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Occupied Crimea: human rights lawyer Aleksey Ladin disbarred

2 August 2024

The undersigned international lawyers' rights and human rights organisations strongly condemn the Tyumen Regional Bar Council's decision to disbar Russian human rights lawyer Aleksey Ladin in retaliation for his human rights work. We call on the Russian authorities to revoke this decision, cease harassment against him and guarantee that all lawyers in Russia and Russia-occupied territories can conduct their legitimate professional activities without fear of reprisals.

On 25 July, lawyer Aleksey Ladin was disbarred from the Tyumen Regional Bar Association in retaliation for representing Crimean Tatars and Ukrainians against politically motivated charges in Russian-occupied Crimea. The decision by the Council of the Tyumen Bar Association follows the Qualification Commission's conclusion that the lawyer violated the Code of Ethics of the Russian Bar Association. Unless this decision is reversed, Mr. Ladin will not be able to represent clients in criminal proceedings and in court, nor take new qualifications exams for a year. Aleksey Ladin plans to appeal the decision.

Disciplinary proceedings against Aleksey Ladin had been [pending](#) since 4 December 2023, when the Ministry of Justice of the Russian Federation submitted a motion to the Tyumen Regional Bar alleging that he had violated the Code of Ethics of the Russian Bar Association. The motion related to Aleksey Ladin's sentencing in [two administrative cases](#) before the Kyivskiy District Court of Simferopol on 13 October 2023, resulting in 14 days of administrative detention for the 'display of prohibited symbols' on his social media pages and a fine of 45,000 RUR (440 EUR) for 'discrediting the Russian army', allegedly violating Article 20.3(1) and Article 20.3.3.(1) of the Russian Code of Administrative Offences respectively.

In both cases, Aleksey Ladin was prosecuted for the exercise of his right to freedom of expression, protected under international and Russian law. The first charge concerned a Facebook post which contained a link to a [photo](#) of a drawing made by one of his clients, which displayed elements of Ukrainian and Crimean Tatar national emblems with the slogan "We are not the terrorists and we are not the extremists." The court found the "taraq tamga" (the emblem on the Crimean Tatars' flag) in the picture to be a symbol of a known Crimean volunteer paramilitary unit, Noman Çelebicihan Crimean Tatar Volunteer Battalion. The drawing had no relation to the battalion. The second charge related to a different Facebook post, which discussed the use of cluster munition bombs by the Russian Military in Kharkiv (Northern Ukraine) and was reposted by Aleksey Ladin under the hashtag #НЕТВОЙНЕ - #NOTOWAR. Ladin's appeal against the decisions of the Kyivskiy District Court was rejected by the Russian-installed Supreme Court of Crimea.

Aleksey Ladin's judicial harassment and ensuing disbarment exemplifies the mounting repression against lawyers in occupied-Crimea and adds onto a growing list of disbarred lawyers. In 2022, Crimean Tatar lawyers [Lilia Hemedzhy](#), Rustem Kyamilev and Nazim Sheikhmambetov were simultaneously stripped of their licences based on their alleged violation of a transfer procedure from one bar association to another. Other Crimean Tatar human rights lawyers, including [Emil Kurbedinov](#) and [Edem Semedliaiev](#), have also faced repeated harassment in the form of administrative arrest and detention, office raids, and threats of disbarment. The systematic attacks on the legal profession have a significant chilling effect on the work of lawyers in Crimea and leave their clients, who often face politically motivated prosecution, without effective legal representation. This deprives them of their human rights, including the right to a fair trial.

In this context, the undersigned organisations wish to reiterate the vital role lawyers play in upholding the rule of law and the protection of human rights. Their work is indispensable for public confidence in the administration of justice by safeguarding due process rights and ensuring access to justice for all. Bar associations like the Tyumen Regional Bar have a crucial role to play in enabling the free and independent exercise of the legal profession, and they should do so independently from government interference.

According to the UN Basic Principles on the Role of Lawyers, governments must ensure that lawyers are able to carry out their professional functions safely and free from intimidation, improper interference, or fear of reprisals, and that they shall not suffer, or be threatened with, sanctions for actions taken in accordance with professional duties, standards, or ethics (Principle 16). The Basic Principles affirm that 'lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions' (Principle 18). In addition, lawyers, like other individuals, enjoy the right to freedom of expression, belief, association, and assembly under international law, and are entitled to exercise these rights 'without suffering professional restrictions by reason of their lawful action' (Principle 23).

Suspensions or revocations of lawyer licenses as an act of reprisal for the exercise of their legitimate rights and freedoms do not only impact on the exercise of the rights of the lawyers, but also on the rights of their clients to be represented by the lawyer of their choosing.¹ The UN Special Rapporteur has repeatedly stressed that disbarment 'should only be imposed in the most serious cases of misconduct' and 'only after a due process in front of an independent and impartial body granting all guarantees to the accused lawyer', in line with Principles 27, 28, and 29 of the UN Basic Principles.² No matter the form, such authorities must be "free from any influence or pressure from the legislative or the executive branches of power or any other party".³

In numerous cases, including the case of Aleksey Ladin, the Russian authorities have sought to instrumentalize disciplinary bodies to interfere with the work of lawyers, particularly those dealing with cases against the State or representing causes or clients that are unpopular with the existing regime. In this regard, the recently approved amendments to the law establishing the bar association in the Russian Federation, which grants the Ministry of Justice the power to request disciplinary sanctions against lawyers and control qualification examinations, are

¹ Human Rights Committee, General Comment No. 32, Article 14: Right to equality before courts and tribunals and to a fair trial, CCPR/C/GC/32, 23 August 2007, para 34; Principle 12 of the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems.

² Report by the Special Rapporteur on the independence of judges and lawyers, A/73/365, paras 71 and 73; and A/71/348, para 96.

³ Ibid, A/73/365, para 67.

deeply worrisome.⁴ [UN Special Rapporteurs](#) have previously expressed concern over these and other measures, which further undermine the independence of the legal profession and could be used to target lawyers involved in sensitive cases in the Russian Federation.⁵

Such politically motivated disciplinary actions risk corrosion of the ability of the justice system to fulfil its essential democratic role, public trust in the justice system, and install a chilling effect on lawyers to pursue cases that challenge the State authority and protect fundamental democratic rights.⁶

In view of the above, the undersigned organisations call on the Tyumen Regional Bar Association, the Russian Federal Bar Association and the Ministry of Justice of the Russian Federation to:

- Immediately revoke the decision to disbar human rights lawyer Aleksey Ladin, as he is being targeted as a result of his peaceful and legitimate activities.
- Refrain from any actions that may constitute harassment, persecution, or undue interference in the work of lawyers, including disciplinary or criminal proceedings on improper grounds, such as the nature of the cases in which the lawyer is involved.
- Guarantee that all lawyers in Russia and Russian-occupied Crimea are able to carry out their legitimate professional activities without fear of reprisals and free of all restrictions including judicial harassment, arbitrary arrest, deprivation of liberty, or other arbitrary sanctions.

SIGNATORIES

Alliance of Lawyers at Risk (ALR)

Council of Bars and Law Societies of Europe (CCBE)

European Association of Lawyers for Democracy and World Human Rights (ELDH)

Front Line Defenders (FLD)

International Bar Association's Human Rights Institute (IBAHRI)

International Commission of Jurists (ICJ)

International Observatory for Lawyers in Danger (OIAD)

Lawyers for Lawyers (L4L)

Socialist Lawyers Association of Ireland (SLAI)

The Law Society of England and Wales (LSEW)

⁴ Law No. 83-FZ, amending the Law on Advocacy and the Legal Profession (Federal Law No. 301952-8), entered into force on 22 April 2024.

⁵ OL RUS 1/2024.

⁶ Report of the Special Rapporteur on the Independence of Judges and Lawyers, A/56/62, para 50.