

“UN Expert: Lawyers in the United States are attacked, undermined but defiant”

Statement by the UN Special Rapporteur on Independence of Judges and Lawyers, Margaret Satterthwaite

Geneva (24 January 2026) – On the International Day of the Endangered Lawyer, the UN Special Rapporteur on the independence of judges and lawyers Margaret Satterthwaite expressed her alarm that lawyers are at risk and the long and proud tradition of the free exercise of the legal profession in the United States of America is now under threat¹.

“US lawyers have played a central role in the development and continued vibrancy of American democracy,” the expert* said. “From early efforts to end slavery to more recent struggles for civil and human rights for all, lawyers have sought to ensure the legality of government actions, litigate to protect individuals, and uphold the right to a fair trial. But despite, or perhaps because of, their status as watchdogs against tyranny, these lawyers are now facing unprecedented attacks by the Executive.”²

Since the new US administration took office on 20 January 2025, it has sought to punish perceived disloyalty among legal professionals, and to bring lawyers and law firms to heel.³ “This approach displays a fundamental misunderstanding of the role of lawyers, and a disdain for the rule of law,” stated Satterthwaite. “A healthy democracy is one where dissent is tolerated, opposing voices are accommodated, and disputes are decided on their legal merits, not on the arbitrary preferences of a strongman.”

There has long been reason to believe that, after assuming office, President Trump would retaliate against perceived enemies, including lawyers. Reports suggest that, while he was out of office between 2022 and 2025, Mr. Trump issued more than 100 threats to investigate, prosecute, imprison or otherwise punish his perceived opponents, including the special counsel and other prosecutors who had conducted criminal investigations into his actions, and into the actions of his supporters who attacked the US Capitol on 6 January 2021.⁴

Within a month of his inauguration in January 2025, dozens of prosecutors who had worked on criminal investigations into President Trump, or on prosecutions stemming from the attack on the Capitol, were dismissed from the Department of Justice (DOJ). “It is hard

¹ <https://www.ohchr.org/en/press-releases/2025/06/usa-un-expert-warns-interference-legal-and-judicial-system>.

² [AL USA 15/2025](#).

³ [AL USA 7/2025](#).

⁴ [A/HRC/56/62](#), para. 58.

to view this purge as anything but retaliation against legal professionals for doing their jobs,” Satterthwaite said, “particularly in the context of the President’s repeated characterization of impartial government lawyers as weapons of the opposition.”

Other legal professionals employed by the federal government also appear to have been targeted on the basis of their professional activities, or because of a perception that their political views did not align with the government’s priorities. On the day of President Trump’s inauguration, around 20 senior career lawyers at DOJ working in the environment, civil rights, and other divisions were reassigned to a newly formed task force focused on countering “sanctuary cities”, a term used for localities that limit cooperation with federal immigration authorities. The transfers were widely seen as punishment, especially for those who had built specific expertise over their careers. Reports suggest that a number of the transferred attorneys later resigned. Also on Inauguration Day, four senior career officials at the DOJ’s Executive Office of Immigration Review (EOIR), which oversees U.S. immigration courts, were summarily dismissed. They included the chief immigration judge, the acting director, the general counsel, and the head of policy. Since January 2025, reports indicate that at least a third of senior career lawyers have left DOJ.⁵

During the same period, nearly 100 immigration judges, who are employed by DOJ and not part of the federal judicial branch, have been dismissed, with reports indicating that the loss of personnel has left the immigration courts in disarray.⁶ The top military lawyers or “judge advocate generals”, responsible for ensuring the US military follows international and domestic law, have also been fired from the Department of Defense, with the Secretary of Defense reportedly stating that removals were necessary to ensure the lawyers did not create “roadblocks to orders that are given by a commander in chief.”⁷

“These purges of senior government lawyers and DOJ personnel are extremely concerning”, Satterthwaite said. “They deprive the government of valuable expertise, knowledge, and accountability measures designed to ensure that State action is within the bounds of legality. This is particularly important in the case of military lawyers, who confirm that military actions comply with the law, including international humanitarian law.”

“I am concerned that this loss of senior lawyers, a vital check on government conduct, is already having an impact on legal cases advanced on behalf of the Executive”, the expert said. Since January 2025, numerous federal judges have criticized DOJ lawyers for taking inappropriate action,⁸ and several lawyers have publicly resigned rather than engage in

⁵ [AL USA 7/2025](https://news.bloomberglaw.com/us-law-week/justice-department-loses-a-third-of-career-leaders-under-trump). For more information, see <https://news.bloomberglaw.com/us-law-week/justice-department-loses-a-third-of-career-leaders-under-trump>.

⁶ [AL USA 7/2025](https://www.politico.com/news/2025/12/06/trump-immigration-court-judge-purges-00679376); <https://www.politico.com/news/2025/12/06/trump-immigration-court-judge-purges-00679376>.

⁷ [AL USA 7/2025](https://www.military.com/daily-news/2025/02/24/people-are-very-scared-trump-administration-purge-of-jag-officers-raises-legal-ethical-fears.html); <https://www.military.com/daily-news/2025/02/24/people-are-very-scared-trump-administration-purge-of-jag-officers-raises-legal-ethical-fears.html>.

⁸ One study found that courts have found Executive noncompliance in 26 cases, Government misinformation in more than 60 cases, and arbitrary and capricious behaviour by the Government in 68 cases. See <https://www.justsecurity.org/120547/presumption-regularity-trump-administration-litigation/>.

conduct that they considered to be improper.⁹ In one high-profile case, a DOJ lawyer was reportedly fired for making factual statements in court that his superiors told him to falsify.¹⁰ He then filed a whistleblower complaint disclosing what he said were plans by the Executive to resist orders issued by federal judges in immigration cases.¹¹

“When lawyers are punished for upholding their duty of candor to the court, the rule of law is put at risk. The judicial system depends on legal professionals upholding their duties as officers of the court,” the expert said.

The administration’s demand for loyalty extends beyond government employees to lawyers in private practice. The President has issued a number of memoranda and executive orders against specific law firms and named lawyers¹². Satterthwaite explained that “these Executive actions were designed to punish those viewed as enemies, and to intimidate and manipulate others into compliance.”

These memoranda and executive orders purport to ban particular firms and lawyers from entering government buildings, terminate existing government contracts, preclude new government contracts, cease the provision of government goods, property, material and services, strip firm lawyers’ security clearances, and bar the hiring of lawyers from the named firms. The targets appear to have been chosen because they were involved in investigating or prosecuting crimes allegedly committed by the President or his supporters; because they have supported causes distasteful to the administration through their pro bono practices; or because they have adopted diversity, equity and inclusion (DEI) policies, which the Executive characterizes as discriminatory.

“Such measures appear to be aimed at directly interfering with the independence of the legal profession, undermining the ability of lawyers to represent their clients,” said Satterthwaite. Article 14 of the International Covenant on Civil and Political Rights guarantees those charged with a crime access to a lawyer of their choice. “Stripping lawyers of security clearances without any process and barring them from federal buildings could deprive individuals of their chosen lawyer by preventing counsel reviewing sensitive documents necessary for effective representation, or even accessing federal court buildings.”

By targeting firms based on their involvement in past investigations or pro bono cases, these actions also appear to punish lawyers solely for their professional work, contravening the Basic Principles on the Role of Lawyers. Principle 16 specifies that “Governments shall ensure that lawyers are able to perform all of their professional

⁹ For example <https://www.courtlistener.com/docket/69197933/150/10/united-states-v-adams/>; <https://www.courthousenews.com/totally-inappropriate-former-prosecutors-slam-doj-s-handling-of-eric-adams-case/>.

¹⁰ https://www.judiciary.senate.gov/imo/media/doc/06-24-2025_-Protected_Whistleblower_Disclosure_of_Erez_Reuveni_Redacted.pdf.

¹¹ https://www.judiciary.senate.gov/imo/media/doc/06-24-2025_-Protected_Whistleblower_Disclosure_of_Erez_Reuveni_Redacted.pdf.

¹² [AL USA 15/2025](https://www.judiciary.senate.gov/imo/media/doc/06-24-2025_-Protected_Whistleblower_Disclosure_of_Erez_Reuveni_Redacted.pdf).

functions without intimidation, hindrance, harassment or improper interference" and that lawyers "shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics".

"If the aim of this tactic was to bully lawyers into submission, there is some evidence that it has worked," the expert regretted. "In exchange for not being subject to such targeting, some firms have agreed to provide hundreds of millions of dollars of pro bono support to causes favored by the administration, or to alter their diversity, equity and inclusion (DEI) policies. However, many other targeted lawyers have looked to the courts for protection, receiving favorable rulings that the actions against them are unconstitutional.

"Many lawyers continue to understand that their duties are to the law, to the courts, and to their clients," stressed Satterthwaite. "They will not be cowed by the administration and continue to exercise their vital role in checking government power, ensuring access to justice, and upholding the right to a fair trial. But they need our help, support, and solidarity to protect the rule of law."

"The US Government must cease its relentless drive to punish and coerce lawyers into conformity and submission. It must recognize that the freedom of lawyers to represent clients without fear or favor is a mark of a successful democracy," concluded the expert. "To continue down the present road risks undermining hard-won principles and long-protected institutions, with disastrous outcomes for all people in the United States."

"As we mark the International Day of the Endangered Lawyer, I would like to take a moment to speak about other country situations where lawyers are specifically targeted and highlight some emblematic cases. The extreme challenges faced by these legal professionals are not new, but they deserve our attention today", the Special Rapporteur said.

"Let me start by expressing my concern for well-known Tunisian lawyer Ayachi Hammami. He started an open-ended hunger strike last 5 December, in protest against his ongoing detention at El Mornaguia prison and arbitrary restrictions imposed on visits from his lawyer. Worryingly, his health has since deteriorated", she said. Last December, Mr. Hammami was taken to prison to serve a 5-year sentence, joining other Tunisian lawyers like Ahmed Souab, who have been arbitrarily detained since 2023 in the case known as the "conspiracy against State security."¹³ Mr. Hammami was previously the defense lawyer for other lawyers. However, in May 2023 the investigating judge added him to the list of suspects, charging him in October 2023. Hammami was barred from travelling and appearing in public places. In December he was taken to prison to serve a 5-year sentence. Mr. Hammami is also being prosecuted separately under Decree-Law No. 54 for a statement he made as a lawyer in defence of judges who were arbitrarily dismissed by the President in 2022.

¹³ [AL TUN 2/2024; AL TUN 2/2023](#).

“The United States and Tunisia are far from being the only cause for concern,” the expert noted. “In the Russian Federation¹⁴, Vadim Kobzev, Alexei Liptser, and Igor Sergunin, lawyers for the late Alexei Navalny, were sentenced on “extremism” charges, after a sham trial in the Petushki district court of Vladimir region”, she said. “And in Guatemala, during my country visit in May 2025, I investigated the cases of lawyers who are also facing this kind of criminalization, like Claudia Gonzalez, Eduardo Masaya, and Ramón Cadena”.

Since August 2024, in Egypt, authorities have reportedly referred more than 90 lawyers for trial before the terrorism circuits of the criminal court, for their legitimate human rights work, including for providing legal representation.

“When lawyers are accused of a crime, such as extremism or terrorism, simply for representing their clients, we are witnessing the misuse of the criminal justice system to punish the free exercise of the legal profession. Emblematic cases such as these are meant to send a message to the legal profession as a whole—a message that we should all heed. Restricting lawyers from fulfilling their legal duties to their clients through trumped up criminal charges, is an especially grave form of undue interference, which opens the door to normalizing systematic violations of the right to a fair trial and to equality before the law in entire countries”, the expert warned.

“Today I must also recall today those lawyers who have been killed or whose lives are under threat. This month marks three years since the brutal killing of lawyer Thulani Maseko in Eswatini on 21 January 2023”,¹⁵ the expert said, noting with serious concerns the lack of progress in the investigation into those responsible.

“I have received very serious allegations of a pattern of persecution against legal professionals in Sudan, who continue to face enforced disappearances, arbitrary arrests, death penalty convictions, physical violence, and judicial harassment, simply for carrying out their professional duties¹⁶. I highlight, as well, the case of lawyer Ruth López¹⁷ in El Salvador, who was forcibly disappeared for 32 hours in May 2025 after being detained by the National Police.” To this day, in proceedings that do not meet the requirements for due process, the expert regretted that it is still difficult for Ms. Lopez’s lawyer and family to see her.

“Last year we dedicated this day to brave Belarusian lawyers, whose situation has not improved,” regretted the expert. “Although Maksim Znak was released in December 2025, after being held incommunicado detention since February 2023, he, like so many other Belarusian lawyers, has been forced into exile rather than continue their work to uphold the rule of law.”

¹⁴ [Russia: Special Rapporteur appalled by prison sentences to punish Navalny lawyers | OHCHR](#).

¹⁵ <https://www.ohchr.org/en/press-releases/2024/01/eswatini-un-experts-commemorate-human-rights-defender-thulani-maseko-deplore>.

¹⁶ [AL SDN 2/2025](#).

¹⁷ [AL SLV 5/2025](#).

“July last year marked ten years since what has become widely known as the “709 Crackdown”¹⁸, a coordinated nationwide effort in China targeting human rights lawyers and legal activists across the country. To date, the patterns of repression alleged in 2015 appear to persist. Reportedly, lawyers are regularly targeted with criminal charges in retaliation for their human rights work, including accusations such as “inciting subversion” and “subversion of State power”. These provisions carry severe penalties and are frequently exempted from many procedural safeguards guaranteed under the Criminal Procedure Law”, she noted.

Lawyers in the Islamic Republic of Iran, to whom this day was dedicated in 2024, continue to be in a precarious situation. “Last year, I received allegations of systematic targeting by state authorities against independent lawyers. In particular, those who criticize state policies, or who defend protesters and dissidents, face escalating threats, acts of intimidation and disciplinary measures¹⁹”, she lamented. “I fear that lawyers will again bear the brunt of repression for defending those facing criminalization for recent protests.”

Strong and independent bar associations are key for the protection of brave lawyers and the profession itself. “Yet, they have also come under fire.”

In 2023, disbarred Belarusian attorneys in exile established the Belarusian Association of Human Rights Lawyers.²⁰ It offers legal counselling on issues related to the risks of staying in Belarus, in absentia trials and submitting complaints to international human rights bodies and mechanisms. On 18 August 2025, the State Security Committee of the Republic of Belarus (KGB) adopted Decision No. 3/3-1962 designating the Association as an “extremist formation.” The decision, which has not been published and whose grounds remain undisclosed, entered into force on 21 August 2025.

“I have also received very concerning information about lawyers in the State of Palestine, both in the occupied West Bank, including east Jerusalem, and in occupied Gaza. The very existence of the Palestinian legal system appears to be under threat”, the expert said with concern. The destruction of the Palestinian Bar Association's permanent headquarters occurred on 9 October 2023.²¹ A large number of Palestinian law firms have also been hit by aerial strikes conducted by Israel, whereas the laws of armed conflict strictly limit the targeting of civilian infrastructure. On 14 September 2025, Israeli occupation forces targeted and entirely destroyed the Sharab Building, in central Gaza city, where the temporary headquarters of the Palestinian Bar Association were located.

“Reportedly a number of raids have been conducted by Israel into Palestinian lawyers' offices in the occupied West Bank, and Palestinian lawyers have been subjected to physical attacks within courtrooms. A number of legal procedures are now at a standstill due to

¹⁸ [AL CHN 10/2025](#).

¹⁹ [AL IRN 11/2025](#).

²⁰ <https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=30412>.

²¹ *Israel/Gaza: UN experts condemn destruction of judicial infrastructure, call for protection of justice operators*, 16 April 2024 (available at: <https://www.ohchr.org/en/press-releases/2024/04/israelgaza-un-experts-condemn-destruction-judicial-infrastructure-call>).

lawyers, magistrates or court staff being routinely held at unlawful Israeli checkpoints and prevented from reaching courtrooms in time for appointed hearings,” she noted.

“Amid these challenges, I would like to take note of some good news”, the expert said.

“Although the verdict is still subject to appeal by the prosecutor, I am relieved to learn that the leadership of the Istanbul Bar Association²² was acquitted by an Istanbul Court on 9 January. All 11 members of the elected leadership had been charged with “spreading terrorist propaganda” and “publicly disseminating misleading information” for issuing a public statement on 21 December 2024 concerning the killing of two journalists in northern Syria and the arrest of journalists and lawyers at a related peaceful protest. Lawyers, like all other individuals, have a right to freedom of expression,” Satterthwaite said.

“Finally, I welcome a major achievement: the Council of Europe’s Convention for the Protection of the Profession of Lawyer is a milestone in the effort to bolster safeguards for the legal profession, key to the defence of human rights and the rule of law. The Convention responds directly to the surge in attacks on lawyers worldwide. It offers States a standard for the protection of lawyers, allowing for objective measurement of progress and identification of gaps. As of late 2025, over 20 countries have signed the “Luxembourg Convention”, as it is known. It is open to countries outside the region, so I urge broad ratification,” she concluded.

ENDS

**The expert: Margaret Satterthwaite, [Special Rapporteur on the independence of judges and lawyers.](#)*

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²² <https://www.ohchr.org/en/press-releases/2025/05/criminalisation-istanbul-bar-association-and-dismissal-executive-board>.