

URGENT ACTION

HUMAN RIGHTS LAWYER DISBARRED IN CRIMEA

Lilia Hemedzhy, a lawyer representing Crimean Tatars, has been disbarred, from the Bar Association of the Chechen Republic, in retaliation for her work in Russian-occupied Crimea. Previously, her request to be transferred to the Bar Association of Crimea had been arbitrarily declined. This decision bars her from defending members of Crimean Tatar community in criminal proceedings.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

President of the Bar Association of the Chechen Republic

Shamkhan Katayev
21 Abdally 2 Ben Al-Husein Street
Grozny, Russian Federation
364016
Fax: +7-928-890-99-71;
+7-938-000-02-33
Email: advokatura95@bk.ru

Dear President of the Bar Association of the Chechen Republic,

I am writing to ask you to take action in support of your colleague, lawyer **Lilia Hemedzhy**. She was disbarred on 15 July 2022, in retaliation for discharging her professional duties while representing members of the Crimean Tatar Muslim community in Crimea. As you will be aware this decision was reversed, but then challenged in a Crimean court by the Bar Association of Crimea.

Lilia Hemedzhy has been repeatedly pressured by the authorities in Crimea to stop providing legal assistance to members of the Crimean Tatar community. She was threatened with disbarment by law enforcement agencies, and to this end complaints against her were submitted to the Bar Association with false accusations of her "disrespecting" the court, repeatedly violating court proceedings, arguing with the presiding judge, and disobeying the bailiff. Meanwhile, the Bar Association of Crimea arbitrarily declined her request of transfer and filed a lawsuit in the Zheleznodorozhnyi District Court of Simferopol, Crimea, against Lilia Hemedzhy as a member of your Bar Association. The same lawsuit insisted on invalidating the original decision of the Qualification Commission of your Bar Association which had attested Lilia Hemedzhy's professional credentials.

The Crimean court's ruling of 20 March 2023 against Lilia Hemedzhy leaves her clients, most of them Muslims, without effective legal representation in the face of persecution by the local authorities. It deprives them of their human rights, including the right to a fair trial and the right to practise their religion freely. It also has a significant chilling effect on work of the legal professionals in Crimea as well as in the Russian Federation. Lilia Hemedzhy is preparing an appeal against her disbarment.

I therefore urge you and the Bar Association of the Chechen Republic to take a stance in support of your colleague, and specifically:

- Provide Lilia Hemedzhy with all necessary support and legal assistance to stop the harmful and intimidating practises aimed at preventing her from carrying on her work as a lawyer on behalf of her Muslim clients in Crimea;
- Support Lilia Hemedzhy's appeal process all the way to the court of final instance, and directly appeal the decision of the Zheleznodorozhnyi District Court of Simferopol, Crimea, on behalf of you Bar Association.

Yours sincerely,

ADDITIONAL INFORMATION

Protection of lawyers against intimidation, harassment or interference, including through the use of disbarment procedures, is essential to ensuring the proper administration of justice and the right to a fair hearing. The Basic Principles on the Role of Lawyers (adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990) point out that the “adequate protection of the human rights and fundamental freedoms to which all persons are entitled, be they economic, social and cultural, or civil and political, requires that all persons have effective access to legal services provided by an independent legal profession.” The Basic Principles also provide that governments must “ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference... (b) are able to travel and to consult with their clients freely and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions.”

Lilia Hemedzhy has been one of the few lawyers who have been helping Crimean Tatar activists to fight persecution and seek justice, in a setting where legal professionals providing services to Crimean Tatars face harassment and persecution. She has organized a school for public defenders where she shares her experience and knowledge with others, in response to the constant pressure and attempts to stop her from working as a human rights lawyer representing Crimean Tatars and the Muslim community in Crimea.

Lilia Hemedzhy is also one of the founding members of the Crimean Solidarity grassroots movement, created on 9 April 2016 in response to the Russian authorities' political and religious persecution of Crimean Tatars in Crimea. The movement brings together activists, lawyers and the relatives of those who have been arrested and prosecuted, to ensure they can access legal aid, financial, medical and other vital support. The movement also seeks to raise awareness about ongoing human rights violations in Crimea. Several prominent members of the Crimean Solidarity have been imprisoned on trumped-up charges.

Crimean Tatars are the indigenous people of Crimea who made up an estimated 12 percent of the peninsula's population before its occupation and illegal annexation by the Russian Federation in 2014. Many prominent members of the Crimean Tatar community have been among the most vocal critics of Russian discriminatory policies on freedom of religion and belief; the entire community has been regarded as disloyal and targeted with reprisals. People speaking up about human rights violations committed in Crimea since 2014 have faced persecution, including enforced disappearances, harassment, intimidation, arbitrary arrest, torture and other ill-treatment, and prosecution and long-term imprisonment following unfair trials under politically motivated charges.

PREFERRED LANGUAGE TO ADDRESS TARGET: Russian

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 19 June 2023

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Lilia Hemedzhy (she/her)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/eur46/5967/2022/en/>

ADDITIONAL TARGET

Mr Andrei Kelin

Embassy of the Russian Federation (Main Building)

6/7 Kensington Palace Gardens, London, W8 4QP

Fax: 020 7727 8625

Email: kanc@rusemb.org.uk