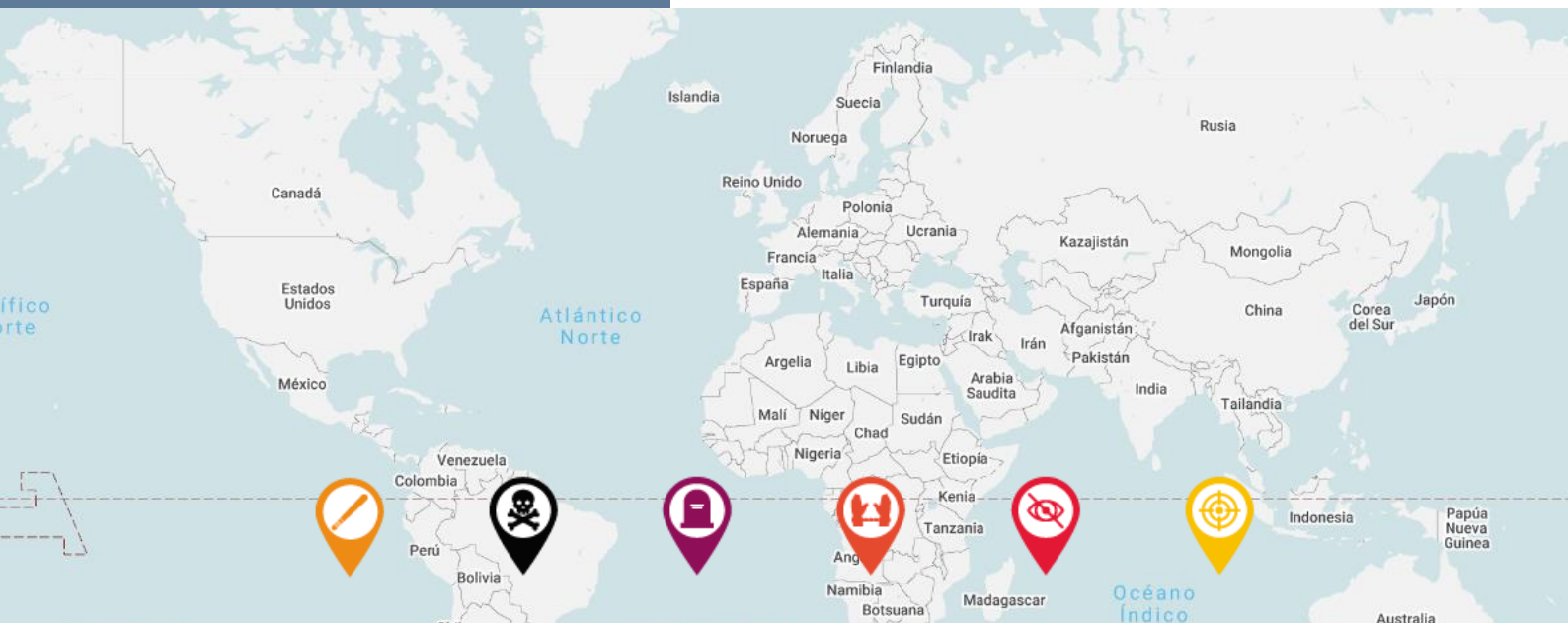


ACTIVITY REPORT

OIAD

2022-2023



Presented at the General Assembly on 16 June
2023 in Marseille.

protect-lawyers.org



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NOTE FROM THE PRESIDENT



Threats against lawyers are not diminishing, unfortunately, and the Observatory has remained mobilised throughout the year in support of our colleagues who are threatened, prosecuted and sometimes imprisoned for simply practicing our profession.

Major crises have hit one after the next and all of them alike particularly expose lawyers, the spearhead of the rule of law.

It is against this difficult backdrop that the Observatory has been able to continue its work, initiate new projects and rally more and more Bars, increasingly involved, around its fundamental values.

This mandate, which is coming to an end, has been rich in projects in support of numerous colleagues from Afghanistan, Colombia, Turkey, Ukraine and Tunisia in particular, and this new edition of our activity report stands to mark our commitment.

Our advocacy work has also been rewarded with increased visibility of the OIAD in international organisations such as the UN and the Council of Europe.

The Observatory represents collective work that thrives and develops thanks to the investment of the Bars, to its close cooperation with partner associations and organisations, and to the lawyers who make solidarity one of our profession's cardinal values.

PRESENTATION OF THE INTERNATIONAL OBSERVATORY FOR LAWYERS AT RISK

The International Observatory for Lawyers in Danger (OIAD) is an initiative of the French National Bar Council, the Consiglio Nazionale Forense, the Consejo General de la Abogacía Española and the Paris Bar. Launched in 2016, its aim is to defend lawyers threatened in the practice of their profession and to denounce situations that infringe the rights of the defence.

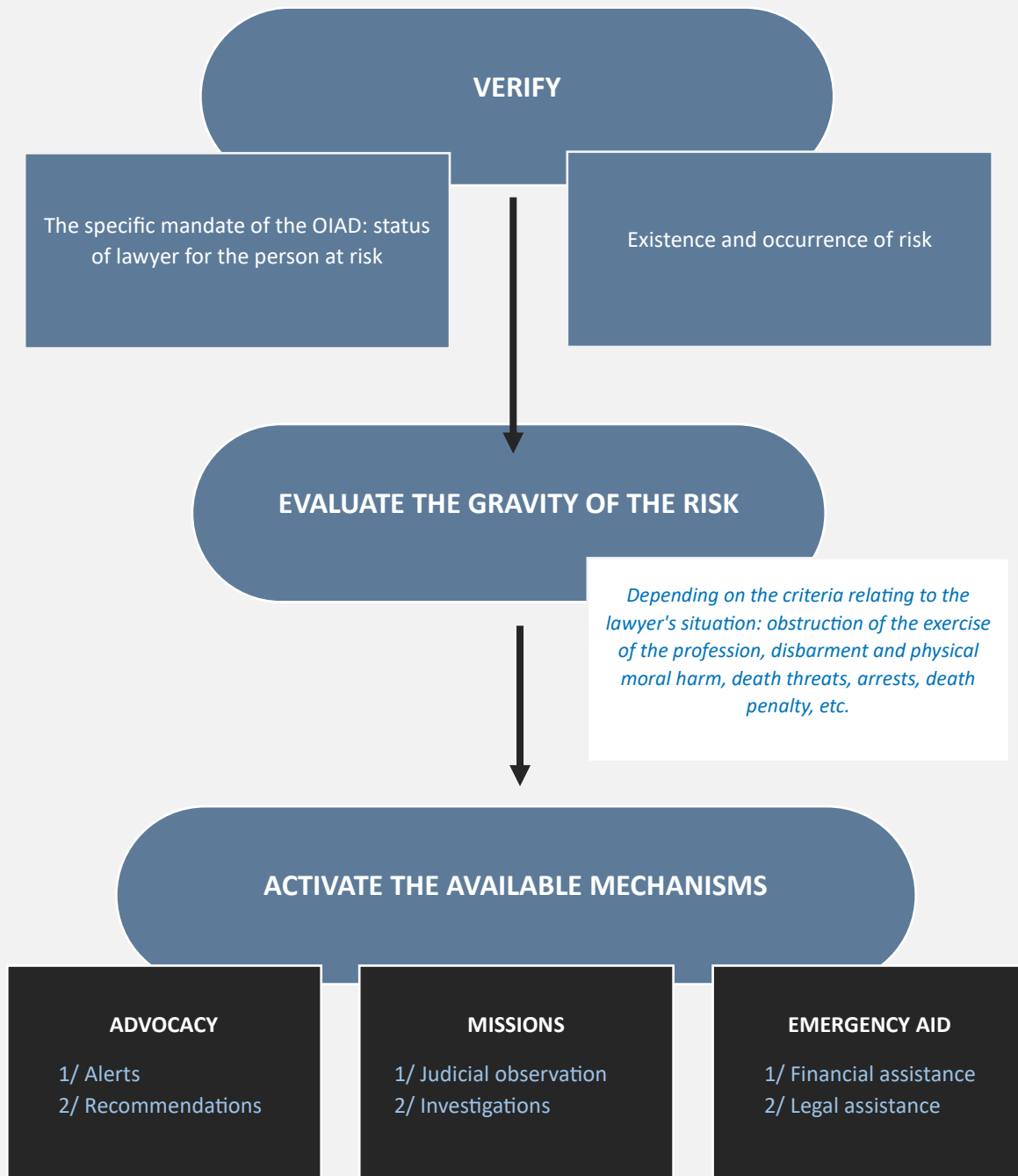
The OIAD's mandate is to ensure the physical and moral integrity of lawyers throughout the world and the conditions in which they practice their profession.

It can provide threatened lawyers with legal assistance, but also with moral and material support when the threats against them make such measures necessary.

The effectiveness of this protection instrument made available to the entire community of lawyers, and through them to the citizens they defend, will be all the greater if it is known and recognised. It is therefore incumbent on professional associations, as well as each individual lawyer, to contribute to disseminating the Observatory's mandate. The Observatory also encourages members of civil society to send it any information relating to the situation of lawyers in the world.



THE OBSERVATORY'S METHODOLOGY



NEW MEMBERSHIP

Over the course of this year we have had the honour of welcoming four new active members to the Observatory and we would like to thank them for their support: **The Nice Bar, The Venice Bar, the National Bar of Mexico (INCAM) and the Marseille Bar**. We are pleased to announce that the Observatory now has 49 active members and 14 associate members who support it in its mission.

OUR MEMBERS

- Barreau de Paris (ODAP)
- National Council of Bars (CNB)
- Consejo General de la Abogacía Española (CGAE)
- Consiglio Nazionale Forense (CNF)

ACTIVE MEMBERS

FRANCE

- Barreau d'Aix-en-Provence
- Barreau de Brest
- Barreau de Caen
- Barreau des Hauts de Seine
- Barreau de La Rochelle-Rochefort
- Barreau de Lille
- Barreau de Lyon
- Barreau de Marseille
- Barreau de Montpellier
- Barreau de Nantes
- Barreau de Nice
- Barreau de Paris
- Barreau de Rouen
- Barreau de Strasbourg
- Barreau de Thonon-les-Bains
- Barreau de Tours

ITALY

- Ordine degli avvocati di Bari
- Ordine degli avvocati di Bologna
- Ordine degli avvocati di Brescia
- Ordine degli avvocati di Messina
- Ordine degli avvocati di Milano
- Ordine degli avvocati di Modena
- Ordine degli avvocati di Monza
- Ordine degli avvocati di Napoli
- Ordine degli avvocati di Oristano
- Ordine degli avvocati di Palermo
- Ordine degli avvocati di Roma
- Ordine degli avvocati di Rovereto
- Ordine degli avvocati di Torino
- Ordine degli avvocati di Venezia
- Ordine degli avvocati di Verona

SPAIN

- Ilustre Colegio de Abogacía de Barcelona
- Ilustre Colegio de Abogacía de Bizkaia
- Ilustre Colegio de Abogacía de Madrid
- Ilustre Colegio de Abogados de Talavera
- Muy Ilustre Colegio de Abogados de Pamplona

GERMANY

- Hamm's bar
- Cologne Bar

SWITZERLAND

- Geneva Bar
- Bar of Neuchâtel

BELGIUM

- Brussels Bar

TURKEY

- Diyarbakir Bar

CAMEROON

- Cameroon Bar

DEMOCRATIC REPUBLIC OF CONGO

- Lualaba Bar

MEXICO

- Ilustre y Nacional Colegio de Abogados México (INCAM)

ASSOCIATE MEMBERS

- European Democratic Lawyers
- ASF France
- China Human Rights Lawyers Concern Group
- Conférence des bâtonniers
- CCBE
- Défense sans Frontières- Avocats Solidaires
- Endangered Lawyers - Avvocati Minacciati
- FNUJA
- IDHBP
- Lawyers for Lawyers
- SAF
- UJA Aix en Provence
- The Arrested Lawyers initiative
- Union of Young Lawyers of Marseille

PART 1 | ADVOCACY & LEGAL CHALLENGES

1.1 | ALERTS, LETTERS AND PRESS RELEASES

Provided it is not dangerous for the lawyer concerned, media coverage is one of the main tools at the disposal of the OIAD, and is implemented either publicly where possible, taking the form of alerts published on the Observatory's website and relayed on social network, or more confidentially, by directly addressing the authorities concerned (national, European and/or UN authorities).

During the 2022/2023 period, the Observatory publicized 33 cases through alerts, communiqués and letters.

How do we work?

- The first step is to identify and verify the risk to the lawyer concerned, for which the Observatory relies on its network of collaborators and contacts in the field.
- Once the information has been verified, a decision is made on the appropriate action to improve the lawyer's situation and an alert, press release or letter to the relevant authorities is drafted.
- Thirdly, the initiative is validated by the Observatory's Bureau, translated into five languages and published on social networks or sent to the relevant authorities.

OIAD IN THE WORLD



AMERICA

"COLOMBIAN WOMEN AT RISK"

The Observatory has carried out numerous alerts relating to Colombian women lawyers, who have also been targets of numerous threats in the context of their defence of women's rights, of victims of the internal armed conflict, demonstrators, and of victims of enforced disappearance, sexual violence and police violence in Colombia. These threats have taken the form of cyber-attacks and burglaries to steal sensitive information subject to professional secrecy that they may have held (Yessika Hoyos Morales, María Alejandra Garzón Mora), or physical and psychological attacks through kidnapping, gender-based violence, torture, and harassment not only of these lawyers but also of their families (Luz Estella Romero Villalba, Andrea Torres Bautista).



MEXICO

- [Cecilia Monzón](#)
- [Juan Carlos Flores Solís](#)



GUATEMALA

- [Claudia González](#)
- [Claudia Paz y Paz](#)



COLOMBIA

- [Lettre aux autorités Luz Romero Villalba](#)
- [Luz Estella](#)
- [Yessika Hoyos](#)
- [María Alejandra Garzón](#)
- [Andrea Torres Bautista](#)
- [Carlos Enrique Maldonado](#)
- [Lettre aux autorités Adil Melendez](#)
- [Adil Meléndez Marquez](#)
- [Soraya Gutierrez Arquello](#)



VENEZUELA

- [Engels Wladimir Puertas Ochoa](#)
- [Jecson Ricardo Carriel García](#)
- [Venus Faddoul](#)



HAITI

- [André Charleus](#)
- [Robinson Pierre-Louis](#)

EUROPE & AFRICA

"PRESIDENTS OF THE BARS IN DANGER"

Professional bodies and representatives of the profession are particularly threatened. These attacks on the freedom to practice the profession are taking place in a particularly hostile context for the independence of the judiciary. They are most often characterised by arbitrary detentions at the end of summary trials, when held. They are often the consequence of public statements, be they critical of the forces of law and order or the security services, muzzling political dissidents through their abusive actions, (i.e Mohammed Ziane - Morocco) or denials of accusations against clients (Joseph Sanane Chiko - DRC). These threats are also extended to family members, as in the case of the President of Diyarbakir (Nahit Eren - Turkey), an OIAD member, whose private and family information was leaked on social media.

AZERBAIJAN

- [Elchin Sadıgov](#)

TÜRKİYE

- [Can Atalay](#)
- [Nahit Eren](#)
- [25 avocats turcs](#)
- [Kurtulus Bastimar](#)

MOROCCO

- [Mohamed Ziane](#)

GABON

- [Raymond Obame](#)

RD CONGO

- [Joseph Sanane Chiko](#)

ESWATINI

- [Maxwell Nkambule](#)

ASIA

“IRANIANS IN DANGER”

The Observatory has particularly put out alerts on the Iranian lawyers, whose situation has deteriorated rapidly in recent months following the widespread protests over the assassination of Masha Amini. The fierce repression by the security forces has resulted in the arbitrary detention and death sentences of several lawyers. These lawyers', supported by the OIAD, have the defence of human rights and challenging the Iranian government as a common denominator. As a result of their peaceful stance and their efforts on behalf of arrested demonstrators, they have not only been the victims of spurious accusations, but also arrested and detained (Mohammad Ali Dadkhah, Reza Khandan, Mohammad Najafi).

In addition to personal alerts, their situation was denounced by the OIAD in a press release condemning, most saliently, the repression of the Tehran Bar Association's demonstration on 12 October 2022.

Marking the Special Session of the UN Human Rights Council on the deteriorating human rights situation in the Islamic Republic of Iran, a joint statement by lawyers' associations, including the OIAD, called for immediate, coordinated and multi-sectoral action in favour of the independence of lawyers in Iran.



IRAN

- [*Mohammad Ali Dadkhah*](#)
- [*Reza Khandan*](#)
- [*Mohammad Najafi*](#)
- [*Déclaration commune d'associations d'avocats adressé aux UN*](#)
- [*Arrestations arbitraires d'avocats et condamnations à mort*](#)



BANGLADESH

- [*Shahanur Islam*](#)
- [*Syeda Rizwana Hasan*](#)



SINGAPOUR

- [*Ravi Madasamy*](#)



AFGHANISTAN

- [*Hosain Haydari*](#)



ISRAEL

- [*Salah Hamouri*](#)

1.2 | AMICUS CURIAE

Colombia: The Eduardo Umaña Mendoza case

In May 2022, the Observatory filed an amicus curiae brief with the Antioquia Judicial District High Court (in Colombia), together with the International Commission of Jurists, the Robert F. Kennedy Center for Social Justice and Human Rights, and the American Association of Jurists in the case of the assassination of the Colombian lawyer Eduardo Umaña Mendoza

Eduardo Umaña Mendoza was a Colombian lawyer and renowned defender of human rights and indigenous peoples. He was murdered on 18 April 1998 by two men and a woman working for the armed group La Terraza (the most dangerous criminal organisation in the country at the time) who, posing as journalists, entered his office and shot him dead.

In response to the request of DH Colombia, the legal team representing the victim's family, the Observatory decided to sign the amicus curiae brief on the right to the truth in order to provide arguments to justify excluding the main suspect in the case, the drug trafficker and paramilitary Diego Fernando Murillo (alias Don Berna), from transitional justice. This comes in view of the fact that Diego Fernando Murillo is availing himself of the transitional justice regime in order to evade justice by testifying in a null and void manner.

[Read the Amicus Curiae brief here.](#)



PART 2 | OBSERVATION & ACTION

Over the course of the year, the OIAD continued its missions to observe trials involving unjust accusations against colleagues. In addition, it carried out a prospective mission to ascertain the situation of human rights lawyers in a specific country, this year, Colombia.


2.1 | OBSERVATION MISSIONS

CASE OF THE ASSASSINATION OF THE PRESIDENT OF THE DIYARBAKIR BAR (JUNE 2022)

On 15 June 2022, a delegation including members of the OIAD, the Geneva Bar Association and secretaries of the Paris Bar Conference (Edmond-Claude Fréty, member of the Paris Bar and former member of the Conseil de l'Ordre; Marie Berge and Saskia Ditisheim members of the Geneva Bar; Saskia Ditisheim) attended the 5th hearing of the trial of the defendants in the case known as the murder of Barrister Tahir Elçi. Shot dead during a press conference he had organised to denounce the serious human rights violations committed during the curfews in Cizre, Sur, Silopi and Nusaybin, and to launch a public appeal for the protection of cultural property during the conflict, the causes of Tahir Elçi's death were, according to former Prime Minister Ahmet Davutoğlu, part of an "assassination plot". The observer delegation presented this comprehensive report which includes the background, the proceedings of the hearing on 15 June 2022, and a critical analysis of both the trial and the hearing.

[Read the report](#)



 **CHD TRIAL (NOVEMBER 2022)**

From 7 to 11 November 2022, OIAD observers Antonio Fraticelli and Massimo Chioda went to attend the mass trial that started in 2013 against 22 lawyers who are members of the Çağdaş Hukukçular Derneği (ÇHD) Progressive Lawyers' Association, recently dissolved by presidential decree, and against the "People's Law Office" association. Following three hearings held, first before the Special Criminal Court and then, as of 2014, before the Ordinary Criminal Court, all lawyers were convicted or are being prosecuted, because of their professional activity. On 11 November 2022, the 22 lawyers of ÇHD and the People's Lawyers' Bureau (Halkın Hukuk Bürosu - HHB) were sentenced to record prison terms on "terrorism" related charges.



Find the summary of the first two hearings by OIAD delegates Antonio Fraticelli and Massimo Chioda by clicking on the following link: [Summary of the SMC mission 7-11 November 2022](#)



EFKAN BOLAC TRIAL (SEPTEMBER 2022 - JANUARY - JUNE 2023)

This year, 2022/2023, will have been marked by the OIAD's unfailing support of the Turkish lawyer, Efkan Bolac, member of the Progressive Lawyers Association (CHD), who was on trial for having disseminated a caricature featuring Recep Tayyip Erdogan in 2018. After having closely followed the first appeal hearing on 6 September 2022 in Istanbul, adjourned to 24 January 2023 when three OIAD observers and representatives of the Neuchâtel and Nantes Bars were present, the OIAD will send a new delegation to observe the twice adjourned hearing on 1 June 2023.

The judge had adjourned the case to 1 June 2023 on the grounds that on 6 September 2022 the court was awaiting the written transcript of the previous hearing's audio recording, lasting only a few minutes.

[Read the explanatory article](#)



TRIAL OF THE PRESIDENT OF THE IZMIR BAR (APRIL 2023)

On 24 April 2023, an OIAD delegation, represented by Adrien Verrier, President of the Nice Bar and Antonio Fraticelli, member of the Bar Council and President of the International Relations Commission of the Bologna Bar Association, attended the trial of the former President of the Izmir Bar Association, Özkan Yücel, and ten members of his Bar Council. They were prosecuted for having denounced in a press release the homophobic remarks of a religious dignitary, stating: "fight stubbornly against hatred, long live life", in response to the director of religious affairs, according to whom "homosexuals are a curse...". Being a high-profile trial in a political context increasingly hostile to lawyers' freedom of expression, the Observatory was relieved that the hearing took place in compliance with all procedural and substantive rules. All defendants were acquitted.

The next day, Antonio Fraticelli also went to Silivri Prison to visit our brothers and sisters sentenced on 11 November 2022 in the CHD Trial (Selçuk Kozağaçlı, Barkın Timtik and Oya Aslan).

 **MISSION IN GABON**

On 6 December 2022, the OIAD, represented by Richard Sedillot, defended a detained Gabonese colleague in appeal. He had been prosecuted for fraud and breach of trust and sentenced in the first instance by the Port Gentil criminal court to two years' imprisonment, one of which was suspended. The prosecution against and the confirmation of the first instance decision, based on a file devoid of any evidence of this lawyer for the Appel à Agir group having committed the alleged offence, and in proceedings tainted with nullity, reflect the political nature of his conviction, read in a context of mistrust and reprisals against political opponents in Gabon.

[Rapport confidentiel](#)



2.2 | PROSPECTIVE MISSION: International Caravan of Lawyers in Colombia

As Colombia was the target country for the 2022 International Day of Lawyers in Danger, the Observatory decided to participate in the Seventh International Caravan of Lawyers. Six of its delegates joined an international delegation that visited different regions of Colombia from August 20th to 28th 2022. The mission aimed to assess human rights protection and focused in particular on attacks on judicial independence, risks faced by the legal profession and detention conditions of those imprisoned following last year's social unrest.

The OIAD delegates first travelled to Bogotá for preliminary meetings with the delegation members and Colombian colleagues, and then spread out to the four regions: Bolívar (Cartagena), Norte de Santander (Cúcuta), Santander (Bucaramanga) and Valle Del Cauca (Cali) to meet with lawyers, human rights defenders, civil society organisations, representatives of rural communities, victims and survivors, judges and other actors in the judicial system, as well as other state authorities. Back in the capital, the delegates met with representatives of national and international non-governmental organisations, the judiciary and the Special Jurisdiction for Peace (JEP), and also with government entities such as the Public Prosecutor's Office and the National Protection Unit.

CONCLUSIONS OF THE MISSION REPORT: STILL NO RESPITE FOR HUMAN RIGHTS LAWYERS

The Caravan is extremely concerned by reports, received during and after the delegation mission, that threats, attacks and insecurity continue to be the norm for practitioners of the legal profession. This holds especially for human rights lawyers who continue to face high risks in practicing their profession, particularly in border and rural areas where there is often armed conflict, when representing displaced or confined communities, land defenders, or those arbitrarily detained and criminalised in academia and in the context of demonstrations.

The report presents detailed accounts from individual lawyers and lawyers' groups in Bogotá and the regions visited. The OIAD delegates heard testimonies of stigmatisation, judicialization (framing) and criminalisation, as well as threats and attacks against lawyers, their families and clients in all the regions visited. The situation of those defending defenders remains untenable.

Following this mission, a mission report was drawn up reflecting all the information verified and including a series of recommendations to the Colombian government.

[Read the summary of the report.](#)

[Read the full report.](#)

MISSION RESULTS FOR THE OBSERVATORY

Several objectives were achieved through the Observatory's participation in this mission, including the following:

- **Identification of cases of threatened lawyers to be supported:** Seven new individual alerts of colleagues in danger were identified, three requests were received to observe judicial hearings of particular interest for the legal profession in Colombia and one request was received to draft an Amicus Curiae in support of an association of Colombian women lawyers.
- **Publicising the Observatory's activity:** The OIAD's visibility was enhanced through its agenda of meetings with internationally salient institutions, i.e the Spanish and French Embassies in Colombia, the United Nations Office (UNOHCHR), the Colombian Ministry of Justice, the Colombian Prosecutor's Office, the Presidency of the Special Jurisdiction for Peace, and more than ten law firms specialised in the defence and promotion of human rights.
- **Strengthening alliances** through the Caravan's work with representatives of Union Internationale des Avocats (UIA), the Law Society England and Wales, the Fédération des Barreaux Européenne (FBE), Lawyers for Lawyers (L4L), Judges for Judges, Lawyers' Rights Watch-Canada, Peace Brigades International and Global Justice Association.



2.3 | EUROPEAN CONVENTION FOR THE PROTECTION OF THE LEGAL PROFESSION

BACKGROUND

The Council of Europe is working on an international text to protect the free practice of the legal profession, a project initiated by the Council of Bars and Law Societies of Europe.

This draft European Convention for the Protection of the Legal Profession **aims to strengthen European and international standards to protect lawyers** by incorporating the essential principles for their protection into a binding legal instrument.

In 2018, the Parliamentary Assembly of the Council of Europe (**PACE**), by a large majority, adopted a Recommendation for a European Convention for the Protection of the Legal Profession. With this recommendation, the PACE requested the Committee of Ministers draft and adopt a European Convention for the protection of the legal profession. It also invited the Committee of Ministers **to set up a whistleblowing platform for human rights defenders**, including lawyers, based on the existing Platform to bolster the protection of journalism and the safety of journalists.

Following the vote, the recommendation was submitted to the Committee of Ministers, which consulted four Council of Europe committees, including the European Committee on Legal Co-operation (CDCJ), which stressed the added value that such a binding instrument would bring and proposed undertaking a feasibility study.

The feasibility study, published on 19 April 2021, notes that the problems facing the legal profession, both individually and institutionally, are serious and appear to be becoming more widespread.

The study concludes in this respect that **there is a case for a legally binding instrument** on the legal profession to more precisely and comprehensively set out the rules and entrust their enforcement to a body with a remit to provide guidance on the implementation of the instrument's provisions and, on an optional basis, advice on class actions by approved entities.

As a result of this study, the CDCJ was mandated by the Council of Ministers to establish a **committee of experts to prepare a draft European legal instrument**, binding or not, on the legal profession.



MOBILISATION OF THE OBSERVATORY

From the outset of these developments, OIAD has been very attentively following the work carried out under the aegis of the Council of Europe.

This draft Convention aims to bolster the protection of the legal profession and the right to practice law independently, without undue interference or discrimination.

In this respect, **the OIAD was heard on 8 July 2021 by the Ambassadors to the Council of Europe on the opportunity to work on the development of a legal instrument.** Massimo Audisio represented the OIAD at the hearing.

This hearing provided an opportunity to present the OIAD's work and to articulate advocacy action with a view to reinforcing current European standards to protect lawyers in practicing their profession.

Following this hearing, the OIAD was designated as an observer member of the group of experts established to draft the instrument.

Thus, **the OIAD sits alongside other European organisations in charge of protecting lawyers' rights, including the CCBE**, the FBE and the ASF.

As an observer member, the OIAD is entitled to **make observations and coordinates with other international observers.** This comes as **recognition of its international role among the profession's advocacy organisations** and ensures its institutional visibility before the Council of Europe.

The first meeting of the Committee was held in Strasbourg from the 6th to the 8th of April 2022. The OIAD participated in each of the four meetings organised, sending a representative to Strasbourg.

Each meeting provided an opportunity to discuss an aspect of the future convention, i.e. its scope, its binding nature, the definition of a lawyer, the notion and scope of lawyer-client privilege, and the nature and scope of the safeguards to be upheld for the practice of the profession. Future meetings will focus on the instrument's implementation mechanism.

In order to define its positions in the working and negotiation meetings, the OIAD has established a dedicated working group to analyse proposals, provide written comments and prepare interventions. This working group works closely with the CCBE and several national experts.

This work will continue until at least the end of 2024.

PART 3 | AID & ASSISTANCE

During this period, the OIAD has decidedly developed its direct assistance to lawyers in difficulty, both in exile and in their countries of origin. In emergency situations, the Observatory acts to improve their security situation in their countries of origin and to facilitate their evacuation when the risk so requires.

In the case of lawyers forced into exile owing to serious threats to their lives in their countries of origin, the Observatory accompanies them in this new and particularly difficult stage where they often find themselves in a new country, confronted with a new language and without financial resources, accommodation or the possibility of practicing their profession.

In order to react to this type of situation, the Observatory team mobilises in different ways. The support is mainly financial, in order to ensure that the lawyer has sufficient resources to cover his or her initial expenses upon arrival. Of course, the Observatory also provides legal support for the asylum application.

3.1 | DIRECT FINANCIAL AID

Over the last year, the OIAD released **31,090 euros** in financial assistance to **10 lawyers** in need. The beneficiaries are from **Afghanistan, Algeria, Nicaragua, the Democratic Republic of Congo, Rwanda, Turkey and Venezuela**.

This emergency aid funded a number of actions, including

- Assistance with evacuation to safe areas in neighbouring countries
- Support for the settlement of refugee lawyers in Europe
- Emergency assistance to exiled lawyers and asylum seekers
- Payment of legal fees to provide legal assistance in asylum or family reunification procedures
- Provision of security arrangements for law firms and homes of lawyers at risk

Before the Bureau vets an allocation, each request for assistance is subject to an investigation and identification of needs.

3.2 | LEGAL ASSISTANCE

3.2.1 ISSUANCE OF RISK CERTIFICATES FOR ASYLUM PROCEDURES

The Observatory issues risk certificates so that lawyers forced to flee their country of origin can prove in their asylum applications that the reason for their flight was precisely the risks associated with practicing their profession. This documentation is essential in cases where the origin of the risks suffered is more difficult to prove as the lawyer in question fears reprisals, be they personal or against family members, and therefore does not wish to divulge this information.

During the last period, four certificates were issued to lawyers from different countries including: Colombia, Guatemala, Afghanistan and Mexico.

3.2.2 STEPS TAKEN WITH EMBASSIES

Through its members, the Observatory endeavours to use diplomatic networks to act on behalf of the lawyers it aims to protect and to secure the intervention on the part of the embassies in question to facilitate the evacuation of gravely threatened lawyers.

An emblematic case that perfectly illustrates the work that the Observatory performs in this field was the evacuation of the Afghan lawyer Hosain Haydari, who managed to reach Iran after being threatened and persecuted by the Taliban authorities for having denounced the situation suffered by legal practitioners. After numerous approaches to the Spanish Consulate in Tehran and a great deal of work in collaboration with the Foundation of the National Council of Spanish Bars, a visa was obtained and a flight funded by the Observatory took Mr Haydari to Spain, where he applied for asylum.

[Read the full interview with lawyer Hosain Haydari](#)

PART 4 | COMMUNICATING

4.1 | EVENTS

4.1.A COMMUNICATION CAMPAIGN ON AFGHANISTAN

Following the fall of Kabul to the Taliban on 15 August 2021, one of the first decisions of the new Taliban Ministry of Justice was to require all Afghan lawyers obtain a licence issued by the Ministry in order to continue practising. On 23 November 2021, a group of armed Taliban took control of the Afghan Independent Bar Association (AIBA) on behalf of the government. This gave the Taliban access to the AIBA's database, which includes detailed personal information on lawyers' families and clients, placing these lawyers at a serious risk of retaliation.

ONE YEAR AFTER THE FALL OF KABUL, CONSEQUENCES FOR THE LEGAL PROFESSION

In response to this situation faced by our Afghan colleagues, the OIAD has launched a support and advocacy campaign to demonstrate its commitment to continue to support an independent bar in Afghanistan and our colleagues, whether they are in Afghanistan or in exile.

[Read the press release](#)

THE PUBLICATION OF DOCUMENTATION ON THE SITUATION OF AFGHAN LAWYERS:

In order to report on the situation of our Afghan colleagues, the OIAD has published a retrospective of the devastation of the profession since the arrival of a Taliban government in power. Highlighting the development over 20 years of the attempt to build the rule of law, characterised since 2021 by the AIBA's decline and the impossibility for women to practice the profession, the IOAD wished to spotlight these lawyers, hindered in their defence.

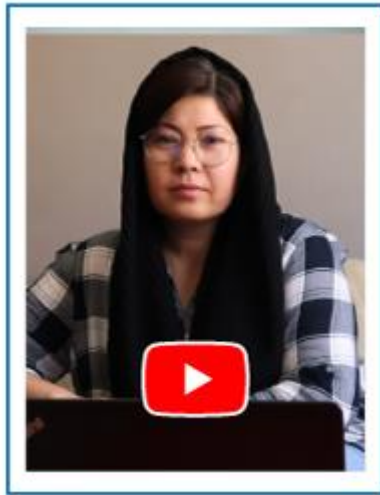


"The 2,270 lawyers still in the country must pass an exam where the questions are drawn from religious subjects and do not relate to legal qualifications. Candidates for certification will also require approval from the Taliban's intelligence agency regarding their possible background, such as their relations with international organisations and the former regime."

[Read the brochure on the situation of lawyers in Afghanistan](#)

VIDEO TESTIMONIES OF AFGHAN LAWYERS

The Observatory has also collected testimonies from Afghan lawyers Hakima Alizada and Rohullah Qarizada. Access the videos by clicking on the following links



[Hakima Alizada](#)



[Rohullah Qarizada](#)

[4.1.B WORLD DAY 2023: SYMPOSIUM ON LAWYERS IN CRISIS](#)

For the International Day of Lawyers in Danger, which this year focused on the situation of lawyers in Afghanistan, the OIAD organised a colloquium on "Defending the defence in times of crisis", during which the UN Special Rapporteur on the Independence of Judges and Lawyers, Ms Margaret Satterthwaite, intervened.

The online event put the spotlight on Afghanistan, where lawyers have been targeted since the Taliban government took power on 15 August 2021.

It also included testimonies from Afghan lawyer Freshta Karimi and the President of the Afghanistan Independent Bar Association (AIBA), Rohullah Qarizada.

In view of the deterioration of the rule of law around the world and the exposure of lawyers, Ukrainian lawyer Maria Potemkina and Iranian lawyer Hirbod Dehghani-Azar presented the situation of lawyers and the initiatives taken by bar associations and lawyers' organisations in their countries, subject to war and repression.



[Watch the webinar again here](#)

MOBILISATION OF OUR MEMBER BARS

In support of the unfortunately increasing number of threatened colleagues around the world, the voice of foreign lawyers and bar associations was also raised on this international day of lawyers in danger.

The Bars of Verona, Turin and Brescia organised conferences, with particular reference to the situation of lawyers in Iran, Afghanistan and Turkey.

In Verona, before the conference attended by the exiled Iranian lawyer Hossin Ahmadiroz, the lawyers' choir performed songs inspired by the values of peace and freedom and composed a song in Italian with reference to Iran's "Woman, Life, Freedom".

In Turin, prior to the conference, lawyers demonstrated in robes around the Tribunal in support of their colleagues' cause.

In Brescia, a conference was organised in collaboration with the city council. Lawyers Fausto Pelizzari, Adriana Vignoni and Antonio Fraticelli, who, as OIAD observers, attended the trial of the progressive lawyers' association Çağdaş Hukukçular Derneği (ÇHD) in November 2022 in Turkey, intervened as speakers.

A colloquium was also organised by the Lille Bar Association where the OIAD's actions in support of Afghan colleagues were highlighted and the participants were able to exchange views with the Ukrainian lawyer Karyma Sumerkina, currently a refugee in Lille.

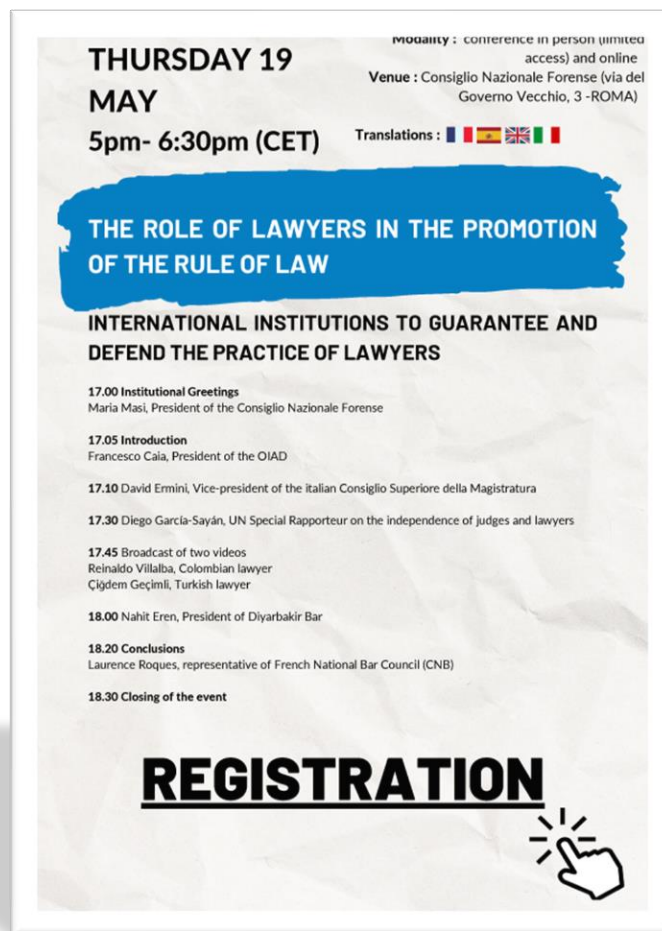


4.1.C ROME CONFERENCE


On 19 May 2022, the Observatory organised a conference in Rome to reflect on the role of lawyers in building the rule of law. We were honoured to welcome experts in the field such as David Ermini, Vice-President of Italy's High Council of the Judiciary, who reminded us that rights and freedoms can never be taken for granted, even where democracy is strongest.

Mr Diego García Sayán, Special Rapporteur on the independence of judges and lawyers at the time, stressed that "there is currently a persistent attitude in all regions of the world to hinder the exercise of the legal profession in various ways, constituting a way of impacting the functioning of the judicial system and the rule of law".

In addition, the Turkish lawyer Çiğdem Geçimli, the Colombian lawyer Reinaldo Villalba and the President of the Diyarbakir Bar Association, Nahit Eren, shared their testimonies, recalling the essential work of institutions in the protection of threatened lawyers. Finally, the conference was also an opportunity to report on the state of progress of the project to draft a European convention on the protection of the legal profession, on which the Observatory is also focusing its efforts as an observer.



**THURSDAY 19
MAY**
5pm- 6:30pm (CET)

Modality : conference in person (limited access) and online
Venue : Consiglio Nazionale Forense (via del Governo Vecchio, 3 -ROMA)
Translations : 

THE ROLE OF LAWYERS IN THE PROMOTION OF THE RULE OF LAW

INTERNATIONAL INSTITUTIONS TO GUARANTEE AND DEFEND THE PRACTICE OF LAWYERS

17.00 Institutional Greetings
Maria Masi, President of the Consiglio Nazionale Forense

17.05 Introduction
Francesco Caia, President of the OIAD

17.10 David Ermini, Vice-president of the Italian Consiglio Superiore della Magistratura


17.30 Diego García-Sayán, UN Special Rapporteur on the independence of judges and lawyers

17.45 Broadcast of two videos
Reinaldo Villalba, Colombian lawyer
Çiğdem Geçimli, Turkish lawyer

18.00 Nahit Eren, President of Diyarbakir Bar

18.20 Conclusions
Laurence Roques, representative of French National Bar Council (CNB)

18.30 Closing of the event

REGISTRATION 

4.2 | DIVERSIFYING OUR COMMUNICATION

4.2.1 MONTHLY NEWSLETTER

Each month, the Observatory sends its members a newsletter in French, English, Spanish and Italian to report on alerts, communiqués and missions carried out by the OIAD.

The newsletter can be subscribed to directly on the [website](#).

4.2.2 SOCIAL MEDIA

The Observatory is actively working on developing its digital communication in order to make its work accessible to as many people as possible.

One of the Observatory's main tools to protect lawyers at risk is to make their situation visible and denounce it publicly. In order to improve and disseminate the actions more widely, the Observatory has endeavoured to improve the design of its communications to make them clearer and more visual.



PART 5 | AWARENESS RAISING

5.1 | HUMAN RIGHTS AWARD

The Human Rights Awards are an opportunity to highlight human rights defenders, publicise their situations and protect them in certain cases where their activity and integrity are undermined.

The OIAD has continued to submit entries for international awards such as the CCBE Annual Human Rights Award and the Lawyers for Lawyers Award.

This year, OIAD also launched the first edition of its own award.

5.1.A ESTABLISHING THE OIAD AWARD

After having successfully submitted several entries to international lawyers' awards, OIAD decided to launch its own human rights award.

The award, which will be presented for the first time at the General Assembly on 16 June in Marseille, aims to recognise a lawyer or organisation of lawyers that has honoured the profession by upholding the highest values of professional and personal ethics in the field of human rights.

This award is intended to publicise the awardee's work and thus to protect that lawyer to some extent from harm or prevent the situation from further deteriorating.

It is also an opportunity to spotlight the action of the OIAD and its member bars to support their threatened colleagues.



5.1.B CCBE AWARD: LAWYER HANG TUNG CHOW (HONG KONG)



Each year, OIAD submits a joint nomination for the CCBE Human Rights Award. This nomination is supported by all the founding members of the CCBE Human Rights Committee and publicises OIAD action.

This coordination allows the Observatory to act as a sounding board within the profession's international bodies.

In 2023, the OIAD nominated Hong Kong lawyer Chaw Hang-Tun for the CCBE Human Rights Award.

Chow Hang-tung was convicted on 4 January 2022 of inciting crowds to attend a banned vigil in 2021 in memory of the Tiananmen crackdown. This occurred a few months after having been sentenced to one year in prison for similar offences in 2020.

In 2021, she was unable to participate in this rally, as she had been arrested that morning to prevent her from going to the park where the event was held.

She will have to serve a total of 22 months for calling on Hongkongers to do what she considers a duty of conscience. The commemoration had been held annually in Hong Kong since 1990, but for the past two years it has not been tolerated.

Chow Hang-Tung is a committed lawyer, known to all in Hong Kong for her deep commitment to democracy. Since the start of the pro-democracy movement in 2019, she has been at every rally, celebration and protest.

5.1.C LAWYERS FOR LAWYERS AWARD: REINALDO VILLALBA (COLOMBIA)



Every two years, Lawyers for Lawyers grants an award to a lawyer who has made a significant contribution to the protection of the rule of law and human rights in a difficult context.

For the 2023 edition, the Observatory presented the candidacy of Colombian lawyer Reinaldo Villalba Vargas, who is committed to the defence of human rights in Colombia and has been a member of the prestigious organisation "Colectivo José Alvear Restrepo (CAJAR)" for 30 years. Throughout his career as a lawyer, he has represented hundreds of victims of crimes against humanity and serious human rights violations.

Because of his work, Reinaldo Villalba Vargas has been defamed by the authorities and the media, who have unfoundedly labelled him as a "defender of terrorism and an auxiliary of the guerrilla", particularly since his outstanding work as a defender of Senator Iván Cepeda in the highly emblematic case against former Colombian President Álvaro Uribe Vélez. This situation is extremely worrying as such stigmatising comments have historically been used by criminal organisations and paramilitary groups to murder human rights defenders in the country.

5.2 | INTERVIEW WITH EXILED LAWYERS

5.2.A INTERVIEW WITH AFGHAN LAWYER IN EXILE IN SPAIN: HOSAIN HAYDARI

"I would like to see more exfiltrations from the country through diplomatic channels for those who are in danger"



Because of his work as a criminal lawyer and advocate for women victims of gender-based violence, Afghan lawyer Hossain Haydari was arrested and all his property was seized. During his 16 weeks in prison, he was tortured and ill-treated. Now in exile in Spain after fleeing Afghanistan through the Iranian border, he gave an interview to the Observatory and the Fundación Abogacía. He talks about the complex situation in which his country finds itself and the current state of justice there.

[Read the interview](#)

5.2.B INTERVIEW WITH THE RUSSIAN LAWYER EXILED IN POLAND: TAMILLA IMANOVA

"I would like to work as a lawyer in Russia, but for that to happen, the system and regime must change"



To commemorate International Women's Day, the Observatory presented the portrait of Tamilla Imanova, a young lawyer forced to leave Russia because of her commitment to human rights. Aged 26, she had been working for 4 years at the Memorial Human Rights Centre, one of the Memorial NGOs in Russia, when she had to flee her country. The Observatory had the opportunity to interview Ms Imanova and ask her about her career and issues including the practice of law, the impact of the war in Ukraine and gender equality in Russia and more.

[Read the interview](#)

5.3 | CO-FUNDING OF THE DOCUMENTARY "DESTERRADOS"

For the first time, the Observatory has approved a partnership with the audio-visual production company Cabal Films to co-fund and support the creation of a documentary series to spotlight the serious situation in which the Colombian lawyer Adil Meléndez finds himself. Desterrados is a documentary project that focuses on the exile suffered by peasant, rural and Afro-descendant communities in the Caribbean, represented by the lawyer Adil Melendez.

Adil Meléndez is one of the most threatened leaders in Colombia, a country where more than 1,000 leaders have been killed since the peace agreement. Adil has been the victim of eight assassination attempts. His last death threat came in August 2022 in connection with the Canal del Dique mega-project. Like two of his colleagues, he was given a funeral wreath for simply practicing his profession and campaigning for the defence of human rights, environmental protection and respect for the Afro-descendant community.

Therefore, the Observatory considers it very important to support this project to protect lawyer Adil Meléndez and the causes he represents. The first pilot episode will be broadcast in June 2023.

[Watch the teaser](#)

