

Council of Europe Conference
“Protecting Lawyers, preserving access to Justice”, June 16, 2025
Speaking Notes | Judith Lichtenberg | Lawyers for Lawyers

“If they can kill lawyers, they can kill anybody”

I am quoting Connie Brizuela, a Philippine lawyer. She said this when we interviewed her as part of an international fact-finding mission into attacks against lawyers and judges in the Philippines in November 2008. Atty Brizuela was receiving death threats at the time. Most likely from people whose interests were at stake in the cases she dealt with. She told us: “As a lawyer, I am a target, because they want to stop us, they want to silence lawyers so that we no longer give a voice to ordinary people whose rights are violated.”

One year later, in November 2009, Connie Brizuela was killed.

Atty Brizuela’s comments and what happened to her, clearly illustrate why lawyers need protection and why it is so important they also actually get this protection.

Lawyers play a vital role in upholding the rule of law and the protection of human rights, including the rights to access to justice, effective remedy and fair trial. But they can only fulfil this role effectively, if they can do their job safely and independently.

And to promote the rule of law through a free and independent profession is exactly why my organization, [Lawyers for Lawyers](https://www.lawyersforlawyers.org), was established almost 40 years ago. As of today, this is still our mission. We therefore also contributed to the European Convention for the protection of the Profession of Lawyer.

We believe that all topics addressed in the Convention are important to ensure the protection of lawyers, both individually and collectively, but in the interest of time, I will give you three examples to highlight the added value of the Convention.

First, the Convention reaffirms the principle of non-identification and connects it with the obligation for states to ensure that lawyers can carry out their professional activities and exercise their professional rights safely and independently. Thus, without becoming the target of acts of harassment or otherwise being subject to improper hindrance or interference.

This is crucial. Because attacks on lawyers are often a direct result of their identification with their clients or their clients’ causes. This identification also opens the door to improper interference with lawyer’s professional functions.

This month, for example, Lawyers for Lawyers published a [report](#) on the increasing threats of lawyers defending the rights of communities suffering environmental harm. The report shows that environmental lawyers face stigmatization and vilification, legal harassment and physical attacks, because they are associated with their clients’ interests. One lawyer was even killed. They also meet serious hinder and interference by state bodies, such as restrictions on access to information, surveillance, and searches and seizures of their premises.

Unfortunately, this list is illustrative for other lawyers who find themselves associated with their clients or their clients' interests or activities. Among the targeted lawyers we support are lawyers representing asylum-seekers, human rights defenders, members of the queer community, journalists, and lawyers handling corruption, land reform, or terrorism-related cases.

What states in any case must do **in response** to these acts of harassment is conducting an effective investigation when they amount to criminal offenses.

Going after perpetrators is important – if acts of harassment become systemic and perpetrators get away with it, this has a chilling effect on all lawyers.

However, what governments can do **proactively**, together with bar associations, is raising awareness – among state officials, among members of parliament, among the general public – of why we need independent lawyers for the proper functioning of the rule of law and what independence means in this context.

Secondly, the Convention recognizes that access to the profession and disciplinary proceedings are increasingly used as another tactic to exclude, intimidate or stop lawyers. Lawyers for Lawyers has, for example, supported lawyers who were disbarred – groundlessly – for representing political opposition leaders or people participating in peaceful demonstrations against their governments.

For this reason, the Convention also offers protection to any person who has either been refused admission to practice law or is suspended or disbarred in violation of the relevant articles in the Convention.

Finally, the Convention emphasizes the right to freedom of expression of lawyers and their professional associations. As rightly pointed out by one of the former Special Rapporteurs on the Independence of Judges and Lawyers, this right constitutes an essential requirement for the proper and independent function of the legal profession, because lawyers use written and oral communication as a fundamental professional tool.

And it is important that lawyers and bar associations – as experts – speak out on rule-of-law issues, especially in a time where a majority of countries are experiencing an erosion of the rule of law, including countries in Europe.

But practice shows that lawyers who do so, often also become a target.

Lawyers for Lawyers has supported many lawyers who were targeted for expressing criticism and discontent with the authorities of their countries, inside and outside the courtroom. Atty Brizuela, for instance, stood up for good governance and openly condemned the culture of impunity in her country.

Other examples include lawyers who were targeted after they spoke out about the violation of their clients' rights, such as their treatment in custody, or about proposals for law reforms in breach of international law.

To conclude – The Convention reaffirms that the independence of lawyers and their professional associations must be protected so that they can fulfil their role in the administration of justice effectively.

This is an important message, especially in a time – I said it before, but I want to emphasize it - where geopolitical developments remind us that the rule of law requires constant reinforcement to safeguard fundamental rights and justice, also in countries where lawyers are usually not at risk.

So, I do hope that states and bar associations feel empowered to publicly promote and defend the independence of lawyers and their role in society.

The Convention also explicitly stipulates that parties must ensure that professional associations can co-operate with lawyers, bar associations, intergovernmental bodies, and NGOs in other countries.

And this brings me to my final point. There is a strength in numbers, so international collaboration and solidarity is key in working towards an enabling environment for lawyers.

Lawyers for Lawyers hopes that the Convention enters into force soon and we call upon states to do what is necessary to make that happen.

Thank you.