



# LAWYERS FOR LAWYERS



ANNUAL REPORT 2016

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# Preface

In 2016, Lawyers for Lawyers celebrated its 30th anniversary. A fantastic milestone, but unfortunately also proof that the Rule of Law still needs defending and that lawyers in many parts of the world are still put under severe pressure.

Lawyers for Lawyers' area of focus has become ever broader over the last ten years. In the past we only took action when a lawyer was threatened, put in prison or killed. Then we wrote letters, campaigned and sought publicity. We continue to do so. And it can make a difference. We hear this from the lawyers we campaign for, and we also see it when lawyers we have campaigned for are released from prison or escape disbarment. But nowadays we have a much larger range of both reactive and proactive activities.

This annual report gives an insight into our work over the past year. It shows that we are increasingly using the human rights mechanisms of the United Nations. For example, Lawyers for Lawyers participates in the Universal Periodic Review of the Human Rights Council. We also deliver both oral and written statements when the Council reviews the human rights record of countries in which Lawyers for Lawyers is campaigning on behalf of lawyers who have been threatened. We do something similar at the UN Human Rights Committee. Our starting point is always the rights that derive from the fair trial rights for citizens, which usually

directly or indirectly affect the position of lawyers. We always base our work on the Basic Principles on the Role of Lawyers. Our recommendations are often echoed in the official recommendations given by the UN to the country concerned.

At a proactive level, we have developed empowerment training for lawyers who face threats and harassment. Teaching them about the (for us) relevant human rights and UN mechanisms, Iranian, Congolese and Russian lawyers amongst others have learnt more about how they can protect themselves from threats.

Thirty years has been long enough to make a lot of progress. And also enough to learn that there are many more years of work ahead.



Phon van den Biesen,  
President of Lawyers for Lawyers

A handwritten signature in blue ink, reading "Phon van den Biesen".

# About Lawyers for Lawyers

Lawyers for Lawyers (L4L) is an independent, non-political and not-for-profit foundation. Our mission is to promote the proper functioning of the rule of law and the protection of human rights by standing up for a free and independent legal profession.

We strive for a world where lawyers can practice law freely and independently without fear of reprisal, to effectively fulfil their role as essential agents of the administration of justice. We do this by supporting lawyers worldwide who are threatened or suppressed while exercising their profession. Amongst other things, we draw attention to their situation with the authorities of their country of origin, the Dutch authorities, the European Union (EU) and the United Nations (UN). We also seek to increase the awareness - and the use - of the [Basic Principles on the Role of Lawyers](#), which provide a concise description of international norms relating to the key aspects of the right to independent counsel.

In addition to our management and board of directors, Lawyers for Lawyers has 10 focus groups consisting of about 50 lawyer-volunteers. They are essential for Lawyers for Lawyers to enable us to carry out our work. For our funding, we depend on donations, mainly from lawyers and law firms.

In our 2014-2017 Policy Plan, five policy pillars have been identified: support, awareness, communication, fundraising and people.

# Key figures

Lawyers for Lawyers campaigned in 2016 for in total **142** individual lawyers. **62** in Turkey, **29** in Africa, **10** in the Russian Federation, **7** in Eurasia, **12** in South East Asia, **10** in China, **2** in Syria, and **10** in Latin America.

In 2016, about fifty lawyers were active as volunteers for Lawyers for Lawyers in ten focus groups: South East Asia, China, Turkey, Latin-America, Russian Federation, Eurasia, Africa, Philippines, Iran/Syria, Gulf States.

In 2016, seven (former) lawyers served on the board of directors of Lawyers for Lawyers:  
Phon van den Biesen, Irma van den Berg, Bernadette Ficq, Maarten 't Sas, Judith Lichtenberg, Harald Wiersema en Nienke van Renssen.  
In 2016, ten board meetings took place.

## Lawyers for Lawyers asked attention for lawyers in 27 countries:

Angola	Greece	Malaysia	Syria
Azerbaijan	Honduras	Ukraine	Tajikistan
Burundi	Indonesia	Pakistan	Thailand
China	Iran	Russian Federation	Turkey
Colombia	Kazakhstan		Venezuela
Congo	Kenia	Somaliland	Vietnam
Egypt	Lesotho	Swaziland	Zimbabwe

In 2016, Lawyers for Lawyers was engaged in **32** written interventions

In 2016, Lawyers for Lawyers cooperated with at least **56** organisations, in, among other things, joint statements.



# Azerbaijan

## *Abuse of disciplinary procedures*

By hosting the first European Games in Baku in 2014, Azerbaijan tried to improve its international image. “All fundamental freedoms are respected in Azerbaijan”, President Ilham Aliyev stated in the run-up to the Games. In reality, however, the suppression of those critical of the government has only increased.



Human rights activists and journalists who peacefully exercise their right to freedom of expression are being threatened or prosecuted. The lawyers who represent them are also facing numerous problems as a result, such as disciplinary measures based on fabricated charges.

Lawyers for Lawyers took action on behalf of a number of these lawyers, including Khalid Bagirov. He was [disbarred](#) in July 2015 for a ‘breach of professional ethics’, after he questioned the fairness of a court judgment in a case against one of his clients, the opposition leader Ilgar Mammadov.

But there was also good news from Azerbaijan. On 28 March 2016 the Supreme Court ordered the [release](#) of the human rights lawyer Intigam Aliyev. Lawyers for Lawyers has campaigned on his behalf ever since he was arrested in April 2015. The Court converted his prison sentence of 7.5 years into a five year suspended sentence.

WIKIPEDIA COMMONS



## Submission to Human Rights Committee

In 2016, Lawyers for Lawyers submitted a [report](#) on the situation of lawyers in Azerbaijan with the United Nations Human Rights Committee. In this report, we described in detail how disciplinary proceedings are used to make it impossible for lawyers to do their work. In November 2016, the Committee issued the following recommendations to Azerbaijan:

*Take immediate measures to ensure that sufficient safeguards are in place, both in law and in practice, to guarantee the full independence and safety of lawyers and*

*their effective protection against any form of retaliation, including violence, in connection with their professional activity. It should, inter alia:*

- (a) Refrain from any actions that may constitute harassment, persecution or undue interference in the work of lawyers, including their suspension, disbarment or other disciplinary action, or criminal prosecution on improper grounds, such as the expression of critical views or the nature of the cases they are involved in;*
- (b) Eliminate the practice of calling lawyers as witnesses in cases in which they are representing a defendant.*

# Burundi

## *Abuse of disciplinary procedures*

In 2016, the lawyers Armel Niyongere, Lambert Nigarura, Dieudonné Bashirahishize and Vital Nshimirimana co-wrote a report on human rights violations by the Nkurunziza regime. Their report was discussed during a session of the UN Committee against Torture (CAT) in Geneva on 28 and 29 July. The lawyers themselves were also present. The session was also attended by the Minister of Justice of Burundi, but he refused to comment on the report and took the first flight home.



Coincidence or not, the very same day the government filed a request with the Bar Association of Burundi to disbar these four lawyers. The government based its request on the allegation that these lawyers were not faithful to their lawyers' oath because of their 'involvement in an insurrectionist movement and an attempted coup.'

The lawyers received protection from the President of the Burundi Bar Association who declared the complaint unfounded in the absence of a criminal case against them. The government appealed against this decision to the 'Cour d'Appel'.

## Letter to President

In October 2016, Lawyers for Lawyers and the International Commission of Jurists (ICJ) [sent a letter](#) to the President of the Republic of Burundi, asking him to adhere to the United Nations Basic Principles on the Role of Lawyers. Lawyers should be able to exercise their profession in freedom and independently, without having to fear sanctions such as disbarment.

*'Basically, they said:  
you lawyers should shut your  
mouth if the law is violated.  
According to them, the oath  
we took binds us to loyalty to  
the President and his interests.  
But we believe that we swore  
loyalty to the Constitution,  
not to the person  
of the President.'*

Dieudonné Bashirahishize





# Egypt

## *Freedom of expression*

The situation of Egyptian lawyers has deteriorated dramatically over the past year. In 2016, Lawyers for Lawyers campaigned on behalf of various Egyptian lawyers.

*“...by choosing to be a lawyer  
you have to seek justice  
and maybe in some places  
justice has a heavy price...  
but it needs to be paid.”*

Mahienour El-Massry



### Malek Adly

Malek Adly was [arrested](#) in May 2016 after calling for people to join a demonstration on 25 April against human rights violations by the regime, and its decision to transfer the sovereignty of two Red Sea islands to Saudi Arabia. In a letter Lawyers for Lawyers [called](#) for his immediate release. Malek Adly was [released](#) on 28 August.

### Negad El-Borai

In June 2016 Lawyers for Lawyers [called](#) on the Egyptian authorities to immediately cease the criminal investigation of Negad Al-Borai. We have reason to believe his prosecution is connected to his work as a human rights lawyer, particularly his important contribution to the drafting of anti-torture legislation in Egypt.

### Mahienour El-Massry

In May 2016, Lawyers for Lawyers [asked attention](#) for the case of Mahienour El-Massry, a human rights lawyer who had already been in prison for a year by then. El-Massry is well-known for her fierce criticism of the Egyptian regime: in 2014 she received the prestigious *Prix Ludovix Trarieux* for her commitment to defend human rights. A few months later she was sentenced to 15 months' imprisonment for 'attacking security forces' following an incident in March 2013, when police tried to break up a peaceful sit-in at a police station. El-Massry was there to provide legal assistance to arrested activists. She was [released](#) in August 2016.





# Vietnam

## *Freedom of expression*

As of 16 December 2016 the Vietnamese lawyer Nguyen Van Dai had been detained incommunicado for a year, without access to a lawyer or news about his trial.

Nguyen Van Dai was [arrested](#) on 16 December 2015 while on his way to meet an EU delegation, and charged with 'conducting propaganda against the Socialist Republic of Vietnam.' The European delegation was in Hanoi for a bilateral human rights dialogue. Even at the end of 2016, the Vietnamese authorities were still refusing to release details of the investigation process and his trial. All this time, Nguyen Van Dai was denied access to his lawyers and his wife. This was not the first time Nguyen Van Dai had been sentenced. In 2007, he received a four year prison sentence also for 'conducting propaganda against the State.' He served his time and after his release in 2011 he was kept under house arrest some time.



But this did not keep Nguyen Van Dai from continuing his human rights work. In addition to his work as a lawyer, he also writes blogs and articles about the human rights situation in Vietnam.



## Support for Nguyen

Together with four other organizations, Lawyers for Lawyers submitted a [petition](#) to the UN Working Group on Arbitrary Detention (WGAD) about Nguyen Van Dai's case. We asked all lawyers in our network to send Nguyen Van Dai a [Christmas card](#), to let him and his family know that he will not be forgotten.

## UN-activities 2016

Lawyers for Lawyers submitted **2** UPR reports to the UN Human Rights Council, for the review of Zimbabwe and Indonesia.

Lawyers for Lawyers submitted **3** reports to the UN Human Rights Committee under the ICCPR for the review of Colombia, Azerbaijan en Kazakhstan.

Lawyers for Lawyers made **5** oral statements to the UN Human Rights Council and **1** to the UN Human Rights Committee.

Lawyers for Lawyers submitted **1** petition to the UN Working Group on Arbitrary Detention

Lawyers for Lawyers wrote **1** mid-term report about the Russian Federation.



# Thailand

*Principle of non-identification*



Ever since the coup d'état of 2014, the Thai army has kept a tight grip on the country. When King Bhumibol died in October 2016, the military seems to have seized the opportunity to consolidate their power. The provisional Constitution that came into effect after a referendum on 5 August has given them unprecedented power: orders and decrees of the junta were granted legal status and the members of the junta now enjoy criminal immunity.

Lawyer Sirikan Charoensi from Thai Lawyers for Human Rights was summoned to court because she allegedly hid evidence in her car regarding a case against 14 students she was representing. On 22 October, Lawyers for Lawyers and representatives of international human rights organisations [accompanied](#) her when she had to report at the police station.

*“Many people think that Thailand is still a cool country to be, a place to relax and shop. But many tourists do not realise that we have been living under a military regime for two years now. And that our democracy is being destroyed in a very sophisticated way.”*

Sirikan Charoensiri

At the end of 2015, Lawyers for Lawyers submitted a [report](#) for the Universal Periodic Review of Thailand. In 2016, Lawyers for Lawyers advocated in Geneva for the recommendations in this report to be adopted. We wrote about this process in a [blog](#) on our website. Lawyers for Lawyers also [sent letters](#) to the Thai authorities, expressing our concerns about Sirikan Charoensiri's situation.



# Tajikistan

*Principle non-identification*



In Tajikistan, lawyers who work on politically sensitive cases are often under severe pressure. Over the past few years, several lawyers who represented dissidents have been arrested. In October 2016, the lawyer Buzurgmehr Yorov was sentenced to 23 years' imprisonment for, among other things, 'extremism' and fraud.

Buzurgmehr Yorov was arrested in September 2015. At the time of his arrest, he was representing thirteen members of the Islamic Renaissance Party of Tajikistan (IRPT). This party had been declared a 'terrorist organisation' by the Supreme Court in September 2015. Two other lawyers who represented IRPT members were also arrested.

At the end of 2015, Lawyers for Lawyers submitted a [report](#) for the Universal Periodic Review of Tajikistan. We lobbied with this report in 2016. A remarkable number of [recommendations](#) to improve the position of lawyers were made at the UPR meeting in Geneva. Lawyers for Lawyers also delivered an [oral statement](#) when the UPR report was adopted by the Human Rights Council.



## Support

Lawyers for Lawyers supports threatened lawyers in various ways. We advocate for threatened lawyers at governmental bodies and international institutions in The Hague, Brussels, Geneva and New York. We also lobby the authorities of the lawyers' country of origin. We publish articles and draw attention to the UN Basic Principles on the Role of Lawyers. Furthermore, we organise fact finding and trial observation missions and letter-writing campaigns.





# Turkey

## *Trial observation*

**In 2016, Lawyers for Lawyers attended four hearings as a trial observer in both pending and new cases against lawyers from Turkey. After the failed coup in July 2016, more lawyers were arrested.**

### **Arrests of and trial against ÖHD lawyers**

On 16 March 2016, police raided the houses and offices of nine lawyers in Istanbul. After the searches, the lawyers Ramazan Demir, İrfan Arasan, Ayşe Acinikli, Hüseyin Boğatekin, Şefik Çelik, Adem Çalışçı, Ayşe Başar, Tamer Doğan and Mustafa Ruzgar were [arrested](#) and charged with being members of a terrorist organisation. Almost all of them were members of the ÖHD, the Association of Lawyers for Liberty. Ramazan Demir was also charged with engaging in terrorist propaganda, because he had tweeted about the complaints he had filed with the European Court of Human Rights

concerning human rights violations in South-East Turkey. All the arrested lawyers were representing lawyers in the KÇK trial. As a result, a day after the arrests, at a hearing in the KÇK case, those lawyers were not represented.

In June 2016 the trial of the arrested lawyers [began](#). Lawyers for Lawyers monitored two hearings in this case, which, in November 2016 was postponed until Spring 2017. Lawyers for Lawyers, along with other organisations, also [urged](#) the UN Special Rapporteurs to demand from the Turkish authorities that they immediately release and drop all charges against the human rights lawyers Ayşe Acinikli and Ramazan Demir. In September 2016, Ayşe Acinikli and Ramazan Demir were [released](#) from pre-trial detention. The criminal case against them however still continues.







*“Knowing and seeing  
that you were there for us  
during the hearings  
strengthened our belief  
for law, justice  
and solidarity.”*

Quote from letter  
of prosecuted lawyers from Turkey,  
send to the Lawyers for Lawyers  
trial observers.

## Case against 46 lawyers

In [March and November 2016](#), observers from Lawyers for Lawyers, Fair Trial Watch and the President’s committee of the Dutch Bar Association again monitored a hearing in the case against 46 lawyers who were suspected of involvement in terrorism. All of them represented at some point PKK leader Abdullah Öcalan and would have communicated messages from Öcalan to his PKK supporters. The case has been in court since July 2012.

The case was handled by three new judges and one new prosecutor. The defence requested a postponement of the hearing in order to investigate several issues. After the prosecutor accepted this request – which was the first time in this case that such a request was accepted –, the hearing was postponed until 9 March 2017.

Although the lawyers were pleased with this development, the position of lawyers in Turkey and the rule of law generally are very worrying.



Lawyers for Lawyers  
conducted **4** trial  
observation missions to  
Turkey in 2016.

## Arrests of lawyers

Since the failed coup in Turkey of 15 July 2016, more than 60,000 people have been fired or suspended from their jobs, and many of them have been arrested. Lawyers are also a target. By the end of July 2016, eleven lawyers had been arrested in Izmir, while arrest warrants had been issued against 14 other lawyers. It is unclear why they were arrested. Since then, many more lawyers have been [arrested](#), including various lawyers from the newspaper Cumhuriyet.

## Arrest of Levent Pişkin

On 14 November 2016, lawyer Levent Pişkin was [detained](#). He is the lawyer of Selahattin Demirtaş, the leader of the Peoples’ Democratic Party (HDP). Levent Pişkin is also an LGBTI activist and a member of the Association of Lawyers for Freedom (ÖHD). He was arrested shortly after he visited Demirtaş who had been arrested at the beginning of November, in prison. Together with the Law Society of England and Wales, Lawyers for Lawyers called for his release. On 16 November 2016, Levent Pişkin was [released](#) from pre-trial detention. The (only) question he was asked during the interrogations was why he wanted to talk to Demirtaş.

# Colombia

## Fact-finding mission

On 2 October 2016, a small majority of the Colombian people voted against the peace treaty of the Colombian government and FARC. Shortly before that, lawyers Wout Albers and Marit Balkema travelled through the country with the *Caravana Internacional de Juristas* on behalf of Lawyers for Lawyers. This mission of lawyers, prosecutors and judges from 12 different countries took place at the request of endangered Colombian lawyers.

To get a clear view of the difficult circumstances that Colombian lawyers work in, the group [travelled](#) to Bogota and seven other Colombian regions to talk to the authorities, NGOs, the judiciary, public prosecutors and lawyers. It became clear from these talks that, despite the present truce, the number of threats against lawyers is in fact increasing, particularly against lawyers who stood up for victims of land expropriations during the conflict. During the first six months of 2016 alone, 35 human rights defenders were murdered in Colombia.



Many lawyers nowadays refuse to accept human rights cases because of the huge personal risks involved. This means that large numbers of civilians are severely impeded in exercising their rights. The lawyer Adil Meléndez, from the northern region of Bolívar, is one of the few lawyers who still acts on behalf of people who were forcibly displaced from their land, or takes cases involving the prosecution of paramilitaries. Meléndez cannot leave his home without bodyguards. He barely survived three assassination attempts by 'sicarios' (contract killers) and told Marit and

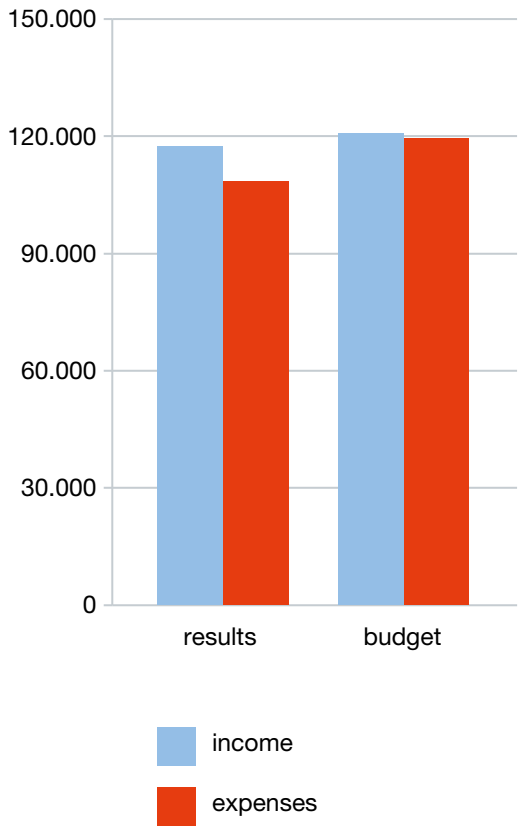
Wout that he still receives threats. He is also followed on the street and his telephone is tapped. Despite these threats he is determined to continue his work, "to uphold access to justice for certain groups of civilians".

By bringing the [findings](#) of this mission to international attention Lawyers for Lawyers calls for effective measures to ensure the safety of Colombian lawyers when exercising their profession.

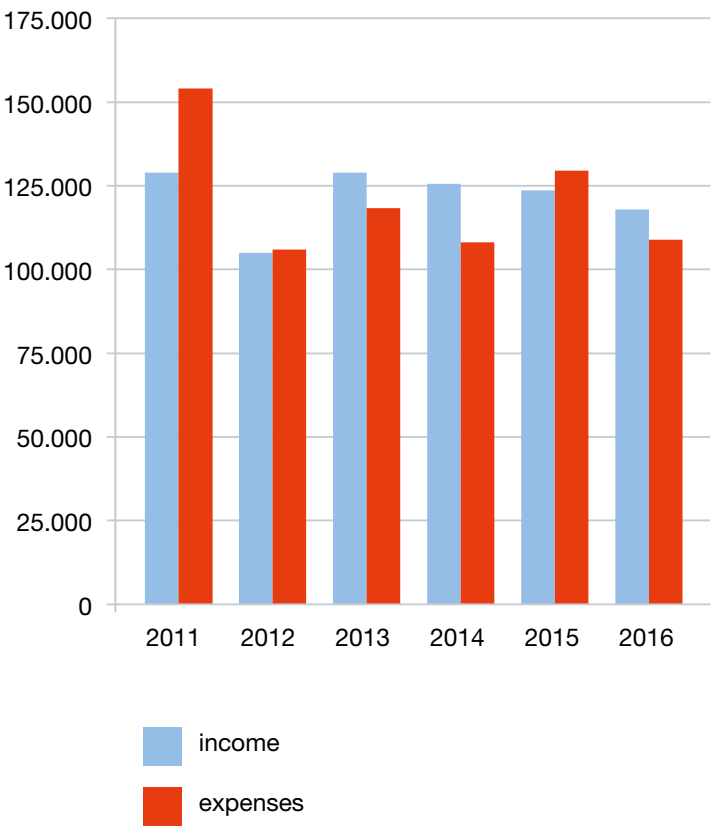


# Financial accountability

## results and budget 2016

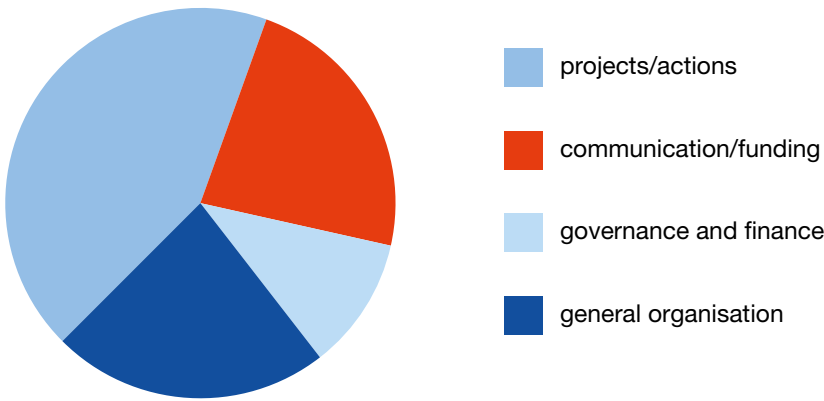


## income and expenses 2011 – 2016



## allocation personnel costs 2016

(excluding work hours volunteers)



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# Remuneration Policy

## fee attendance money

Boardmembers and other lawyer-volunteers receive no fee attendance money or other allowances for the work they perform for Lawyers for Lawyers.

## personnel

To support the Executive Director, in 2016, Lawyers for Lawyers had three on-call assistants.

## expenses

If an employee of Lawyers for Lawyers carries out work at the request of the Board and travel or accommodation expenses are incurred, these costs will be reimbursed within reason. If a Board member or another Lawyers for Lawyers volunteer carries out work at the request of the Board and travel or accommodation expenses are incurred, these costs will be reimbursed within reason. In every other respect they receive no reimbursement whatsoever for these trips, and any loss of income or holidays taken up are for their own account.

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# Contact



PO Box 7113  
1007 JC Amsterdam  
The Netherlands

[info@lawyersforlawyers.org](mailto:info@lawyersforlawyers.org)

Lawyers for Lawyers  
was granted Special Consultative  
status with the UN Economic and  
Social Council in July 2013.

**Lawyers for Lawyers (L4L)**  
is an independent and non-political Dutch  
foundation and was founded in 1986.  
Lawyers for Lawyers supports lawyers  
and organizations of lawyers  
that are being oppressed worldwide.

[www.lawyersforlawyers.org](http://www.lawyersforlawyers.org)



