's office. "They could be released within the next few hours," said the lawyer, who sees this decision as the beginning of an opening phase in the country. Four other people, including economist Raied Salama and geology professor Yehia al-Qazzaz, will also be released.

Massom Marzok was effectively released on 23 May.

Iran Criminal Procedure Reform Project : A step forward in limiting the rights of the defence.

The Iranian Code of Criminal Procedure was already widely denounced by human rights defenders: its article 48 obliges persons accused of crimes against national security to choose their counsel from a list of 20 lawyers approved by the State. The IADO had previously denounced this serious violation of the rights of the defence.

The situation could now worsen with a draft amendment proposed on the 6th of May, by the Parliamentary Committee in charge of judicial affairs. Although the text of this draft amendment has not yet been published, the Commission spokesperson has announced its content.

The proposed amendment would allow certain accused persons to be denied access to a lawyer for an initial period of 20 days, which could be extended by the judicial authority to the entire investigation phase.

Its scope is very broad, since the persons concerned would be those accused of crimes related to national security, terrorism or "financial corruption", as well as any person facing the death penalty, life imprisonment or amputation.

As explained by Amnesty International (lien : <https://www.amnesty.org/download/Documents/MDE1303792019ENGLISH.PDF>), the draft amendment does not specify which authorities would be competent to issue the initial ban or its extension. Nor are the criteria according to which this prohibition would be imposed - the draft merely indicates that the judicial authority may use it "if it considers it necessary".

This project is all the more alarming as national security charges are regularly brought against human rights defenders - such as lawyers Nasrin Sotoudeh and Amir Salar Davoodi -

and various types of opponents of the regime.

Report : Presentation of the Human Rights Watch report on the situation of lawyers in Turkey

On the 22nd of March 2019, at the Maison du Barreau de Paris, a presentation was held on the Human Rights Watch report "Lawyers brought to justice: Abusive prosecutions and erosion of the right to a fair trial in Turkey". This meeting, organized by the Paris Bar and Human Rights Watch, was attended by Emma Sinclair-Webb (Director Turkey of Human Rights Watch) and Aisling Reidy (senior legal adviser, Human Rights Watch).

Emma Sinclair-Webb raised several concerns about the treatment of lawyers by the Turkish authorities, including :

- **The massive use of terrorism charges:** about 17% of the prison population is imprisoned on terrorism-related charges. Associations are particularly targeted.
- **The impact of the state of emergency:** many fair trial guarantees have been eroded in the wake of the 2016 attempted coup d'état. For example, there are many trials that take place without a lawyer, as the Code of Criminal Procedure prohibits lawyers from representing their clients in certain types of cases. After the state of emergency was lifted, many of the powers granted to the authorities became common law.
- **The explosion of mass trials against lawyers who are members of associations,** which allow the government to give the impression that it is facing organized criminal groups of lawyers.

Find the full report of this [presentation on our website.](#)



