

Joint call in support of endangered lawyers in Afghanistan

Following the recent worrying developments in Afghanistan, the undersigned organisations express their deep concern over the situation in Afghanistan, especially regarding women, human rights defenders, and those working in the justice sector, in particular lawyers, judges, and prosecutors.

Many lawyers in Afghanistan are being specifically targeted, threatened and harassed based on their legitimate activities as lawyers and many of them are fearing for their lives.

Those lawyers include many female lawyers and representatives of the Afghan Independent Bar Association (AIBA).

The AIBA has about 5,500 members, with 25% of them being women (about 1375 female members).

Given their very active role prior to the Taliban takeover in defending the basic rights of Afghan citizens, these lawyers are now not only targeted by the new regime but also by prisoners who have been released following the takeover. About 30 000 criminals were released from prisons, approximately 10 000 being a direct threat to lawyers, either because they hold their former defence lawyers responsible for their convictions or because the lawyers, especially female lawyers, have represented victims in cases where these prisoners have been convicted.

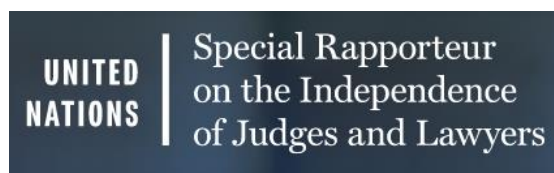
In this regard, many female lawyers are particularly at risk given their work as defence lawyer in cases concerning the rights of children and women, notably in cases of violence including hostage-taking, kidnapping, assassination, trafficking, harassment and rape, beatings, forced marriages, ill-treatment, ban on education, forced isolation, and deprivation of jobs. Those female lawyers are generally threatened with violence by defendants and family members released from prisons, and in some cases are killed, beaten and/or tortured. These threats have become serious to the point that many female lawyers have been forced to hide and change their addresses and phone numbers. As of today, it is reported that at least one female defence lawyer was killed and two subjected to torture.

Currently, women lawyers are being deprived of their basic rights, including the right to exercise their legitimate activities as lawyer, out of fear of serious reprisals against them. About 200 female lawyers are now faced with life-threatening risks in all Afghanistan based on their legitimate activities.

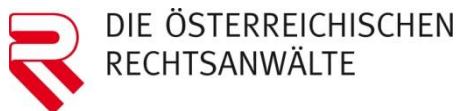
In addition to this, several representatives of the AIBA are also under serious threat. The AIBA is an independent statutory body established in 2008 pursuant to the Advocates Law. The AIBA is an institution that is mandated by law to regulate the profession of lawyer throughout Afghanistan. Since its establishment, it has played a key role in promoting the rule of law and fundamental rights which are essential for building a nation based on democratic values. Despite the cultural, social and economic restrictions, it has notably been able to promote the role of women defence lawyers and has advocated in the area of social justice notably in the defence of victims' rights in violence cases against women and children. These accomplishments have now been reduced to basically nothing following the takeover. Moreover, the AIBA has been closed by the new Regime, making the independent exercise of the legal profession no longer possible.

In view of the above, the undersigned organisations urge the relevant authorities and organisations to urgently provide adequate protection to these endangered lawyers. To this end, and given these very exceptional circumstances, the undersigned organisations also call for measures to facilitate the simplification and relaxation of asylum rules to allow for the evacuation and temporary reception of these lawyers at risk.

The undersigned organisations also wish to emphasise the importance of the achievements made by the legal profession in Afghanistan for the protection of fundamental rights, and therefore call on the relevant authorities, in their diplomatic efforts toward the regime in place, to ensure the maintenance of an independent legal profession and Bar in Afghanistan in order to preserve the independence and integrity of the administration of justice and the rule of law.



United Nations / Special Rapporteur on the Independence of Judges and Lawyers



**Austria / Österreichischer
Rechtsanwaltskammertag**



Belgium / Flemish Bar Association



Bosnia and Herzegovina
Bar Association of the Republic of Srpska



Bulgaria / Supreme Bar Council of Bulgaria



Denmark / Danish Bar and Law Society



Estonia / Estonian Bar Association



France / Paris Bar



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The Bar Council

United Kingdom / The Bar Council

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Ireland



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Avocats Européens Démocrates - European
Democratic Lawyers

ECBA

EUROPEAN CRIMINAL BAR ASSOCIATION

An association of European defence lawyers

European Criminal Bar Association – ECBA



Défense Sans Frontière-Avocats Solidaires



Dublin Solicitors' Bar Association



Fédération des Barreaux d'Europe



Foundation Day of the Endangered Lawyer

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