



**TAB 5**

## **Report to Convocation January 25, 2018**

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### **Equity and Indigenous Affairs Committee/ Comité sur l'équité et les affaires autochtones**

**Committee Members**  
Dianne Corbiere, Co-Chair  
Julian Falconer, Co-Chair  
Sandra Nishikawa, Vice-Chair  
Gina Papageorgiou, Vice-Chair  
Marion Boyd  
Suzanne Clément  
Ross Earnshaw  
Robert Evans  
Avvy Go  
Marian Lippa  
Isfahan Merali  
Andrew Spurgeon  
Sidney Troister  
Tanya Walker

**Purpose of Report: Decision and Information**

**Prepared by Equity Initiatives  
(Marian MacGregor – 416-947-3464)**

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## **COMMITTEE PROCESS**

1. The Equity and Indigenous Affairs Committee/Comité sur l'équité et les affaires autochtones ("EIAC" or the "Committee") did not meet on January 11, 2018, but has approved the included items for decision by and the information of Convocation.

TAB 5.1

FOR DECISION

## HUMAN RIGHTS MONITORING GROUP REQUEST FOR INTERVENTION

2. That Convocation approve the letter and public statements in the following cases:
  - a. Yuniol Ramirez Ferreras – Dominican Republic – letters of intervention and public statement presented at [TAB 5.1.1](#)
  - b. Rajat Kalsan – India – letters of intervention and public statement presented at [TAB 5.1.2](#)
  - c. Buzurgmehr Yorov – Tajikistan – letters of intervention and public statement presented at [TAB 5.1.3](#)
  - d. 37 Turkish Lawyers – Turkey – letters of intervention and public statement presented at [TAB 5.1.4](#)

### Rationale

3. The request for interventions falls within the mandate of the Human Rights Monitoring Group (the “Monitoring Group”) to:
  - a. review information that comes to its attention about human rights violations that target members of the profession and the judiciary, here and abroad, as a result of the discharge of their legitimate professional duties;
  - b. determine if the matter is one that requires a response from the Law Society; and
  - c. prepare a response for review and approval by Convocation.

### Key Issues and Considerations

4. The Monitoring Group considered the following factors when making a decision about the murder of lawyer Yuniol Ramirez Ferreras:
  - a. there are no concerns about the quality of sources used for this report; and
  - b. the murder of lawyer Yuniol Ramirez Ferreras falls within the mandate of the Monitoring Group.
5. The Monitoring Group considered the following factors when making a decision about the death threats and charges against lawyer Rajat Kalsan:

- a. there are no concerns about the quality of sources used for this report; and
  - b. the death threats and charges against lawyer Rajat Kalsan fall within the mandate of the Monitoring Group.
6. The Monitoring Group considered the following factors when making a decision about the ongoing detention and ill treatment of lawyer Buzurgmehr Yorov:
- a. there are no concerns about the quality of sources used for this report; and
  - b. the ongoing detention and ill treatment of lawyer Buzurgmehr Yorov falls within the mandate of the Monitoring Group.
7. The Monitoring Group considered the following factors when making a decision about the conviction or detention of 37 Turkish lawyers:
- a. there are no concerns about the quality of sources used for this report; and
  - b. the conviction or detention of 37 Turkish lawyers falls within the mandate of the Monitoring Group.

## **KEY BACKGROUND**

### ***DOMINICAN REPUBLIC – MURDER OF YUNIOR RAMIREZ FERRERAS***

#### ***Sources of Information***

8. The background information for this report was retrieved from the following sources:
- a. Council of Bars and Law Societies of Europe.<sup>1</sup>

#### ***Background***

9. Yuniol Ramirez Ferreras is a lawyer and professor at the Universidad Autónoma de Santo Domingo.
10. According to the information received, Yuniol Ramirez Ferreras was last seen on October 11, 2017 at the Universidad Autónoma de Santo Domingo. His body was then found in a river several days later. The information suggests that his murder might be linked to his activity as a lawyer.

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<sup>1</sup> "Re: Concerns regarding the assassination of Yuniol Ramirez Ferreras" *Council of Bars and Law Societies of Europe* (16 November 2017), online: <[http://www.ccbe.eu/fileadmin/speciality\\_distribution/public/documents/HUMAN\\_RIGHTS\\_LETTERS/Dominican\\_Republic\\_-\\_Republique\\_dominicaine/2017/EN\\_HRL\\_20171116\\_Dominican-Republic\\_Concerns-regarding-the-assassination-of-Yuniol-Ramirez-Ferreras.pdf](http://www.ccbe.eu/fileadmin/speciality_distribution/public/documents/HUMAN_RIGHTS_LETTERS/Dominican_Republic_-_Republique_dominicaine/2017/EN_HRL_20171116_Dominican-Republic_Concerns-regarding-the-assassination-of-Yuniol-Ramirez-Ferreras.pdf)> [CCBE Dominican Republic Letter].

## **INDIA – DEATH THREATS AND CHARGES AGAINST RAJAT KALSAN**

### **Sources of Information**

11. The background information for this report was retrieved from the following sources:
  - a. Council of Bars and Law Societies of Europe;<sup>2</sup>
  - b. The Law Society of England and Wales;<sup>3</sup>
  - c. Amnesty International.<sup>4</sup>

### **Background**

12. Rajat Kalsan is a prominent lawyer and advocate for the Hisar district of Haryana.<sup>5</sup> He has frequently represented members of the Dalit community in relation to discrimination cases and violence allegedly suffered at the hands of dominant castes.<sup>6</sup> Rajat Kalsan has received continuous harassment, which has resulted from his work representing victims belonging to the Dalit community.<sup>7</sup>
13. The charges against Rajat Kalsan include extortion, providing false evidence, criminal conspiracy and promoting animosity between different groups.<sup>8</sup>
14. In July 2017, Rajat Kalsan assisted Dalit villagers in Hansi, Haryana State, to file complaints against dominant caste members who conducted a social boycott and prevented the Dalit from participating in community gatherings and the enjoyment of employment rights.<sup>9</sup> On September 2, 2017, Rajat Kalsan assisted the High Court of Punjab and Haryana with an investigation into the boycott.<sup>10</sup> Subsequently, Rajat Kalsan received death threats, and was forced to suspend his legal practice and flee his home.<sup>11</sup>

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<sup>2</sup> "Re: Concerns regarding the charges against the lawyer Rajat Kalsan" *Council of Bars and Law Societies of Europe* (16 November 2017), online: <[http://www.ccbe.eu/fileadmin/speciality\\_distribution/public/documents/HUMAN\\_RIGHTS\\_LETTERS/India\\_-\\_Inde/2017/EN\\_HRL\\_20171116\\_India\\_Concerns-regarding-the-charges-against-the-lawyer-Rajat-Kalsan.pdf](http://www.ccbe.eu/fileadmin/speciality_distribution/public/documents/HUMAN_RIGHTS_LETTERS/India_-_Inde/2017/EN_HRL_20171116_India_Concerns-regarding-the-charges-against-the-lawyer-Rajat-Kalsan.pdf)> [CCBE India Letter].

<sup>3</sup> "Rajat Kalsan" *The Law Society of England and Wales* (13 December 2017), online: <<http://communities.lawsociety.org.uk/human-rights/interventions/2017/harassment-of-the-human-rights-lawyer-rajat-kalsan-in-india/5063784.fullarticle>> [LSEW India Letter].

<sup>4</sup> "India: Death Threats for Human Rights Lawyer: Rajat Kalsan" *Amnesty International* (23 October 2017), online: <<https://www.amnesty.org/en/documents/asa20/7333/2017/en/>> [AI India Letter].

<sup>5</sup> LSEW India Letter, *supra* note 3.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> CCBE India Letter, *supra* note 2.

<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

<sup>11</sup> AI India Letter, *supra* note 4.

15. On September 14, 2017, the police registered a criminal case against Rajat Kalsan for allegedly trying to instigate Dalit villagers to file false complaints against members belonging to dominant castes in Hansi, Haryana State.<sup>12</sup> This is not the first time that Rajat Kalsan has been targeted for his work against human rights violations.<sup>13</sup>
16. Rajat Kalsan has suffered intimidation, harassment, he has been forced to flee, and he could face a sentence of life imprisonment.<sup>14</sup> He has also been forced to suspend his legal practice and he faces threats of revocation of his practicing certificate.<sup>15</sup>

## **TAJIKISTAN – ONGOING DETENTION AND ILL TREATMENT OF BUZURGMEHR YOROV**

### **Sources of Information**

17. The background information for this report was retrieved from the following sources:
  - a. Council of Bars and Law Societies of Europe;<sup>16</sup>
  - b. Lawyers for Lawyers;<sup>17,18</sup>
  - c. Human Rights Watch;<sup>19</sup>
  - d. The Law Society of Ontario.<sup>20,21</sup>

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<sup>12</sup> CCBE India Letter, *supra* note 2.

<sup>13</sup> *Ibid.*

<sup>14</sup> AI India Letter, *supra* note 4.

<sup>15</sup> AI India Letter, *supra* note 4.

<sup>16</sup> “Re: Concerns regarding the continuing detention and ill treatment of lawyer Buzurgmehr Yorov” *Council of Bars and Law Societies of Europe* (16 November 2017), online: <[http://www.ccbe.eu/fileadmin/speciality\\_distribution/public/documents/HUMAN\\_RIGHTS\\_LETTERS/Tajikistan\\_-\\_Tadjikistan/2017/EN\\_HRL\\_20171116\\_Tajikistan\\_Concerns-regarding-the-continuing-detention-and-ill-treatment-of-lawyer-Buzurgmehr-Yorov.pdf](http://www.ccbe.eu/fileadmin/speciality_distribution/public/documents/HUMAN_RIGHTS_LETTERS/Tajikistan_-_Tadjikistan/2017/EN_HRL_20171116_Tajikistan_Concerns-regarding-the-continuing-detention-and-ill-treatment-of-lawyer-Buzurgmehr-Yorov.pdf)> [CCBE Tajikistan Letter].

<sup>17</sup> “Tajikistan Court rejects appeal of lawyer Buzurgmehr Yorov” *Lawyers for Lawyers* (11 April 2017), online: <<http://www.advocatenvooradvocaten.nl/12527/tajikistan-court-rejects-appeal-of-lawyer-buzurgmehr-yorov/>> [L4L Tajikistan April 2017 Post].

<sup>18</sup> “Tajikistan Lawyers sentenced to 23 and 21 years in prison” *Lawyers for Lawyers* (17 October 2016), online: <<http://www.advocatenvooradvocaten.nl/11930/tajikistan-lawyers-sentenced-to-23-and-21-years-in-prison/>> [L4L Tajikistan October 2016 Post].

<sup>19</sup> “How EU Should Tackle Tajikistan Crackdown” *Human Rights Watch* (10 October 2017), online: <<https://www.hrw.org/news/2017/10/10/how-eu-should-tackle-tajikistan-crackdown>> [HRW Tajikistan Post].

<sup>20</sup> “Re: Conviction and pending charges against lawyer Buzurgmehr Yorov” *The Law Society of Ontario* (30 June 2017), online: <[https://www.lsuc.on.ca/uploadedFiles/Equity\\_and\\_Diversity/Human\\_Rights\\_Monitoring\\_Group/Tajikistan\\_Buzurgmehr%20Yorov.pdf](https://www.lsuc.on.ca/uploadedFiles/Equity_and_Diversity/Human_Rights_Monitoring_Group/Tajikistan_Buzurgmehr%20Yorov.pdf)> [LSO Tajikistan June 2017 Letter].

<sup>21</sup> “Re: Detention of human rights lawyer Buzurgmehr Yorov” *The Law Society of Ontario* (4 February 2016), online: <[https://www.lsuc.on.ca/uploadedFiles/Equity\\_and\\_Diversity/Human\\_Rights\\_Monitoring\\_Group/Tajikistan-Buzurgmehr%20Yorov.pdf](https://www.lsuc.on.ca/uploadedFiles/Equity_and_Diversity/Human_Rights_Monitoring_Group/Tajikistan-Buzurgmehr%20Yorov.pdf)> [LSO Tajikistan February 2016 Letter].

## **Background**

18. The Law Society first intervened on behalf of Buzurgmehr Yorov in February 2016 and again in January 2017 and June 2017.<sup>22</sup> Several developments have taken place since its last intervention.
19. Buzurgmehr Yorov is a civil and criminal lawyer and the chairman of the Bar Association of Dushanbe.<sup>23</sup> Two years ago, Buzurgmehr Yorov had been representing several defendants in the case against the banned Islamic Renaissance Party of Tajikistan (IRPT).<sup>24</sup> He was arrested and detained on September 28, 2015.<sup>25</sup> On October 6, 2016, he was sentenced to 23 years in prison on a number of charges including arousing national, racial, local or religious hostility, extremism, fraud and forgery.<sup>26</sup>
20. Buzurgmehr Yorov's family members have reported that he has been subject to regular beatings, which resulted in him being transferred to the detention centre hospital for treatment.<sup>27</sup> We understand that Buzurgmehr Yorov has been held in solitary confinement since September 29, 2017.<sup>28</sup>

## **TURKEY – CONVICTION OR DETENTION OF 37 TURKISH LAWYERS**

### **Sources of Information**

21. The background information for this report was retrieved from the following sources:
  - a. Council of Bars and Law Societies of Europe.<sup>29</sup>

### **Background**

22. There have been convictions for 20 members of the Konya Bar Association.<sup>30</sup> On October 25, 2017, they were sentenced to several years of prison by the Konya 6th High Penal Court.<sup>31</sup> The former head of the Konya Bar Association, Fevzi Kayacan, was

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<sup>22</sup> LSO Tajikistan June 2017 Letter, *supra* note 20.

<sup>23</sup> LSO Tajikistan February 2016 Letter, *supra* note 21.

<sup>24</sup> CCBE Tajikistan Letter, *supra* note 16.

<sup>25</sup> LSO Tajikistan February 2016 Letter, *supra* note 21.

<sup>26</sup> L4L Tajikistan October 2016 Post, *supra* note 18.

<sup>27</sup> CCBE Tajikistan Letter, *supra* note 16.

<sup>28</sup> *Ibid.* See also: HRW Tajikistan Post, *supra* note 19.

<sup>29</sup> "Re: Concerns regarding the situation of lawyers in Turkey" *Council of Bar and Law Societies of Europe* (16 November 2017), online:

<[http://www.ccbe.eu/fileadmin/speciality\\_distribution/public/documents/HUMAN\\_RIGHTS\\_LETTERS/Turkey\\_-\\_Turquie/2017/EN\\_HRL\\_20171116\\_Turkey\\_Concerns-regarding-the-situation-of-lawyers-inTurkey.pdf](http://www.ccbe.eu/fileadmin/speciality_distribution/public/documents/HUMAN_RIGHTS_LETTERS/Turkey_-_Turquie/2017/EN_HRL_20171116_Turkey_Concerns-regarding-the-situation-of-lawyers-inTurkey.pdf)> [CCBE Turkey Letter].

<sup>30</sup> CCBE Turkey Letter, *supra* note 29.

<sup>31</sup> *Ibid.*

sentenced to 10 years and 6 months of imprisonment.<sup>32</sup> Lawyers Berat Alper Kösterik, Erhan Şahin, Osman Buğur, Ahmet Bal, Mehmet Yıldırım, Mehmet Şimşek, Özgür Solak, Arif Özer, Veysel Köylü, Erdal Soydaş, Hatice Erdem, Nihat Karahan, Elşad Mehmethanlı, Hasan Hüseyin Avcı, İbrahim Bakım, Ramazan Arı, Mehmet Balta, Orhan Özkavak and Muhammed Tahra were sentenced to imprisonment between 2 and 11 years.<sup>33</sup> They have all been convicted of terror related offenses, and these offences have been associated with the Gülen movement.<sup>34</sup> According to the information received, several lawyers were subjected to torture and ill-treatment during their detention.<sup>35</sup>

23. There have also been 17 Turkish lawyers taken into police custody in 4 different provinces.<sup>36</sup> On November 1, 2017, 8 lawyers were taken into custody in Kastamonu.<sup>37</sup> On November 2, 2017, 1 lawyer was taken into police custody in Batman.<sup>38</sup> In the province of Erzurum, 7 lawyers were detained.<sup>39</sup> In Istanbul, lawyer Selçuk Kozağaçlı was detained.<sup>40</sup> Selçuk Kozağaçlı is the president of the Progressive Lawyers Association, which was shut down by an emergency decree.<sup>41</sup> Selçuk Kozağaçlı has been representing the Soma Mine Disaster Victims, activists Nuriye Gulmen and Semih Ozakça (who are on hunger strike), as well as other persecuted people.<sup>42</sup>

24. It is reported that Selçuk Kozağaçlı was beaten while he was taken into custody and is now on hunger strike to protest his unlawful detention.<sup>43</sup> Selçuk Kozağaçlı stated during the Ankara Bar Association's general assembly on October 16, 2017 that people imprisoned as part of the crackdown on the Gülen movement are being systematically tortured.<sup>44</sup>

25. The number of lawyers under criminal prosecution in Turkey raised to 1,433 and that 555 lawyers have been arrested since the coup attempt in July 2016.<sup>45</sup>

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<sup>32</sup> *Ibid.*

<sup>33</sup> *Ibid.*

<sup>34</sup> *Ibid.*

<sup>35</sup> *Ibid.*

<sup>36</sup> *Ibid.*

<sup>37</sup> *Ibid.*

<sup>38</sup> *Ibid.*

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*

<sup>41</sup> *Ibid.*

<sup>42</sup> *Ibid.*

<sup>43</sup> *Ibid.*

<sup>44</sup> *Ibid.*

<sup>45</sup> *Ibid.*

TAB 5.1.1

## PROPOSED LETTERS OF INTERVENTION AND PUBLIC STATEMENT

### YUNIOR RAMIREZ FERRERAS

H.E. Mr. Danilo Medina  
President of Dominican Republic  
Palacio Nacional  
Avenida México  
Gazcue, Distrito Nacional  
Santo Domingo  
República Dominicana

Your Excellency:

#### **Re: Concerns regarding the murder of Yuniol Ramirez Ferreras**

I write on behalf of the Law Society of Ontario\* to voice our grave concern over the killing of Yuniol Ramirez Ferreras, a lawyer and professor at Universidad Autónoma de Santo Domingo.

According to the information received, Yuniol Ramirez Ferreras was last seen on October 11, 2017 at the Universidad Autónoma de Santo Domingo. His body was then found in a river several days later. The information suggests that his murder might be linked to his activity as a lawyer.

The Law Society is deeply concerned about this situation and urges Your Excellency to comply with the Dominican Republic's obligations under international human rights laws, including the United Nations' *Basic Principles on the Role of Lawyers*.

Article 16 of the *Basic Principles on the Role of Lawyers* states:

Governments shall 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 both within their own country and abroad; and (c) 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.

Article 17 states:

Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

The Law Society urges the Government of the Dominican Republic to:

- a. thoroughly investigate the murder of Yuniol Ramirez Ferreras and bring the perpetrator(s) to justice;
- b. investigate whether the murder was tied to Yuniol Ramirez Ferreras' work as a lawyer;
- c. ensure that all lawyers and judges in Morocco are adequately safeguarded by the authorities such that they are able to carry out their professional duties and activities free from intimidation, hindrance, harassment, improper interference, the threat of criminalization, or other human rights violations; and
- d. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours truly,

Paul B. Schabas  
Treasurer

*\*The Law Society of Ontario is the governing body for more than 50,000 lawyers and 8,000 paralegals in the province of Ontario, Canada. The Treasurer is the head of the Law Society.*

*The mandate of the Law Society is to govern the legal profession in the public interest by upholding the independence, integrity and honour of the legal profession for the purpose of advancing the cause of justice and the rule of law.*

cc:

Briunny Garabito Segura, Ambassador of the Dominican Republic to Canada

Shauna Hemingway, Ambassador of Canada to the Dominican Republic

The Honourable Chrystia Freeland, Minister of Foreign Affairs

Alex Neve, Secretary General, Amnesty International Canada

Andrew Anderson, Executive Director, Front Line Defenders

Emma Achili, Head of European Union Office, Front Line Defenders

Kenneth Roth, Executive Director, Human Rights Watch

Farida Deif, Canada Director, Human Rights Watch

Adrie van de Streek, Executive Director, Lawyers for Lawyers

David F. Sutherland, Chair, Lawyers' Rights Watch Canada

Hina Jilani, President, Observatory for the Protection of Human Rights Defenders

Michel Forst, Special Rapporteur on the situation of human rights defenders, Office of the United Nations High Commissioner for Human Rights

[Diego García-Sayán](#), Special Rapporteur on the independence of judges and lawyers, Office of the United Nations High Commissioner for Human Rights

Marina Brilman, International Human Rights Policy Adviser, The Law Society of England and Wales

## PROPOSED COVER LETTER TO ORGANIZATIONS

Dear [Name],

### **Re: Concerns regarding the murder of Yuniol Ramirez Ferreras**

I write to inform you that on the advice of the Human Rights Monitoring Group, the Law Society of Ontario\* sent the attached letter to H.E. Mr. Danilo Medina, President of the Dominican Republic, expressing our deep concern over reports of the murder of lawyer Yuniol Ramirez Ferreras.

We would be very interested in hearing from you in regard to the situation noted in the attached letter, whether your organization has intervened in this matter and whether we have misapprehended any of the facts in this case. Any further information you may have about the case would also be welcome.

Please forward any further correspondence to the attention of Darcy Belisle, Counsel, Indigenous Initiatives, The Law Society of Ontario, 130 Queen St West, Toronto, Ontario, Canada, M5H 2N6 or to [dbelisle@lsuc.on.ca](mailto:dbelisle@lsuc.on.ca).

I thank you for your time and consideration.

Sincerely,

Teresa Donnelly  
Chair, Human Rights Monitoring Group

\*The Law Society of Ontario is the governing body for more than 50,000 lawyers and 8,000 paralegals in the province of Ontario, Canada. The Law Society is committed to preserving the rule of law and to the maintenance of an independent Bar. Due to this commitment, the Law Society established a Human Rights Monitoring Group ("Monitoring Group"). The Monitoring Group has a mandate to review information of human rights violations targeting, as a result of the discharge of their legitimate professional duties, members of the legal profession and the judiciary in Canada and abroad. The Human Rights Monitoring Group reviews such information and determines if a response is required of the Law Society.

Letters to be sent to:

Alex Neve, Secretary General, Amnesty International Canada

Andrew Anderson, Executive Director, Front Line Defenders

Emma Achili, Head of European Union Office, Front Line Defenders

Kenneth Roth, Executive Director, Human Rights Watch

Farida Deif, Canada Director, Human Rights Watch

Adrie van de Streek, Executive Director, Lawyers for Lawyers

David F. Sutherland, Chair, Lawyers' Rights Watch Canada

Hina Jilani, President, Observatory for the Protection of Human Rights Defenders

Michel Forst, Special Rapporteur on the situation of human rights defenders, Office of the United Nations High Commissioner for Human Rights

[Diego García-Sayán](#), Special Rapporteur on the independence of judges and lawyers, Office of the United Nations High Commissioner for Human Rights

Marina Brilman, International Human Rights Policy Adviser, The Law Society of England and Wales

## PROPOSED PUBLIC STATEMENT

### **The Law Society of Ontario expresses grave concern about the murder of lawyer Yuniol Ramirez Ferreras**

Toronto, ON — The Law Society of Ontario expresses grave concern about the murder of lawyer Yuniol Ramirez Ferreras in the Dominican Republic

According to the information received, Yuniol Ramirez Ferreras was last seen on October 11, 2017 at the Universidad Autónoma de Santo Domingo. His body was then found in a river several days later. The information suggests that his murder might be linked to his activity as a lawyer.

The Law Society is deeply concerned about this situation and urges the Dominican Republic to comply with its obligations under international human rights laws, including the United Nations' *Basic Principles on the Role of Lawyers*.

Article 16 of the *Basic Principles on the Role of Lawyers* states:

Governments shall 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 both within their own country and abroad; and (c) 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.

Article 17 states:

Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

The Law Society urges the Government of the Dominican Republic to:

- a. thoroughly investigate the murder of Yuniol Ramirez Ferreras and bring the perpetrator(s) to justice;
- b. investigate whether the murder was tied to Yuniol Ramirez Ferreras' work as a lawyer;
- c. ensure that all lawyers and judges in Morocco are adequately safeguarded by the authorities such that they are able to carry out their professional duties and activities free from intimidation, hindrance, harassment, improper interference, the threat of criminalization, or other human rights violations; and

- d. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

**TAB 5.1.2**

**PROPOSED LETTERS OF INTERVENTION AND PUBLIC STATEMENT**

**RAJAT KALSAN**

H.E. Mr. Narendra Modi  
Prime Minister of the Republic of India  
South Block, Raisina Hill  
New Delhi-110011  
India

Your Excellency:

**Re: Concerns regarding the death threats and charges against the lawyer Rajat Kalsan**

I write on behalf of the Law Society of Ontario\* to voice our grave concern over the death threats and charges against the lawyer Rajat Kalsan.

Rajat Kalsan is a prominent lawyer and advocate for the Hisar district of Haryana. He has frequently represented members of the Dalit community in relation to discrimination cases and violence allegedly suffered at the hands of dominant castes. The Law Society is deeply concerned about the continuous harassment Rajat Kalsan has received, which has resulted from his work representing victims belonging to the Dalit community.

The charges against Rajat Kalsan include extortion, providing false evidence, criminal conspiracy and promoting animosity between different groups.

It is our understanding that in July 2017, Rajat Kalsan assisted Dalit villagers in Hansi, Haryana State, to file complaints against dominant caste members who conducted a social boycott and prevented the Dalit from participating in community gatherings and the enjoyment of employment rights. On September 2, 2017, Rajat Kalsan assisted the High Court of Punjab and Haryana with an investigation into the boycott. Subsequently, Rajat Kalsan received death threats, and was forced to suspend his legal practice and flee his home.

According to the information received, on September 14, 2017, the police registered a criminal case against Rajat Kalsan for allegedly trying to instigate Dalit villagers to file false complaints against members belonging to dominant castes in Hansi, Haryana State. This is not the first time that Rajat Kalsan has been targeted for his work against human rights violations.

Rajat Kalsan has suffered intimidation, harassment, he has been forced to flee, and he could face a sentence of life imprisonment. He has also been forced to suspend his legal practice and he faces threats of revocation of his practicing certificate.

The Law Society is deeply concerned about Rajat Kalsan's situation and urges Your Excellency to comply with India's obligations under international human rights laws, including the United Nations' *Basic Principles on the Role of Lawyers*.

Article 16 of the *Basic Principles on the Role of Lawyers* states:

Governments shall 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 both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Article 17 states:

Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

Article 18 states:

Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

Furthermore, Article 23 provides:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization.

The Law Society urges the Government of India to:

- a. withdraw the charges against Rajat Kalsan immediately and unconditionally;
- b. guarantee all of the procedural rights that should be accorded to Rajat Kalsan in accordance with his right to a fair trial;
- c. guarantee that adequate reparation will be provided to Rajat Kalsan if he is found to be a victim of human rights abuses;
- d. ensure that all people in India, including lawyers and judges, are able to exercise freely their freedom of association, peaceful assembly, opinion and expression;

- e. ensure that all lawyers and judges in Morocco are adequately safeguarded by the authorities such that they are able to carry out their professional duties and activities free from intimidation, hindrance, harassment, improper interference, the threat of criminalization, or other human rights violations; and
- f. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours truly,

Paul B. Schabas  
Treasurer

*\*The Law Society of Ontario is the governing body for more than 50,000 lawyers and 8,000 paralegals in the province of Ontario, Canada. The Treasurer is the head of the Law Society.*

*The mandate of the Law Society is to govern the legal profession in the public interest by upholding the independence, integrity and honour of the legal profession for the purpose of advancing the cause of justice and the rule of law.*

cc:

Mr. Vikas Swarup, High Commissioner of India to Canada

Nadir Patel, High Commissioner of Canada to India

The Honourable Chrystia Freeland, Minister of Foreign Affairs

Alex Neve, Secretary General, Amnesty International Canada

Andrew Anderson, Executive Director, Front Line Defenders

Emma Achili, Head of European Union Office, Front Line Defenders

Kenneth Roth, Executive Director, Human Rights Watch

Farida Deif, Canada Director, Human Rights Watch

Adrie van de Streek, Executive Director, Lawyers for Lawyers

David F. Sutherland, Chair, Lawyers' Rights Watch Canada

Hina Jilani, President, Observatory for the Protection of Human Rights Defenders

Michel Forst, Special Rapporteur on the situation of human rights defenders, Office of the United Nations High Commissioner for Human Rights

[Diego García-Sayán](#), Special Rapporteur on the independence of judges and lawyers, Office of the United Nations High Commissioner for Human Rights

Marina Brilman, International Human Rights Policy Adviser, The Law Society of England and Wales

## PROPOSED COVER LETTER TO ORGANIZATIONS

Dear [Name],

**Re: Concerns regarding the death threats and charges against the lawyer Rajat Kalsan**

I write to inform you that on the advice of the Human Rights Monitoring Group, the Law Society of Ontario\* sent the attached letter to H.E. Mr. Narendra Modi, Prime Minister of the Republic of India, expressing our deep concern over reports of the death threats and charges against the lawyer Rajat Kalsan.

We would be very interested in hearing from you in regard to the situation noted in the attached letter, whether your organization has intervened in this matter and whether we have misapprehended any of the facts in this case. Any further information you may have about the case would also be welcome.

Please forward any further correspondence to the attention of Darcy Belisle, Counsel, Indigenous Initiatives, The Law Society of Ontario, 130 Queen St West, Toronto, Ontario, Canada, M5H 2N6 or to [dbelisle@lsuc.on.ca](mailto:dbelisle@lsuc.on.ca).

I thank you for your time and consideration.

Sincerely,

Teresa Donnelly  
Chair, Human Rights Monitoring Group

\*The Law Society of Ontario is the governing body for more than 50,000 lawyers and 8,000 paralegals in the province of Ontario, Canada. The Law Society is committed to preserving the rule of law and to the maintenance of an independent Bar. Due to this commitment, the Law Society established a Human Rights Monitoring Group ("Monitoring Group"). The Monitoring Group has a mandate to review information of human rights violations targeting, as a result of the discharge of their legitimate professional duties, members of the legal profession and the judiciary in Canada and abroad. The Human Rights Monitoring Group reviews such information and determines if a response is required of the Law Society.

Letters to be sent to:

Alex Neve, Secretary General, Amnesty International Canada

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Marina Brilman, International Human Rights Policy Adviser, The Law Society of England and Wales

## PROPOSED PUBLIC STATEMENT

### **The Law Society of Ontario expresses grave concern about the death threats and charges against lawyer Rajat Kalsan**

Toronto, ON — The Law Society of Ontario expresses grave concern about the death threats and charges against lawyer Rajat Kalsan in India

Rajat Kalsan is a prominent lawyer and advocate for the Hisar district of Haryana. He has frequently represented members of the Dalit community in relation to discrimination cases and violence allegedly suffered at the hands of dominant castes. The Law Society is deeply concerned about the continuous harassment Rajat Kalsan has received, which has resulted from his work representing victims belonging to the Dalit community.

The charges against Rajat Kalsan include extortion, providing false evidence, criminal conspiracy and promoting animosity between different groups.

It is our understanding that in July 2017, Rajat Kalsan assisted Dalit villagers in Hansi, Haryana State, to file complaints against dominant caste members who conducted a social boycott and prevented the Dalit from participating in community gatherings and the enjoyment of employment rights. On September 2, 2017, Rajat Kalsan assisted the High Court of Punjab and Haryana with an investigation into the boycott. Subsequently, Rajat Kalsan received death threats, and was forced to suspend his legal practice and flee his home.

According to the information received, on September 14, 2017, the police registered a criminal case against Rajat Kalsan for allegedly trying to instigate Dalit villagers to file false complaints against members belonging to dominant castes in Hansi, Haryana State. This is not the first time that Rajat Kalsan has been targeted for his work against human rights violations.

Rajat Kalsan has suffered intimidation, harassment, he has been forced to flee, and he could face a sentence of life imprisonment. He has also been forced to suspend his legal practice and he faces threats of revocation of his practicing certificate.

The Law Society is deeply concerned about Rajat Kalsan's situation and urges India to comply with its obligations under international human rights laws, including the United Nations' *Basic Principles on the Role of Lawyers*.

Article 16 of the *Basic Principles on the Role of Lawyers* states:

Governments shall 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 both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other

sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Article 17 states:

Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

Article 18 states:

Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

Furthermore, Article 23 provides:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization.

The Law Society urges the Government of India to:

- a. withdraw the charges against Rajat Kalsan immediately and unconditionally;
- b. guarantee all of the procedural rights that should be accorded to Rajat Kalsan in accordance with his right to a fair trial;
- c. guarantee that adequate reparation will be provided to Rajat Kalsan if he is found to be a victim of human rights abuses;
- d. ensure that all people in India, including lawyers and judges, are able to exercise freely their freedom of association, peaceful assembly, opinion and expression;
- e. ensure that all lawyers and judges in Morocco are adequately safeguarded by the authorities such that they are able to carry out their professional duties and activities free from intimidation, hindrance, harassment, improper interference, the threat of criminalization, or other human rights violations; and
- f. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

**TAB 5.1.3**

**PROPOSED LETTERS OF INTERVENTION AND PUBLIC STATEMENT**

**BUZURGMEHR YOROV**

H.E. Mr. Emomalii Rahmon  
The Founder of Peace and National Unity,  
Leader of the Nation, President of the  
Republic of Tajikistan  
734025, st. J. Ikrami 29,  
Dushanbe,  
Republic of Tajikistan

Your Excellency:

**Re: Concerns regarding the ongoing detention and ill treatment of lawyer Buzurgmehr Yorov**

I write on behalf of the Law Society of Ontario\* to voice our grave concern over the ongoing detention and ill treatment of lawyer Buzurgmehr Yorov.

The Law Society first intervened on behalf of Buzurgmehr Yorov in February 2016 and again in January 2017 and June 2017. It has come to the Law Society's attention that several developments have taken place since its last intervention.

Buzurgmehr Yorov is a civil and criminal lawyer and the chairman of the Bar Association of Dushanbe. Two years ago, Buzurgmehr Yorov had been representing several defendants in the case against the banned Islamic Renaissance Party of Tajikistan (IRPT). He was arrested and detained on September 28, 2015. On October 6, 2016, he was sentenced to 23 years in prison on a number of charges including arousing national, racial, local or religious hostility, extremism, fraud and forgery.

According to the latest information received, Buzurgmehr Yorov's family members have reported that he has been subject to regular beatings, which resulted in him being transferred to the detention centre hospital for treatment. We understand that Buzurgmehr Yorov has been held in solitary confinement since September 29, 2017.

The Law Society is deeply concerned about Buzurgmehr Yorov's situation and urges Your Excellency to comply with Tajikistan's obligations under international human rights laws, including the United Nations' *Basic Principles on the Role of Lawyers*.

Article 16 of the *Basic Principles on the Role of Lawyers* states:

Governments shall 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 both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

Article 17 states:

Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

Article 18 states:

Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

Furthermore, Article 23 provides:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization.

The Law Society urges the Government of Tajikistan to:

- a. withdraw the charges against Buzurgmehr Yorov immediately and unconditionally;
- b. guarantee all of the procedural rights that should be accorded to Buzurgmehr Yorov in accordance with his right to a fair trial;
- c. guarantee that adequate reparation will be provided to Buzurgmehr Yorov if he is found to be a victim of human rights abuses;
- d. ensure that all people in Tajikistan, including lawyers and judges, are able to exercise freely their freedom of association, peaceful assembly, opinion and expression;
- e. ensure that all lawyers and judges in Tajikistan are adequately safeguarded by the authorities such that they are able to carry out their professional duties and

activities free from intimidation, hindrance, harassment, improper interference, the threat of criminalization, or other human rights violations; and

- f. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours truly,

Paul B. Schabas  
Treasurer

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cc:

Ambassador of Tajikistan in Canada

Ambassador of Canada in Tajikistan

The Honourable Chrystia Freeland, Minister of Foreign Affairs

Alex Neve, Secretary General, Amnesty International Canada

Andrew Anderson, Executive Director, Front Line Defenders

Emma Achili, Head of European Union Office, Front Line Defenders

Kenneth Roth, Executive Director, Human Rights Watch

Farida Deif, Canada Director, Human Rights Watch

Adrie van de Streek, Executive Director, Lawyers for Lawyers

David F. Sutherland, Chair, Lawyers' Rights Watch Canada

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Michel Forst, Special Rapporteur on the situation of human rights defenders, Office of the United Nations High Commissioner for Human Rights

[Diego García-Sayán](#), Special Rapporteur on the independence of judges and lawyers, Office of the United Nations High Commissioner for Human Rights

Marina Brilman, International Human Rights Policy Adviser, The Law Society of England and Wales

## PROPOSED COVER LETTER TO ORGANIZATIONS

Dear [Name],

**Re: Concerns regarding the ongoing detention and ill treatment of lawyer Buzurgmehr Yorov**

I write to inform you that on the advice of the Human Rights Monitoring Group, the Law Society of Ontario\* sent the attached letter to H.E. Mr. Emomalii Rahmon, President of the Republic of Tajikistan, expressing our deep concern over reports of the ongoing detention and ill treatment of the lawyer Buzurgmehr Yorov.

We would be very interested in hearing from you in regard to the situation noted in the attached letter, whether your organization has intervened in this matter and whether we have misapprehended any of the facts in this case. Any further information you may have about the case would also be welcome.

Please forward any further correspondence to the attention of Darcy Belisle, Counsel, Indigenous Initiatives, The Law Society of Ontario, 130 Queen St West, Toronto, Ontario, Canada, M5H 2N6 or to [dbelisle@lsuc.on.ca](mailto:dbelisle@lsuc.on.ca).

I thank you for your time and consideration.

Sincerely,

Teresa Donnelly  
Chair, Human Rights Monitoring Group

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Marina Brilman, International Human Rights Policy Adviser, The Law Society of England and Wales

## PROPOSED PUBLIC STATEMENT

### **The Law Society of Ontario expresses grave concern about the ongoing detention and ill treatment of lawyer Buzurgmehr Yorov**

Toronto, ON — The Law Society of Ontario expresses grave concern about the ongoing detention and ill treatment of lawyer Buzurgmehr Yorov in Tajikistan

The Law Society first intervened on behalf of Buzurgmehr Yorov in February 2016 and again in January 2017 and June 2017. It has come to the Law Society's attention that several developments have taken place since its last intervention.

Buzurgmehr Yorov is a civil and criminal lawyer and the chairman of the Bar Association of Dushanbe. Two years ago, Buzurgmehr Yorov had been representing several defendants in the case against the banned Islamic Renaissance Party of Tajikistan (IRPT). He was arrested and detained on September 28, 2015. On October 6, 2016, he was sentenced to 23 years in prison on a number of charges including arousing national, racial, local or religious hostility, extremism, fraud and forgery.

According to the latest information received, Buzurgmehr Yorov's family members have reported that he has been subject to regular beatings, which resulted in him being transferred to the detention centre hospital for treatment. We understand that Buzurgmehr Yorov has been held in solitary confinement since September 29, 2017.

The Law Society is deeply concerned about Buzurgmehr Yorov's situation and urges Tajikistan to comply with its obligations under international human rights laws, including the United Nations' *Basic Principles on the Role of Lawyers*.

Article 16 of the *Basic Principles on the Role of Lawyers* states:

Governments shall 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 both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

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The Law Society urges the Government of Tajikistan to:

- a. withdraw the charges against Buzurgmehr Yorov immediately and unconditionally;
- b. guarantee all of the procedural rights that should be accorded to Buzurgmehr Yorov in accordance with his right to a fair trial;
- c. guarantee that adequate reparation will be provided to Buzurgmehr Yorov if he is found to be a victim of human rights abuses;
- d. ensure that all people in Tajikistan, including lawyers and judges, are able to exercise freely their freedom of association, peaceful assembly, opinion and expression;
- e. ensure that all lawyers and judges in Tajikistan are adequately safeguarded by the authorities such that they are able to carry out their professional duties and activities free from intimidation, hindrance, harassment, improper interference, the threat of criminalization, or other human rights violations; and
- f. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

**TAB 5.1.4**

**PROPOSED LETTERS OF INTERVENTION AND PUBLIC STATEMENT**

**37 TURKISH LAWYERS**

H.E. Mr. Recep Tayyip Erdoğan  
President of the Republic of Turkey  
Cumhurbaşkanlığı Külliyesi  
06689 Çankaya, Ankara  
Turkey

Your Excellency:

**Re: Concerns regarding the conviction or detention of 37 lawyers in Turkey**

I write on behalf of the Law Society of Ontario\* to voice our grave concern over the conviction or detention of 37 lawyers in Turkey.

The Law Society would like to express its concern regarding the convictions of 20 members of the Konya Bar Association. We understand that on October 25, 2017, they were sentenced to several years of prison by the Konya 6th High Penal Court. The former head of the Konya Bar Association, Fevzi Kayacan, was sentenced to 10 years and 6 months of imprisonment. Lawyers Berat Alper Kösterik, Erhan Şahin, Osman Buğur, Ahmet Bal, Mehmet Yıldırım, Mehmet Şimşek, Özgür Solak, Arif Özer, Veysel Köylü, Erdal Soydaş, Hatice Erdem, Nihat Karahan, Elşad Mehmethanlı, Hasan Hüseyin Avcı, İbrahim Bakım, Ramazan Arı, Mehmet Balta, Orhan Özkavak and Muhammed Tahra were sentenced to imprisonment between 2 and 11 years. They have all been convicted of terror related offenses, and these offences have been associated with the Gülen movement. According to the information received, several lawyers were subjected to torture and ill-treatment during their detention.

The Law Society would also like to express its concern regarding the 17 Turkish lawyers in police custody in 4 different provinces. On November 1, 2017, 8 lawyers were taken into custody in Kastamonu. On November 2, 2017, 1 lawyer was taken into police custody in Batman. In the province of Erzurum, 7 lawyers were detained. In Istanbul, lawyer Selçuk Kozağaçlı was detained. Selçuk Kozağaçlı is the president of the Progressive Lawyers Association, which was shut down by an emergency decree. Selçuk Kozağaçlı has been representing the Soma Mine Disaster Victims, activists Nuriye Gulmen and Semih Ozakça (who are on hunger strike), as well as other persecuted people.

It is reported that Selçuk Kozağaçlı was beaten while he was taken into custody and is now on hunger strike to protest his unlawful detention. Selçuk Kozağaçlı stated during the Ankara Bar Association's general assembly on October 16, 2017 that people imprisoned as part of the crackdown on the Gülen movement are being systematically tortured.

We understand that number of lawyers under criminal prosecution in Turkey raised to 1,433 and that 555 lawyers have been arrested since the coup attempt in July 2016.

The Law Society is deeply concerned about the situation of these 37 lawyers and urges Your Excellency to comply with Turkey's obligations under international human rights laws, including the United Nations' *Basic Principles on the Role of Lawyers*.

Article 16 of the *Basic Principles on the Role of Lawyers* states:

Governments shall 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 both within their own country and abroad; and (c) 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.

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The Law Society urges the Government of Turkey to:

- a. reverse the convictions against the 20 Turkish members of the Konya Bar Association immediately and unconditionally;
- b. release the 17 Turkish lawyers held in police custody immediately and unconditionally;

- c. guarantee all of the procedural rights that should be accorded to all 37 Turkish lawyers in accordance with their right to a fair trial;
- d. guarantee that adequate reparation will be provided to any of the 37 Turkish lawyers if they are found to be a victim of human rights abuses;
- e. ensure that all people in Turkey, including lawyers and judges, are able to exercise freely their freedom of association, peaceful assembly, opinion and expression;
- f. ensure that all lawyers and judges in Turkey are adequately safeguarded by the authorities such that they are able to carry out their professional duties and activities free from intimidation, hindrance, harassment, improper interference, the threat of criminalization, or other human rights violations; and
- g. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours truly,

Paul B. Schabas  
Treasurer

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cc:

H.E. Mr. Selçuk Ünal, Ambassador of Turkey in Canada

The Honourable Chris Cooter, Ambassador of Canada in Turkey, Georgia, Azerbaijan and Turkmenistan

The Honourable Chrystia Freeland, Minister of Foreign Affairs

Vedat Ahsen Coşar, President, Union of Turkish Bar Associations

Alex Neve, Secretary General, Amnesty International Canada

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Emma Achili, Head of European Union Office, Front Line Defenders

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Marina Brilman, International Human Rights Policy Adviser, The Law Society of England and Wales

## PROPOSED COVER LETTER TO ORGANIZATIONS

Dear [Name],

### **Re: Concerns regarding the conviction or detention of 37 lawyers in Turkey**

I write to inform you that on the advice of the Human Rights Monitoring Group, the Law Society of Ontario\* sent the attached letter to H.E. Mr. Recep Tayyip Erdoğan, President of the Republic of Turkey, expressing our deep concern over reports of the conviction or detention of 37 Turkish lawyers.

We would be very interested in hearing from you in regard to the situation noted in the attached letter, whether your organization has intervened in this matter and whether we have misapprehended any of the facts in this case. Any further information you may have about the case would also be welcome.

Please forward any further correspondence to the attention of Darcy Belisle, Counsel, Indigenous Initiatives, The Law Society of Ontario, 130 Queen St West, Toronto, Ontario, Canada, M5H 2N6 or to [dbelisle@lsuc.on.ca](mailto:dbelisle@lsuc.on.ca).

I thank you for your time and consideration.

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Chair, Human Rights Monitoring Group

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The Law Society would also like to express its concern regarding the 17 Turkish lawyers in police custody in 4 different provinces. On November 1, 2017, 8 lawyers were taken into custody in Kastamonu. On November 2, 2017, 1 lawyer was taken into police custody in Batman. In the province of Erzurum, 7 lawyers were detained. In Istanbul, lawyer Selçuk Kozağaçlı was detained. Selçuk Kozağaçlı is the president of the Progressive Lawyers Association, which was shut down by an emergency decree. Selçuk Kozağaçlı has been representing the Soma Mine Disaster Victims, activists Nuriye Gulmen and Semih Ozakça (who are on hunger strike), as well as other persecuted people.

It is reported that Selçuk Kozağaçlı was beaten while he was taken into custody and is now on hunger strike to protest his unlawful detention. Selçuk Kozağaçlı stated during the Ankara Bar Association's general assembly on October 16, 2017 that people imprisoned as part of the crackdown on the Gülen movement are being systematically tortured.

We understand that number of lawyers under criminal prosecution in Turkey raised to 1,433 and that 555 lawyers have been arrested since the coup attempt in July 2016.

The Law Society is deeply concerned about the situation of these 37 lawyers and urges Turkey to comply with its obligations under international human rights laws, including the United Nations' *Basic Principles on the Role of Lawyers*.

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The Law Society urges the Government of Turkey to:

- a. reverse the convictions against the 20 Turkish members of the Konya Bar Association immediately and unconditionally;
- b. release the 17 Turkish lawyers held in police custody immediately and unconditionally;
- c. guarantee all of the procedural rights that should be accorded to all 37 Turkish lawyers in accordance with their right to a fair trial;
- d. guarantee that adequate reparation will be provided to any of the 37 Turkish lawyers if they are found to be a victim of human rights abuses;
- e. ensure that all people in Turkey, including lawyers and judges, are able to exercise freely their freedom of association, peaceful assembly, opinion and expression;

- f. ensure that all lawyers and judges in Turkey are adequately safeguarded by the authorities such that they are able to carry out their professional duties and activities free from intimidation, hindrance, harassment, improper interference, the threat of criminalization, or other human rights violations; and
- g. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

**TAB 5.2**

**EQUITY LEGAL EDUCATION AND RULE OF LAW SERIES CALENDAR**

**Winter 2018**

**1. DAY OF THE ENDANGERED LAWYER**

***Egypt – Rule of Law on the Brink of Collapse***

**WEDNESDAY, JANUARY 31, 2018**

The Day of the Endangered Lawyer, marked on January 24<sup>th</sup> of each year, is a time to reflect on the personal and professional safety of lawyers around the world, who face mounting persecution, prosecution, arbitrary detention, threats, torture, assaults and death in reprisal for their work to protect rights and secure justice.

Each year, the Day of the Endangered Lawyer focuses on the plight of lawyers in a particular country with the focus this year on Egypt.

Join Human Rights Watch, Lawyers' Rights Watch Canada and the Law Society of Ontario for a special event honouring our legal colleagues in Egypt and calling on authorities to respect their rights to practice law free from "intimidation, hindrance, harassment or improper interference", to ensure their personal and professional safety and remedy violations against them.

**Presentations:** 5:30 – 7:15 p.m. in the Donald Lamont Learning Centre and as a live webcast.

**Reception:** 7:15 – 8:30 in Convocation Hall

**Additional information about this program will be available shortly, at the following link:**

**<http://www.lawsocietygazette.ca/event/day-of-the-endangered-lawyer-2018/>**

**2. BLACK HISTORY MONTH PROGRAM**

**MONDAY, FEBRUARY 12, 2018**

Join the Canadian Association of Black Lawyers (CABL) and the Law Society of Ontario for their annual Black History Month program.

This year's program will feature a conversation between civil rights activist, broadcaster and businessman, B. Denham Jolly, and Jean Augustine, the first African-Canadian woman to be elected to the House of Commons.

The conversation will focus on the speakers' experiences of and advocacy against anti-Black racism in Canada. Licensees will also be invited to consider whether and how they can use activism in their own practice.

The conversation will be moderated by Professor Joanne St. Lewis, University of Ottawa, Common Law Section.

**Presentations:** 5:30 – 7:15 p.m. in the Donald Lamont Learning Centre and as a live webcast

**Reception:** 7:15 – 8:30 p.m. in Convocation Hall

**Additional information about this program will be available shortly, at the following link:**

<http://www.lawsocietygazette.ca/event/black-history-month-2018/>

### **3. INTERNATIONAL WOMEN'S DAY PROGRAM**

**DATE TBC**

March 8 is International Women's Day. Each year, the Law Society works with a number of community partners to present an event on or around this important commemorative date.

### **4. JOURNÉE INTERNATIONALE DE LA FRANCOPHONIE/INTERNATIONAL FRANCOPHONIE DAY PROGRAM**

**DATE TBC**

March 20 is International Francophonie Day. The Law Society works with a number of community partners to present an event on or around this important commemorative date.

**Additional information about these and other upcoming events will follow later in January.**