



2020 Annual Board Report Lawyers for Lawyers

Introduction

2020 was a challenging year for Lawyers for Lawyers. Due to the COVID-19 crisis, many of our planned activities and initial fundraising plans could not be carried out at all, or not in their original form. However, the corona crisis has changed, but certainly not diminished, the work that Lawyers for Lawyers does. This year has highlighted the importance of the work we do. We've responded quickly to the new challenges, while remaining steadfast in our commitment to supporting lawyers all over the world who are at risk in connection with their professional activities.

1. About Lawyers for Lawyers

1.1 General

Lawyers play a vital role in the protection of the rule of law and human rights. It is the responsibility of lawyers to protect and establish the rights of citizens from whatever quarter they may be threatened. Their work is indispensable for ensuring effective access to justice for all.

To fulfil their professional duties effectively, lawyers should be able to practice law freely and independently, without any fear of reprisal. Around the world, however, lawyers are harassed, threatened, attacked or worse for simply doing their job.

Lawyers for Lawyers is an independent, non-profit, civil society organization, based in the Netherlands. We are lawyers who promote the common values of lawyers and their contribution to the justice system. Around the world, we stand up for colleague-lawyers under threat.

Established in 1986, Lawyers for Lawyers has more than 30 years of experience in providing emergency support and assistance to lawyers in danger and creating awareness of the importance of the independent functioning of the legal profession to the protection of citizens' rights.

1.2 History

Lawyers for Lawyers has its roots in a solidarity campaign for lawyers in Argentina who 'disappeared' or were detained without trial under the military juntas from 1976-1983. The campaign was initiated by a Dutch lawyer and cartoonist, Willem van Manen, in the context of an international congress of lawyers hosted in Buenos Aires.

It showed that international solidarity of the legal profession can play an important role in order to defend and protect colleague-lawyers from attacks, especially since lawyers are bound by universal core values underpinning their profession.



Inspired by the lack of an independent lawyers' organization dedicated to raising international awareness and recognition of the specific role of lawyers in the protection of the rule of law and human rights and responding to immediate threats to their safety and ability to perform their professional duties effectively, Lawyers for Lawyers was established in 1986.

The creation of Lawyers for Lawyers was supported by the Dutch sections of Amnesty International and the International Commission of Jurists (NJCM), the Netherlands Bar Association and the Netherlands Institute of Human Rights at University Utrecht.

1.3 Lawyers for Lawyers penguin logo

The first chair of Lawyers for Lawyers was Willem van Manen. Van Manen was not only a lawyer, but also a cartoonist. He designed the Lawyers for Lawyers penguin-logo, based on his famous series of penguin lawyers' cartoons.

2. Mission, Vision, Core Values and Goals

2.1 Mission

Promote and protect the independence of lawyers

Our mission is to promote and protect the independence of the legal profession through the support and empowerment of lawyers who face reprisals, interferences and restrictions because of their work.

In doing so, we refer to internationally recognized human rights laws and standards, including the UN Basic Principles on the Role of Lawyers.

2.2. Vision

Every lawyer can practice law independently

We strive for a world where lawyers can practice law independently to effectively fulfil their role in upholding the rule of law and the protection of human rights.

Lawyers should be able to do their job without improper interference or any fear of reprisal. Always and everywhere. Also, when that does not suit the government, the bar association or the establishment.

2.3 Core Values

Put lawyers under threat at the heart of our work

When we work to promote and protect the independence of lawyers, we are committed to:

- Put lawyers under threat at the heart of our work.
- Provide support to meet expressed needs by lawyers whose rights are violated.
- Analyse why lawyers face reprisals, guided by local lawyers and other stakeholders.
- Identify the most effective ways to achieve tangible impact and lasting progress.
- Act independently, objectively, professionally, and with integrity.
- Act in coordination and solidarity with other actors working toward common goals.

3. Strategies, programs and activities

To achieve our mission, vision and goals, we **support lawyers** at risk across the world and **raise awareness** of the importance of the independent functioning of lawyers for the protection of the rule of law and human rights.

3.1 Supporting Lawyers

We provide individual and structural support to lawyers and lawyers' associations through three **programs**: Defend, Empower and Influence.

1. DEFEND

We **defend** individual lawyers at risk globally to end, mitigate, or prevent reprisals against them for doing their jobs and ensure accountability where such reprisals occur.

In 2020 most of our 'defend' activities could take place as originally planned, with the exception of our trial monitoring program. In 2020 we thus contributed to this goal by:

- Providing tailor-made support to individual lawyers at risk, guided by the lawyers concerned or their representatives.
- Monitoring and highlighting violations of lawyers' rights.
- Conducting advocacy on targeted impunity cases.
- Building networks and alliances to act in coordination and solidarity.

2. EMPOWER

We **empower** lawyers and associations of lawyers to fulfil their role in upholding human rights and fundamental freedoms.

In 2020 we were able to provide training sessions on location as originally planned, and we provided newly developed online training sessions. In 2020 we thus contributed to this goal by:

- Sharing best practices on core values and ethics underpinning the legal profession.

- Giving training sessions on the UN Basic Principles on the Role of Lawyers and the use of human rights mechanisms

3. INFLUENCE

We **advocate** for laws, policies and practices that provide or reinforce effective protections for the independent functioning and safety of lawyers in accordance with internationally recognized laws and standards.

In 2020 we contributed to this goal by :

- Engaging with international bodies and their mechanisms to advocate for standards, resolutions and recommendations that strengthen the independence and safety of lawyers.
- Lobbying governments to adopt, implement and enforce effective legal protections and change laws as necessary that encroach on the independence of lawyers.

3.2 Raising Awareness

We **promote** the UN Basic Principles on the Role of Lawyers to **inform** lawyers, other stakeholders and the public about the important role of lawyers in the protection of the rule of law and human rights and fundamental freedoms and **enhance the understanding thereof**.

In 2020 we were able to continue working on our activities by moving these to the online space. We thus contributed to this goal by:

- Organizing online seminars, workshops, roundtable discussions, and side-events.
- Publishing articles and speaking at online public conferences.
- Engaging in professional ethical training of young lawyers.

4. Methodology & Impact 2020

Lawyers for Lawyers has a strong track record in acting quickly and effectively to support lawyers in danger. Our international network and the way we operate, enable us to be flexible and amendable to fast-changing situations and developments.

Lawyers for Lawyers are practicing lawyers and human rights experts. We are therefore particularly well placed to monitor and highlight violations of lawyers' rights and threats to their independence and to raise awareness of the harmful consequences thereof for upholding the rule of law and the protection of human rights.

Our board of directors, staff members and lawyer-volunteers have deep knowledge and expertise of the laws, standards and ethics underpinning the legal profession, the concept of the rule of law as well as international human rights laws and mechanisms. They also know how to apply these laws, concepts and mechanisms in practice.

4.1 Who we support - Where we work

Lawyers for Lawyers supports lawyers at risk in all continents of the world, especially lawyers who work in challenging environments.

We stand with lawyers who have the formal status of lawyers in accordance with domestic laws and are bound by recognized standards and ethics of the legal profession. At the same time, we may include lawyers who exercise the functions of lawyers but are not or not any longer formally recognized as such, for example because access to the legal profession has been refused to them or they have been suspended or disbarred on improper grounds as a reprisal of their work.

On the individual level we prioritize support to lawyers who are in imminent danger or acutely vulnerable. However, since our resources are limited, we are forced to make choices. These choices are based upon our capacity, expertise, and networks, as well as potential opportunities and impact. Also relevant is whether support is already or can be better provided by other organizations.

4.2 What we do - How we collaborate

In addition to emergency support and rapid assistance to lawyers in immediate danger, we provide a range of tools and preventive support to defend and protect lawyers from attacks and improper interference and to strengthen their international recognition and legal protection. At the same time, we empower lawyers and associations of lawyers to support, safeguard, and advocate for the independence of the legal profession on a more lasting basis at the domestic level.

We promote respect for the UN Basic Principles on the Role of Lawyers. In doing so, we act in collaboration or coordination with international bar associations, lawyers' organizations and other civil society actors.

Lawyers for Lawyers is a member of the BMO (*Breed Mensenrechten Overleg*), a coalition of human rights and development organizations based in the Netherlands.

We also engage with governments and international and regional intergovernmental institutions and their mechanisms. In 2013, Lawyers for Lawyers was granted consultative status with the United Nations Economic and Social Council (ECOSOC), providing us access to this Council and its many subsidiary bodies, to the Human Rights Council, to the various human rights mechanisms of the UN, as well as to special events organized by the President of the General Assembly.

4.3 How we make an impact

Lawyers for Lawyers acknowledges that it is often hard to tell whether our activities have contributed to or resulted in reducing or preventing attacks and restrictions against lawyers or improving legal protections, and if so, to what extent. When it comes to supporting lawyers, we define success in terms of making a positive difference for individual lawyers. We make a positive impact, when lawyers feel morally supported, when we offer a source of strength in times of need, or when their personal situation changes positively, e.g. they are released from prison, travel bans are lifted, disciplinary or criminal proceeding are withdrawn, etc. Our impact is also positive when lawyers feel empowered to support their colleague lawyers at home.

When it comes to structural support, we define success in terms of progress, e.g. is there an increased number of recommendations made by United Nations human rights mechanisms, strengthening the independence of lawyers and the legal profession that were originally issued by Lawyers for Lawyers or by organizations we are collaborating with or by governments we have engaged with; is there an increase in the number of governments we have engaged with, accepting those recommendations; are those supported recommendations implemented effectively; and do they result in positive changes for lawyers discharging their professional duties.

When defining performance indications for specific projects, we make a distinction between what outcomes may be reasonably expected, given our circle of influence, and what outcomes would be best in terms of achieving our mission, vision and goals.

To understand our impact, we monitor and evaluate the results of our activities on an on-going basis.

4.4 Impact examples 2020

Support to individual lawyers:

On December 10, 2019, we launched our #FreeTheLawyers campaign. This important campaign consists of a series of activities, including interventions, a greeting card action, social media campaigns, written reports and advocacy for specific cases of imprisoned lawyers from different parts of the world. Six unjustly imprisoned lawyers are the face of the campaign, including Nasrin Sotoudeh from Iran. Nasrin Sotoudeh is a prominent human rights lawyer who represented women's rights activists who protested against the obligation to wear a headscarf. On December 30, 2018, Sotoudeh was sentenced to 38 years in prison and 148 lashes in connection with her work. To our delight, she was temporarily released in November 2020 because of her deteriorating health due to the hunger strike she embarked on to demand the release of political prisoners in Evin prison who were at risk of catching COVID-19. After six weeks, she unfortunately had to return to prison.

Through the #FreeTheLawyers campaign we also asked our network, in the Netherlands and abroad, to send greeting cards to the lawyers featured in the campaign. Through family members of the lawyers, we learned that several of them received many cards in prison.

Jamshed Yorov, brother of Buzurgmehr Yorov who is featured in the campaign, confirmed that Buzurgmehr received a large number of cards, and told us: *“Everything we say and write about Buzurgmehr reaches him in one way or another. The sense of solidarity gives him strength and confidence in his work. The awareness of Buzurgmehr’s case is not only important to him as one of the ways for achieving justice, but it is also very important for society, which is deprived of any information about the true reasons behind the arrestations, the pressure, and the repression against the human rights defenders in the country”*.

Due to the corona crisis, our activities on behalf of lawyers in Turkey have taken a different form than usual this year. Instead of travelling to Turkey for our trial monitoring program, in 2020 we were forced to follow trials against lawyers from a distance. But, together with many bar associations and international lawyers’ organizations, we did campaign for the release of Ebru Timtik and Aytaç Ünsal, two lawyers who were sentenced to lengthy prison terms after an unfair trial. They started a hunger strike in April 2020. To draw attention to their situation, we organized a press conference and asked the Special Rapporteur on the Independence of Lawyers and Judges for "urgent action". Sadly, Ebru Timtik passed away on August 27, 2020 as a result of her hunger strike. A week after the death of Ebru Timtik, Aytaç Ünsal was temporarily released on the order of Turkey’s Supreme Court on the grounds that extending his detention would endanger his life. He stopped his hunger strike after his release.

Pre-corona, we provided an in-person training to a group of lawyers in Eastern Africa. In the second half of 2020, we also provided a training to a group of Kyrgyz lawyers online. The trainings were based on needs that were identified during conversations prior to the trainings and both groups informed us that they appreciated the gained knowledge very much and can use the tools and mechanisms presented in their daily practise as lawyers.

Structural support: During the corona crisis, many of our advocacy activities under our ‘influence’ program, could take place in an online form. In 2020, Lawyers for Lawyers engaged in different parts of the Universal Periodic Review cycle by the United Nations Human Rights Council of Kazakhstan, Iran and Egypt. During the review cycle of these countries, there was an increased number of recommendations made by the Council on strengthening the independence of lawyers and the legal profession.

5. Board, staff and volunteers 2020

5.1 Board

Lawyers for Lawyers has a Board of Directors comprised of practicing lawyers and human rights experts.

Board members in 2020:

Irma van den Berg - President

Milena Latuputty - Secretary

Tony Vermeulen - Treasurer

Judith Lichtenberg - Member

5.2 Volunteers

Lawyers for Lawyers' volunteers are essential to fulfil our mission. They also significantly outnumber paid staff. In 2020, we have expanded our focus countries and our work. Consequently, we have also increased the number of volunteers in our organization. In 2020, Lawyers for Lawyers had a pool of than 65 highly motivated and skilled volunteers, consisting mainly of practising lawyers, as well as a journalist and a management assistant.

In 2020, we have strengthened our onboarding and training program, including necessary policies and procedures.

5.3 Staff

In December 2019, Lawyers for Lawyers has expanded the number of FTEs, by hiring a programme officer for 36 hours a week. In 2020, the total FTEs of the office of Lawyers for Lawyers was 2,1 FTE.

6. Funding and Financial resources 2020

Lawyers for Lawyers is supported entirely by financial donations and in-kind support, mainly from individual lawyers, law firms, lawyers' associations and other organizations related to the legal profession. We raise funds by cultivating relationships and partnerships in the legal sector and through third- party events. We sometimes also receive royalties from an author or composer for each copy of a legal book that has been sold or fees for a service that has been provided, such as a legal training.

Lawyers for Lawyers has been recognized as a charity by the Central Bureau on Fundraising (CBF), i.e. "*CBF-erkend goed doel*". Lawyers for Lawyers is also tax-exempted under Dutch law. It qualifies as a Public Benefit Organisation (ANBI status).



The reserves of Lawyer for Lawyers are at a level that is considered to be justified by the Herkströter Committee (Commission on Capital Standards for Charities), i.e. a continuity reserve of a maximum of one and a half times the annual turnover.

In 2019, Lawyers for Lawyers developed a fundraising plan with the aim of expanding and diversifying our funding sources and in-kind support in order to safeguard our financial sustainability, be able to do long-term planning and reach our full potential. In 2020, we released our 'friend' initiative – asking individual lawyers to support us financially for a minimum of five years. We also expanded our 'partner' law firms – law firms that support us financially for a period of three years. However, due to the Corona crisis, many of our fundraising events were cancelled. Because of the crisis, it has been harder to fundraise in 2020 among new prospects. Due to this, we were unable to achieve our fundraising goals for 2020. However, because many of our activities had to take place in another form (online), or had to be cancelled, our expenditures also lessened.

7. 2021 and beyond

7.1 Our focus in 2018 - 2021

The board of Lawyers for Lawyers established a Strategic Plan in 2018, which will be followed in 2021. The purpose of this Strategic Plan is to inform our continued journey to be an internationally recognized expert in promoting and safeguarding the independence of individual lawyers and the legal profession across the world, serving as a catalyst for a safe and enabling environment for lawyers.

In the coming year, we will focus on strengthening our impact of supporting lawyers and expanding our financial and human resources. In doing so, we will also concentrate on enhancing our communication strategy.

We will continue to provide our tailor-made expert support to lawyers at risk, while deepening our impact on the ground in a sustainable way. We also seek to expand and enhance our services to meet the increase in and complexity of the requests and demands on Lawyers for Lawyers from lawyers at risk.

In 2021, a new Strategic Plan will be written for the period of 2022-2026.

7.2 Challenges and Opportunities

7.2.1 Challenges

7.2.1.1 How to support a growing group of lawyers with limited capacity

Around the world, lawyers are harassed, threatened or attacked for simply doing their job. One of our challenges is to be able to respond to all requests for support.



In June 2017, following a report of the UN Special Rapporteur on the Independence of Judges and Lawyers in August 2016, the Human Rights Council of the United Nations, expressed its “deep concern about the significant number of attacks against lawyers and instances of arbitrary or unlawful interference with or restrictions to the free practice of their profession”.

The Committee on Legal Affairs and Human Rights of the Council of Europe’s Parliamentary Assembly also expressed its concern in December 2017 ‘that harassment, threats and attacks against lawyers continue to occur in many Council of Europe member States and are even increasing in some of them’.

It depends on the political reality and the factual circumstances what instruments are used to silence lawyers or prevent them from representing certain clients. These include, amongst other things, killings, (death)threats, attacks on the physical integrity and reputation, intimidation, enforced disappearances, and harassment of lawyers (and sometimes also their family members).

Lawyers also increasingly face arbitrary arrest and prosecution as well as abuse of disciplinary proceedings and contempt of court. As a result, lawyers are subject to groundless detention or disbarment and to other sanctions or unreasonable restrictions, including travel bans or house arrest.

Lawyers in custody very often face poor prison conditions. Their health may deteriorate rapidly, while adequate medical treatment is lacking. They also suffer ill-treatment, including torture and solitary confinement, to punish them, e.g. for issuing complaints or continuing legal proceedings.

In some countries, lawyers are increasingly summoned as witnesses in their own client’s cases as a tactic to force lawyers to withdraw from these cases for compromising lawyer-client privilege.

The attacks on lawyers and instances of improper interference constitute clear violations of various international human rights instruments, most notably the International Convention on Civil and Political Rights and the Basic Principles on the Role of Lawyers.

Lawyers for Lawyers is a network of around 60 active volunteer lawyers and hundreds of lawyers who are sympathetic to our cause. Limited capacity to respond to all threads to lawyers around the world is a major challenge for Lawyers for Lawyers. In 2021 the organization plans to further increase the staff, group of active volunteers and supporters.

7.1.2.2 Financial income

As for many NGO’s raising adequate funds is always a challenge. Due to the corona crisis and the instable and insecure economic situation that came with the crisis, fundraising will be extra challenging in 2021. Looking at our current partners and supporters, we are confident we will be able to meet our financial goals as set out in our Budget 2021. In 2021, the Lawyers for Lawyers Board and Director will dedicate more time and effort into fundraising, to continue to expand and



diversify our funding sources in order to safeguard our financial sustainability, be able to do long-term planning and reach our full potential.

7.2.2 Opportunities

- Sustainability Development Goal 16 in which the Member States of the United Nations acknowledged the centrality of the right to access to justice, creates a new opportunity to act in collaboration and coordination with other actors to work towards promoting and protecting the vital role of lawyers in ensuring the right to access to justice and other fundamental human rights and freedoms.