

EQUAL RIGHTS FOR ALL: DISPARITIES IN JUSTICE ACROSS EUROPE
45th European Presidents' Conference 2017 in Vienna

Lawyers should aim to contribute to the rule of law and to strengthen the human rights respect. According to this, the *Consejo General de la Abogacía Española* has been involved in the great crisis that has hit Europe in the last two years: refugees or asylum seekers one. We have not forgotten to defend Human Rights.

1.- REFUGEE CRISIS IN EUROPE: SPAIN

Asylum seekers and refugees are increasingly turning their attentions to the Spanish enclaves of Ceuta and Melilla, in Morocco, as an alternative to the deadly routes into Greece and Italy which have seen thousands of people drown.

People smuggling gangs in the North African country are producing false documents including Syrian passports. Once inside people are technically on EU soil and are entitled to demand transport to the Spanish mainland, from where they can travel through Spain which allow them to reach any of the Schengen area countries.

Moroccans without a legitimate asylum claim, meanwhile, are themselves purchasing forged Spanish identity cards to sneak into mainland Europe undetected.

More than 15.000 migrants arrived in Spain last year with an overwhelming 44% of those claiming to have come from Syria.

Altogether there are more than 5.000 Syrian refugees in Morocco. Moreover, the decision to open Asylum offices in Ceuta and Melilla has acted as an additional pull factor.

Nowadays few thousands of migrants arrive in Spain by sea. Ceuta and Melilla, the militarization of borders and waters, the bilateral agreements with Morocco and other African states are regarded as a successful policy on immigration. Spain seems like a forgotten frontier, far away from the tragedy of the refugee crisis of 2015 and early 2016. But still there is.

Nonetheless several sensitive campaigns to aware public and authorities about this humanitarian crisis have been undertaken by el *Consejo General de la Abogacía Española* and followed by several local bars of Spanish main cities.

We have participated also in the European Lawyers in Lesvos project to help refugees and asylum seekers in the Greek Island and helping Greek lawyers on their pro bono task to advice and help asylum seekers and refugees in legal issues pursuant Greek law.

2.- International Observatory of Endangered Lawyers (OIAD)

On the other hand the *Consejo General de la Abogacía Española* has cooperate to settle down the “International Observatory of Endangered Lawyers” jointly with the French *Conseil National des Barreaux*, the *Ordre des Avocats de Paris* and the Italian *Consiglio Nazionale Forense* early in 2016.

The International Observatory, on the occasion of the celebration of World Human Rights Day on 10 December, has launched a campaign to raise awareness among lawyers and the public about the situation of lawyers whose life, freedoms and professional practice are threatened by the legitimate exercise of their profession.

OIAD (acronym of the Observatory) aims to call for participation to lawyers and citizens in the active defense of the rule of law and fundamental freedoms throughout the world. Lawyers are often the last line of defense of those whose rights are violated and repressed freedoms.

OIAD has helped since then Turkish Lawyers being prosecuted upon an unfair basis; Chinese fundamental rights activists’; the Pakistan National Bar and the Baluchistan Local Bar, deeply affected by a deplorable terrorist attack where more than 60 lawyers loosed their lives, including the Dean of the Baluchistan Local Bar; and OIAD has also denounced the situation of many others colleagues threatened in the exercise of their professional duties in several other locations around the world.

In this line, the 24 January 2017, the OIAD by joining the European Association of Lawyers for Democracy & World Human Rights (ELDH), the Foundation The Day of the Endangered Lawyer’s and the regional associations initiatives, has commemorated the International Day of Endangered Lawyers, this year dedicated to the Chinese lawyers situation. The Chinese colleagues are suffering a campaign of persecution and repression, especially since July 2015, when the public authorities of the People's Republic of China started the so-called “709 Crackdown” which has supposed the detention and prosecution of more than 300 lawyers.

3.- DETAINEES

The *Consejo General de la Abogacía Española* created the *Abogacía Foundation* in 2003 with a nonprofit status that aims to defend and promote human rights and development cooperation. In this sense it carries out projects both in Spain and in other foreign countries. Within this broad field of human rights, its area of activity is mainly to facilitate access to justice for the most vulnerable groups.

In the area of cooperation, *Abogacía Foundation* has been working in 9 Latin American countries together with the National Ministries of Justice and the Public Defender offices on access to justice for people deprive of liberty. Likewise, the *Abogacía Foundation* has been working during the last two years defending the rights of Spanish citizens convicted in Ecuador. Since the Ecuadorian Criminal Code was amended in 2014, the Foundation has daily worked in order to promote the review of sentence proceedings for those Spanish citizens condemned in Ecuador, both in Ecuadorian detention centers and relocated to Spain to serve their sentence.