



## LAWYERS AT RISK ACROSS THE WORLD

### IRAN

Lawyers in Iran are routinely banned from practising, arrested, detained and prosecuted as a result of accepting instructions in sensitive cases. Human rights activists, in particular women's rights activists, face harassment and intimidation for the mere and peaceful exercise of their profession or of their legitimate rights to freedoms of expression and association. Iran continues to have one of the highest execution rates in the world and is also one of the last few countries to still execute juvenile offenders. In 2017, human rights groups reported that at least 476 people were executed as of 27 November; among those were four sentenced to death for crimes allegedly committed whilst they were children<sup>1</sup>. Prominent human rights figures currently imprisoned for their activism include Narges Mohammadi and Abdolfattah Soltani.

Mr Soltani is the co-founder of the Centre for Human Rights Defenders (DHRC) in Iran, together with Nobel Peace prize laureate Dr Shirin Ebadi. He is currently serving a 13-year sentence for co-founding the DHRC, spreading anti-government propaganda and endangering national security. Since his imprisonment, Mr Soltani has continued to speak out against violations and abuse and in 2013 he joined other political prisoners in a hunger strike to protest against their lack of medical care. He has won numerous human rights awards since his imprisonment.

Narges Mohammadi, a prominent anti-death penalty campaigner and Vice President of the DHRC, was first arrested and sentenced to six years in prison in 2012. She was released in 2013 on medical grounds but was arrested again in 2015 to serve the remainder of her sentence. In 2016, Ms Mohammadi was sentenced to an additional 11 years for "spreading propaganda against the State" and "establishing an illegal group". Ms Mohammadi continues to speak up for the rule of law in Iran and has written numerous open letters from Evin Prison<sup>2</sup>.

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<sup>1</sup> <https://www.hrw.org/news/2018/01/18/iran-no-momentum-reform>

<sup>2</sup> <http://www.humanrights-ir.org/?p=1648>



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### CHINA

In China, authorities continue to arrest, detain and prosecute human rights lawyers almost three years since the “709 Crackdown” in 2015<sup>3</sup>. Nearly 250 lawyers have been arrested since 2015 relating to their representation of political opponents, journalists, or other arrested human rights lawyers. Wang Quanzhang, the longest detained lawyer of the crackdown, has been detained since his arrest on 9 July 2015<sup>4</sup>. He is best known for defending journalists and political opposition cases, including Falun Gong practitioners and advocates for democracy. His current whereabouts are still unknown<sup>5</sup>.

Lawyers with the courage to represent victims of the 709 Crackdown have also faced persecution and imprisonment. On 19 January 2018, prominent human rights lawyer, Yu Wensheng was detained by authorities. He has been charged with disrupting public service and his lawyers’ license has been revoked. Mr Yu has been involved in a number of sensitive cases, including an attempt to sue the Chinese government over its failure to combat pollution. Most recently, he had attempted to defend fellow human rights lawyer Wang Quanzhang but was prevented from meeting him.

In October 2017, Li Yuhan, a prominent human rights lawyer, was arrested while defending another human rights lawyer, Wang Yu, on charges related to the 709 Crackdown. Her family was told she was being detained for “picking quarrels and provoking troubles.”

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<sup>3</sup> [http://www.barcouncil.org.uk/media/378596/letter\\_to\\_li\\_keqiang\\_150716.pdf](http://www.barcouncil.org.uk/media/378596/letter_to_li_keqiang_150716.pdf)

<sup>4</sup> <http://www.barhumanrights.org.uk/on-eve-of-activists-trial-bhrc-calls-on-china-to-release-detained-lawyers-and-human-rights-defenders/>

<sup>5</sup> <http://chinalawandpolicy.com/tag/wang-quanzhang/>, <https://chinachange.org/2018/01/01/perseverance-will-see-us-through-a-2018-new-years-message-from-the-chinese-human-rights-lawyers-group/> and <https://www.hongkongfp.com/2017/12/30/last-missing-lawyer-victim-chinas-new-willingness-flout-international-human-rights-norms/>



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### CAMEROON

Lawyers in the Anglophone region of Cameroon continue to protest what they believe is the marginalization of the Anglophone minority, since the imposition of French-speaking judges and the French civil law system in 2016. These protests, as well as the provision of legal assistance to other anglophone protest groups, has led to the prosecution and prolonged pre-trial detention of lawyers in Cameroon, some of whom face proceedings in military tribunals with the power to enact the death penalty.

Nkongho Felix Agbor-Balla, the African Bar Association Vice President for Central Africa and President of the Fako Lawyers Association, was charged with eight counts in a military court for fostering hostility against the government, secession, civil war, propagation of false information, collective resistance and incitement to take up arms after participating in non-violent civil disobedience and demanding the release of imprisoned students and teachers in late 2016 and early 2017. He faced a possible death sentence if convicted and spent seven months in pre-trial detention<sup>6</sup>. Mr Agbor-Balla was finally released by presidential decree in September. However, the crackdown on Anglophone protests in October renews concern for the safety of Anglophone protestors and the exercise of military jurisdiction over such protestors<sup>7</sup>. The use of military courts to try civilians poses a serious threat to the proper administration of justice and raises questions about the independence of the judiciary.

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<sup>6</sup> [http://www.barcouncil.org.uk/media/582500/170324\\_his\\_excellency\\_paul\\_biya.pdf](http://www.barcouncil.org.uk/media/582500/170324_his_excellency_paul_biya.pdf)

<sup>7</sup> <https://www.amnesty.org/en/latest/news/2018/01/cameroon-ten-arrested-anglophone-leaders-at-risk-of-unfair-trial-and-torture-if-deported-from-nigeria/>



## LAWYERS AT RISK ACROSS THE WORLD

### TURKEY

The continued state of emergency since the failed coup d'état in July 2016 has brought about unprecedented attacks on the judiciary and the legal profession. According to the Arrested Lawyers Initiative, 570 lawyers and legal professional have been arrested since the failed coup and 1486 face prosecution, often with little to no evidence presented against them<sup>8</sup>. Those detained may spend more than two years languishing in pre-trial detention before their cases are heard, and the documented cases of torture, inhumane treatment and deteriorating conditions of confinement continue to rise. Many of the lawyers currently facing criminal prosecution had merely been exercising their legitimate professional activity as lawyers. The Adana Bar Association has expressed its members fear and concern about the reprisals against lawyers defending those detained in relation to the failed coup. In addition, there have been mass arrests of lawyers who are associated with the Kurdish community.

More generally, the decree laws introduced following Turkey's state of emergency have placed restrictions on the right to choose your own lawyer and the right to confidential conversation. The Council of Europe has also reported that lawyers have faced numerous practical obstacles when visiting their clients<sup>9</sup>.

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<sup>8</sup> <https://arrestedlawyers.org/2017/12/26/report-the-persecution-on-turkish-lawyers-18-26-december/>

<sup>9</sup> <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-EN.asp?fileid=24296&lang=en>