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Between October 2020 and December 2021, Front Line Defenders (FLD) has documented and received information of human rights lawyers having been subjected to the following reprisals, whether from State authorities or non-State actors, for actions taken in accordance with their recognized professional duties. This list is non exhaustive but is meant to provide examples of cases FLD has received over this time period. Indeed, not all human rights lawyers wish to publish information about the reprisals they are facing, for various reasons including security.

Suspending or revoking the licences of human rights lawyers

Human rights lawyers acted as a last line of defence against judicial harassment of protestors, safeguarding citizens' due process rights in countries shaken by mass protests and mass rights violations such as Belarus, Iran, and China. In response, authorities have taken measures to restrict lawyers' rights and ability to practice.

In Belarus, at least 36 lawyers were stripped of their law license in the period before and after the 2020 fake presidential elections. The elections were accompanied by mass politically-motivated disbarment – still ongoing – as reprisals against lawyers for their assistance to protestors targeted with election-related cases. See here for detailed information about each case.

In China, the crackdown on lawyers was facilitated by the adoption and amendment of two administrative regulations by the Chinese government, which contravene a series of international human rights standards relating to inter alia the independence of the legal profession. According to research undertaken by The 29 Principles, between January 2017 and October 2021, at least 42 human rights lawyers and three law firms have had their license suspended, cancelled, or revoked. This continues: in 2021 alone, this included at least 7 lawyers. More information in our joint report "Strategies of silence – repression of Chinese human rights defenders, lawyers and journalists."

Ren Quanniu's license was revoked in February 2021, in connection to his defence of Falun Gong sect followers, long subject to State repression. In 2020, the lawyer had also defended one of the 12 Hong Kong youth activists intercepted by Chinese authorities while fleeing to Taiwan. Due to the obligation for law firms to have at least three practising lawyers as partners his firm was forced to shut down in March 2021. If the lawyers cannot find another law firm to hire them within specified time limits, their licenses may also be

revoked, in a chilling domino effect. In July 2021, Ren Quanniu learnt his name had been blacklisted without any explanation, for 60 years, and he thus cannot establish a company to provide legal consulting services.

Lu Siwei, also involved in the Hong Kong activists trial and who had previously defended fellow lawyers Yu Wensheng, Qin Yongpei, and Wang Quanzhang, had his license revoked too in January 2021, based on information posted from the Twitter account @lulawyer1. An exit ban was also imposed on him on alleged "national security" grounds.

Other cases include **Mehmet** <u>Raci Bilici</u> in Turkey whose attorney license has been suspended by the court as long as the fabricated trial against him is ongoing; and <u>Hoda Hamid</u> in Iran as part of a prison sentence.

<u>Subjecting human rights lawyers to judicial harassment, resulting in prison sentences or prolonged pre-trial detention in 21 cases</u>

A number of lawyers were and are still judicially harassed around the world in 2021, whether through actual prison sentences or the threat of formal charges carrying such sentences hovering over their heads in the form of cases never archived.

In most cases, vague and over broad provisions – usually counter-terrorism and national security legislation – are used against lawyers, often warranting detention without bail, in breach of principles 16, 18, 22, and 23. Principle 17 is also consistently breached as no adequate safeguard is provided by authorities, when they are not the main perpetrator. FLD has published Urgent Appeals on at least 21 cases of human rights lawyers in prison in 2021 as a result.

Counter-terrorism / national security legislation used to silence lawyers

In India, three lawyers – <u>Surendra Galding</u>, <u>Sudha Bhardwaj</u>, and <u>Arun Ferreira</u> – have been held in pre-trial detention since summer 2018, charged without any clear basis under India's counter-terrorism legislation – the Unlawful Activities (Prevention) Act (UAPA). During the arrests their laptops, phones, drives were seized. Credible reports have concluded <u>Surendra Gadling's computer</u>'s was attacked and surveilled upon, and incriminating documents were planted on it for over 20 months. There have been clear attempts by the central government to prevent any non-partisan review of the case. To this day, all three lawyers remain in jail; <u>Sudha Bhardwaj's bail application was just granted</u>, unlike Surendra Gadling's and Arun Ferreira's. This is particularly worrying in light of their age and health condition as one (non lawyer) of the 16 accused in the case, 84 year-old Father Stan Swamy, died in custody on 5 July 2021 after being repeatedly denied bail and medical care in jail and spending 9 months in jail under the UAPA.

Similarly Sri Lankan counter-terrorism legislation – the Prevention of Terrorism Act (PTA) – is used to hold lawyer <u>Hejaaz Hizbullah</u> since April 2020 a day after he criticised the President for denying burial rights to Muslims under Covid-19 regulations. Since, allegations against him have changed several times and his detention has been extended under the PTA. Fabricated charges

against him have included aiding and abetting the April 2019 bombings or "causing communal disharmony."

In Iran, in 2021 similar vague provisions such as "collaborating with the hostile American government against the Islamic Republic of Iran," "insulting the Supreme Leader," and "forming a group with the purpose of disrupting national security" were used to harass lawyers. Hoda Amid was sentenced to 8 years in prison for holding educational marriage workshops. Farzaneh Zilabi was sentenced to one year in prison for successfully defending Haft Tappeh workers. Amirsalar Davoudi was sentenced to 30 years in prison – of which he will serve 15 – and 111 lashes in connection to media interviews he gave and posts he uploaded to his Telegram channel. Nasrin Sotoudeh was sentenced to 38 years in prison – of which she will serve 12 – and 148 lashes for her advocacy on women's rights and her membership of anti-death penalty organisation Legam. Since March 2021, she is released on parole. However, she is at risk of being called back to prison to finish serving her sentence at any time.

In China, **Li Yuhan** has been held in pre-trial detention for over four years following her defense of lawyer Wang Yu targeted as part of China's "709" crackdown. The trial against her for "picking quarrels and provoking trouble" took place behind closed doors in 2021 and a verdict is awaited. Li Yuhan is in her early 70s and said the authorities are aware of her ill health. Lawyer **Chang Weiping** is also held on "subversion of State power" charges.

In Tajikistan, <u>Abdulmajid Rizoev</u> was sentenced to 5 years and 6 months' imprisonment in June 2021 for "extremist activity" based on Facebook posts. This was reprisals for his representation of victims in a case against a company and for denouncing corruption during the trial against him. It appears he will spend 6 months in solitary confinement.

In Belarus following the elections, <u>Leanid Sudalenka</u>, member of HRC Viasna, is currently detained and being tried for "group actions which gravely breach public order." The evidence used is Facebook posts about his clients. There is high risk of judicial bias as Leanid Sudalenka was involved in submitting a complaint to the UN Human Rights Committee regarding actions by the judge in charge of his trial. <u>Aleh Hrableuski</u> is currently under investigation for "fraud" – a threat meant to deter his organisation from continuingto assist people to find lawyers, including those accused of violating the procedure for organising and holding a protest following the elections. He is currently free.

French-Palestinian lawyer <u>Salah Hammouri</u> has been subjected to continuous harassment by the Israeli authorities, including travel bans, exorbitant bail and fines, house arrests, and family separation in reprisals for his work advocating for justice and accountability for violations of Palestinians human rights. In October 2021, Israeli authorities notified Salah Hammouri of their intent to revoke his permanent residency in Jerusalem and deport him based various charges including "terrorist activities."

Charges filed by police / military officers as a way to intimidate lawyers

Many cases documented by FLD appear to emanate from police officers or the military as reprisals for lawyers taking on cases involving members of these groups, through broad charges such as "contempt" or "resisting authority," used widely by law enforcement to silence or intimidate lawyers. The threat of formal charges carrying prison sentences remain in the form of cases never archived or trials continuously postponed.

In Crimea, <u>Edem Semedliaev</u> served 12 days of administrative detention in November 2021 as a direct result of his professional duties as a police officer was threatening his client. In reprisal, the officer filed charges against him for disobeying police orders. Edem Semedliaev also refused to undress for a personal search, which resulted in a fine of 4,000 Russian rubles.

In Colombia, Johan Sebastián Moreno Castro was arbitrarily detained at a protest in May 2021 by officers from the Metropolitan Police of Bucaramanga in Piedecuesta. He was violently beaten, psychologically abused, and threatened before being held incommunicado for hours. The Prosecutor eventually ruled his detention illegal and he was released but the file for "attacks against the authority" was sent to a local prosecutor in Piedecuesta, where police officers who abused him are based, which triggers fear that there might be bias in the investigation.

In Peru, <u>Carlos Rodríguez</u> was arbitrarily detained in November 2020 by plain-clothed police officers at the Alfonso Ugarte police station where he was providing legal assistance to demonstrators. The Criminal Prosecutor's Office eventually ordered his release but he remains under investigation on charges of "resisting authority." This is not an isolated case; in <u>his end of mission statement following his visit to Peru in January 2020</u>, the former UN SR on the situation of human rights defenders (HRDs) noted that the charge of "violence and resistance to authority" is frequently used to criminalise HRDs.

In Venezuela, as <u>Henderson Maldonado</u> was filming a protest in March 2020, the National Bolivarian Guard Detachment 121 took him inside the National Guard building for "disturbing peace." He was violently beaten, and verbally abused. He was released, but charges against him remain for "contempt" and "incitement to violence," and precautionary measures were imposed on him, including movement restrictions. Several officers from Detachment 121 have been named in the complaints concerning violence, torture and killings of protesters that Henderson Maldonado lodged in the past, many of which are still under investigation.

In Brazil, José Vargas Sobrinho Junior has been targeted, including judicially, for his representation of the victims of the Pau D'Arco massacre. He is accused of participating in the disappearance and killing of the former candidate of the 2020 Municipal Elections based on fabricated evidence. Those who accompany the developments on Pau D'Arco Massacre case see this criminal process against him as a clear attempt to prevent justice for the victims of the massacre as the investigation is conducted by the same civil police institution that is involved in the Pau D'Arco Massacre. In May 2021, the Redenção Subsection of the Brazilian Bar Association of the State of Pará filed a habeas corpus petition requesting the closure of the criminal process against him, rejected by the court. José Vargas still has not had access to his cell phone and

computer, which are fundamental for defense preparation. The judge also prohibited him from re-activating his telephone line as well as accessing his work e-mail. Therefore, not only is his legal defense hampered but José Vargas is also unable to exercise his professional activities as a lawyer, including in the Pau d'Arco case.

In China, <u>Chang Weiping</u> has been held in an undisclosed location since October 2020 in a clear case of reprisals from the Baoji police after he denounced in <u>video clip</u> his torture during a ten-day detention in Baoji in January 2020. Chang Weiping was charged with "subversion of State power."

In Russia, <u>Ivan Pavlov</u>, was judicially harassed for his defense in cases involving the FSB. He was eventually indicted on fabricated charges based on a report signed by the head of the FSB, and restriction measures were imposed on him. In July 2021, his organisation (Team 29)'s website was blocked based on alleged ties to NGO Společnost Svobody Informace listed as an undesirable organisation. As there is an outstanding search warrant for his arrest, Ivan Pavlov left Russia in September 2021, a few weeks before the Ministry of Justice listed him and two other lawyers from his team – **Valery Vetoshkina** and **Maxim Olenichev** – as "foreign agents." **Galina Arapova**, a leading media lawyer in the country, is also on the "foreign agents" list since October 2021.

In Lebanon, <u>Mohammed Sablouh</u> was also exposed to judicial harassment by the military as reprisals for exposing the torture and ill-treatment of prisoners in the Military Police prison in Beirut. In September 2021, the Military Prosecution requested the authorisation from the Tripoli Bar Association to criminally prosecute Sablouh for "false accusations." The Bar Association is currently investigating the matter.

In Palestine, <u>Mohannad Karajah</u> is facing various charges such as "denouncing the Palestinian Authority" relating to publications of Lawyers for Justice over the extrajudicial arrest of a political activist and to a post on his personal social media page about the Palestinian Preventive Security's legal measures in one of the cases. Though the Public Prosecutor of Ramallah ruled to indefinitely postpone the charges against Mohannad Karajah in November 2021, it remains unknown whether the case will be moved to court or if it will be archived.

Subjecting human rights lawyers to intimidation

Apart from clear intimidation from police officers or military, including through legal threats, human rights lawyers have been subjected to intimidation in the court room as well as by physical attacks preventing access to court rooms.

In Venezuela, <u>Raquel Sánchez</u> was denied access by the Thirteenth Military Control Court of La Fría to attend the hearing of her clients in October 2020. The judge also refused to receive the evidence, unless the detainees agreed to change lawyers, because the Court refused to accept lawyers from the Penal Forum. In July 2019 already, another client of Raquel Sánchez' had been told her case would not progress until she chose a lawyer not associated with the Penal Forum. Raquel Sánchez has filed multiple complaints before the Public

Ministry about fears for her safety, however she continues to be the target of physical attacks and surveillance, which have intensified as the case of police violence progresses.

Similarly, in October 2021 during a hearing of two of **Engels Puerta and Juan Carlos Barroeta Rivas'** clients, the lawyers were threatened by the prosecutor. They had just recused and denounced the judge presiding over the case for due process violations. The judge decided to continue the trial and ignore the complaint against him. He appointed other public lawyers to represent the defendants, ignoring their appeal to continue with their lawyers.

In Iran, **Mustafa Nil**i – who has represented many political prisoners and was jailed for it – and his group were stopped, physically assaulted, detained for hours and had their devices confiscated temporarily by intelligence agents on the way to Arak to visit the family of a jailed human rights defender. The prosecutor had ordered to forcibly stop and escort them back to Tehran.

In El Salvador, lawyer and human rights defender Bertha Deleón Gutiérrez, has been the victim of judicial harassment in a new attempt to criminalize the defender on May 4, 2021 by a politician close to the ruling party in retaliation to her work as a human rights defender and her critical stance against the current government. She has also been the target of death threats and sexual violence threats on social networks, as well as a stigmatization campaign. She has been followed and monitored by cars and motorcycles without license plates and by drones, as well as having her computer stolen.

Yésica Sánchez Maya is a human rights defender and feminist lawyer and part of the management team of Consorcio Oaxaca. In July 2021, it became known that she was one of the 109 human rights defenders and journalists who were infected with the Pegasus malware. In addition, on June 15, 2020, members of Consorcio Oaxaca, a prominent organization that promotes the advancement of women's rights in the state of Oaxaca and accompany legal cases of criminalziation against human rights defenders, were notified of a police operation after a death threat signed by a criminal group appeared in the organization's offices.

Reprisals against relatives of human rights lawyers and killings of human rights lawyers

In the most serious cases, lawyers or their relatives are killed as reprisals for the lawyers' work in the absence of any protection measures put in place by authorities, despite clear warning signs of threats to their lives.

In the Philippines, **Juan Macababbad** was shot by unknown individuals outside his home in September 2021. The police have stated that an investigation has been launched and they have identified persons of interest. According to the National Union of People's Lawyers, he is among 57 lawyers to be killed for their peaceful human rights work since President Rodrigo Duterte assumed power in 2016, and the third of NUPL.

Ali Jaseb Hatteb's father was killed by an unknown militant in Iraq in March 2021. His family believes that he was assassinated as result of his efforts to

find his son – Ali Jaseb Hatteb – who was abducted and has been disappeared since October 2019. Jaseb Hattab threatened to sue the leader of the militant group. Prior to his assassination, he had received verbal threats from members of a militant group. In a video on social media, he called on the Iraqi government to protect him. However, the government has reportedly attributed his killing to tribal conflicts.

Esteban Emanuel Celada Flores' brother was shot dead by unidentified persons in February 2018 as he was leaving the lawyer's house. This is part of targeted harassment against Esteban Celada in reprisals for his work. Attacks include his house being broken into to search through his legal documents, persistent surveillance, threats, hate signs painted on his house, damage to his property, digital attacks and surveillance, defamatory messages online. Esteban Celada has filed numerous complaints at the office of the Prosecutor for Human Rights which remain unanswered to date. There is a pending request for precautionary measures before the Inter-American Commission on Human Rights which, according to information he received, has not been processed due to the failure of the Ministry of Interior to submit a risk analysis despite clear risks to the lawyer's life.

The annex attached provides an overview of the cases mentioned in this briefing also reflecting on further trends of the types of reprisals against human rights lawyers that have been documented by FLD. Between October 2020 and December 2021 this included:

- personal and/or professional equipments being seized, sometimes through unlawful break-ins of lawyers homes or offices
- physically attacks
- lawyers being placed under travel bans, prevented from leaving their country
- enforced disappearances