



2021 Annual Board Report Lawyers for Lawyers

Introduction

Due to the COVID-19 crisis, 2021 was again a challenging year for Lawyers for Lawyers. The corona crisis has changed, but certainly not diminished, the work that Lawyers for Lawyers does. Since the begin of the crisis, 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. Since we had already moved many of our activities online in 2020, it was easier to continue those in 2021. Furthermore, we were able to continue our fundraising activities, and have been able to travel again at the end of 2021.

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

Lawyers for Lawyers promotes and preserves the independence of the legal profession worldwide and defends the professional rights of lawyers to provide legal services safely and independently, without fear of reprisal. We safeguard lawyers' role in protecting the rule of law and human rights and ensuring effective justice for all by acting wherever lawyers are under threat.

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 without fear of reprisal

We strive for a world where lawyers can practice law freely and 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 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 professional guarantees, immunities, and privileges are violated.
- Analyse root causes of 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.
- Leverage resources through collaboration and coordination with other actors working toward common goals.
- Improve outcomes through the creation of solidarity within the community.

3. Strategies, programs and activities

To achieve our mission, vision, and goals, we conduct three strategic **programs**: Defend, Empower, and Influence. Through these programs, we undertake activities to **support lawyers** at risk worldwide and **raise awareness** of the importance of the independent functioning of lawyers for the protection of the rule of law and human rights and fundamental freedoms to which all persons are entitled.

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 2021 most of our ‘defend’ activities could take place as originally planned, with the exception of our trial monitoring program, which we could only restart at the end of 2021. In 2021 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 2021 we provided our newly developed online training sessions. In 2021 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 2021 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.
- Promoting 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**.

4. Methodology & Impact 2021

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 subsidiaries 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

In 2021, we continued our #FreeTheLawyersCampaign. 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 Buzurgmehr Yorov from Tajikistan. Mr Yorov had been unjustly detained in 2015 after representing leaders of the Islamic Renaissance Party of Tajikistan, and after various trials that ignored international due process, he received a combined sentence of 28 years. In November 2019 his sentence was already shortened by 6 years. On 18 October 2021, Mr. Yorov's prison sentence was shortened by another four years. Even though, Mr. Yorov is still not free, his prison sentence has been significantly lessened.

Moreover, on 18 July 2021, Mahienour El-Massry from Egypt, another lawyer featured in the #FreeTheLawyersCampaign was released from prison. Mahienour El-Massry's arrest in September 2019 seemed to have been connected to her legitimate activities as a lawyer and the representation of detainees that were arrested during demonstrations demanding the resignation of the Egyptian president Abdelfattah Al-Sisi. Ms. El-Massry was held in pretrial detention until her release on 18 July 2021. The case against her is still open, but Lawyers for Lawyers welcomes her release from the ongoing pretrial detention.

Furthermore, in 2021, Lawyers for Lawyers campaigned for the Romanian lawyer Robert Roşu. Mr. Rosu was found guilty of participating in the formation of an organized criminal group and of complicity to abuse of office, and sentenced him to 5 years in prison. The criminal case against Mr. Roşu is most likely related to his professional activities in the 'Băneasa Farm Case' regarding the restitution of large plots of land in northern Bucharest to the heir of King Carol II of Romania. In a letter, we expressed concern about his conviction, imprisonment and alleged procedural irregularities such as lawyers being asked to testify as witnesses in the case. Moreover, in August 2021, Lawyers for Lawyers collected greetings cards from Dutch lawyers in support of Robert Roşu. The cards reached Robert Roşu and the greetings card action was picked up by the local press in Romania. On 23 November 2021, Mr Roşu was released from prison.

In November 2021, two members of the focus group China went to Geneva to participate in a session on China's UPR mid-term report. After the session, the focus group members spoke to the wife of imprisoned Chinese lawyer Ding Jiayi, Sophie Luo. Ms. Luo stated that it was very important to her and all other family members of Chinese lawyers to know that they received international support from Lawyers for Lawyers. She said that, even though, the authorities often



do not give an official response to international pressures, she notices that the authorities do feel the impact. For instance, the authorities tried planning the trial of Ding Jiaxi around the holidays in December to prevent international organizations from paying attention to his case.

We also provided trainings to a group of North-African 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 practice 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 2021, we submitted 15 written interventions and 13 oral statements to the United Nations. This included UPR (mid-term) reports on Malaysia, Colombia, China, Uganda, Zimbabwe, Venezuela, Tanzania, Hungary, Tajikistan and Thailand. In the sessions that have taken place thus far in 2022 on these countries, attention has been paid and recommendations have been made with regards to the protections of human rights defenders, including lawyers.

5. Board, staff and volunteers 2021

5.1 Board

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

Board members in 2021:

Irma van den Berg - President

Milena Latuputty – Secretary (until 31 March 2021)

Maike de Jong – Secretary (from 1 April 2021)

Tony Vermeulen - Treasurer

Judith Lichtenberg - Member

Jeroen Brouwer – Member

Sander Oudshoorn – Member (from 1 October 2021)

5.2 Volunteers

Lawyers for Lawyers' volunteers are essential to fulfil our mission. They also significantly outnumber paid staff. In 2021, we have further expanded our focus countries and our work. Consequently, we have also increased the number of volunteers in our organization. In 2021,



Lawyers for Lawyers had a pool of than 72 highly motivated and skilled volunteers, consisting mainly of practising lawyers, as well as a journalist and a management assistant. Since we had many more lawyers signing up as a volunteer, we have started a waiting list for new volunteers.

In 2021, we have strengthened our onboarding and training program, including necessary policies and procedures. All new volunteers sign a volunteer agreement with our organization.

5.3 Staff

In 2021, the total FTEs of the office of Lawyers for Lawyers was 2,1 FTE. Furthermore, the work of the staff was supported by 4 legal interns who work 8 hours a week.

6. Funding and Financial resources 2021

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.

Due to the Corona crisis, many of our fundraising events in 2020 were cancelled. Because of the crisis, it has been harder to fundraise in 2020 among new prospects and 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.

In 2021, we had the opportunity to ask attention for our organization and the possibility of donating to our organization through some new (online) platforms. This led to an increase in (large) donations, mainly by individuals. Donations by law firms and other legal companies, and donations by not-for-profit organizations were as was expected in our budget for 2021.



When drafting our budget for 2021, we planned for our activities to not only take place online, but also start with our in-person activities, including travelling, organizing in person meetings and inviting lawyers from abroad to the Netherlands. However, it took a much longer time than anticipated to start with our in-person activities due to the COVID-19 crisis. We were able to travel again and organize events at the end of 2021. Therefore, our expenditures were less than budgeted for. This means that we received more funding than we spend on activities in 2021.

7. 2022 and beyond

7.1 Our focus in 2022 - 2025

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 next four years, we will focus on two key priorities. First, we will continue to strengthening our work in support of lawyers under threat. We will do so by further enhancing, aligning, and expanding our Defend, Empower, and Influence programs, and through ongoing collaboration and alliances' building with stakeholders.

Notably, we will:

- Set up a dedicated trial monitoring project to improve and expand our trial observation activities explore new and additional opportunities to participate in international and regional human rights mechanisms, highlight how global challenges have increased risks for certain groups of lawyers, and align these activities with targeted advocacy and empowering lawyers to achieve national-level change.
- Expand and enhance capacity building support for lawyers and associations of lawyers to strengthen their ability to fulfil their professional duties and responsibilities over time.
- Amplify our awareness raising efforts to be sure people know what lawyer independence is and why it can't be given up, especially in countries where the rule of law is under duress.

Secondly, we will enhance the effectiveness, potential, and capacity of our people, processes, and resources in achieving our mission by further professionalizing our approach to organization development.

Notably, we will:

- Enhance our policies, procedures, and practices on employment conditions, personal growth and development, succession planning, as well as diversity, equity, and inclusion (DEI) across the organization, and transform our volunteer engagement in a more tailor-made approach.



- Improve our communication skills and strategies, and expand our concerted efforts and resources allocated to it.
- Expand and diversify our fundraising strategies as well as our funding sources, in-kind support, partnerships, and collaborations.

Throughout the implementation of the Strategic Plan 2022 – 2025, we will monitor and evaluate our progress and results and capture lessons learned. We will solicit and act upon feedback from lawyers at risk, board members, staff members, volunteers, and other stakeholders, and be adaptive to changing developments and demands as appropriate.

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.

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.

Our ongoing work to support lawyers and protect the universal right to effective legal representation, continues to be vital. We are deeply concerned by the unabated rise in reprisals against lawyers, and the chilling effect these attacks have on the protection of fundamental rights and freedoms.



The increased risks for the legal profession should be seen in the context of a global decline in the rule of law in both established democracies as well as in less free states, and in every region of the world, including Europe. This decline has been exacerbated during the covid-19 pandemic, while the world is also grappling with other global challenges such as climate change, armed conflict, and digital transformation, raising human rights concerns.

In the last couple of years, we have seen an increase in the volume and complexity of the requests and demands on Lawyers for Lawyers from lawyers at risk. To meet the requests and demands received, Lawyers for Lawyers plans to further increase the staff, group of active volunteers and supporters in 2022.

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 2022. 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 2022. In 2022, 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.