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NEW POLICY BRIEF: Political Persecution of Judges and Lawyers Is a Global Problem

Attacks on the rule of law can pave the way for broader abuses of power and the deterioration of fundamental freedoms.

WASHINGTON—Repressive governments around the world are detaining, prosecuting, and imprisoning legal and judicial professionals as part of a larger assault on the rule of law, according to a new policy brief released today by Freedom House.

The policy brief, *Justice in Shackles: The Global Persecution of Judges and Lawyers*, finds that in at least 78 of the 112 countries assessed, judges, prosecutors, or lawyers faced politicized detention, prosecution, or imprisonment between 2014 and 2024, threatening the basic legal order required for peace, security, and economic growth. Lawyers were most often affected, experiencing persecution in at least 75 countries.

“The rule of law is indispensable for a just and peaceful society, ensuring that fundamental freedoms are upheld,” said Gerardo Berthin, interim copresident of Freedom House. “The judiciary and the legal profession play a leading role in

protecting the rule of law, and government attacks against them are occurring around the world, in both dictatorships and democracies. In the latter, these attacks can serve as an important warning sign of democratic backsliding and, if left unchecked, often lead to significant declines in freedom for the rest of the population.”

The policy brief notes that large-scale persecution of lawyers, judges, and prosecutors tends to coincide with two key political contexts: periods in which the government’s grip on power is threatened by significant resistance, such as during the prodemocracy movement against Myanmar’s military junta or amid prosecutorial efforts to combat corruption in Guatemala, and periods in which a new regime or leader has recently emerged and is attempting to consolidate power, as seen after Xi Jinping assumed leadership of the Chinese Communist Party or when Turkish President Recep Tayyip Erdoğan initiated a new era of far more repressive governance in the wake of a 2016 coup attempt.

“Around the world, attacks against the judiciary and the legal profession are disturbingly common, and supporters of democracy must combat any erosion of the vital check on abuse of power that courts and lawyers provide,” said Amy Slipowitz, policy brief author and research manager for the Fred Hiatt Program to Free Political Prisoners. “Without more concerted pushback, autocratic leaders will continue to bend these sectors to their will, undermining the freedom of anyone whom the regime perceives as a threat to its dominance.”

The policy brief identifies steps that democratic governments and civil society organizations should prioritize to defend and promote the rule of law. These recommendations include:

- **Strengthen judicial independence in countries receiving foreign assistance** by encouraging judicial review and oversight, increased transparency of judicial decisions, adherence to judicial codes of ethics, and politically impartial appointment processes.
- **Publicly and privately denounce retaliation against judges** who make independent decisions and refuse to sustain politically motivated charges. The

international community should also condemn governments that punish prosecutors for their independence and defense lawyers for representing clients who face political persecution.

- **Increase assistance for human rights lawyers working in restrictive environments** or representing clients who face political persecution. Such lawyers are a critical lifeline for political prisoners and other independent voices subjected to legal harassment by the state.
- **Ensure that regional and international justice mechanisms have adequate resources** and can serve as a backstop to national courts. Defendants confronting politically motivated cases in countries where due process and fair-trial rights are limited should be able to seek remedies outside the domestic legal system.

Click [here](#) to read the full policy brief and recommendations.

For this policy brief, Freedom House examined all countries rated Not Free and Partly Free in *Freedom in the World 2024* to identify those where authorities had detained, prosecuted, or imprisoned at least one judge, prosecutor, or lawyer in a politicized manner between 2014 and October 2024. This policy brief is the latest in a growing body of research produced by [Free Them All: The Fred Hiatt Program to Free Political Prisoners](#).

To schedule an interview with Freedom House experts, please contact Maryam Iftikhar at press@freedomhouse.org.

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