

Public Statement on Sri Lanka

The Law Society of Ontario calls for the immediate release of lawyer and human rights defender Hejaaz Hizbullah

Toronto, ON — The Law Society of Ontario is calling for the immediate release of lawyer and human rights defender Hejaaz Hizbullah.

Mr. Hejaaz Hizbullah is a prominent minority rights advocate and lawyer in Sri Lanka. He is a respected human rights defender, and has been an outspoken voice in Sri Lanka on issues of reconciliation and minority rights for many years.

Mr. Hizbullah was arrested on April 14 2020 under the Prevention of Terrorism Act, which allows the government to detain suspects for up to 18 months without pressing charges. He has been detained for almost a full year, without any credible evidence of wrongdoing. Government suspicions of Mr. Hizbullah stem from his legal representation of Yussuf Mohammad Ibrahim, whose sons were two of the seven perpetrators of the April 2019 Easter Bombings, which claimed the lives of over 250 people and injured more than 500. While in detention, Mr. Hizbullah has contracted COVID-19, and had almost no access to his lawyer or family.

Prominent human rights groups have been critical of the Sri Lankan Government's treatment of Mr. Hizbullah, and have stated they believe he is being deliberately targeted due to his work on reconciliation issues. Additionally, recent reports by Amnesty International and the UN Office of the High Commissioner for Human Rights have concluded that the government continues to wage a campaign of fear and intimidation against human rights defenders and lawyers who challenge government policy.

In light of these circumstances, the Law Society is urging the Sri Lankan Government to comply with its obligations under international human rights laws, including the United Nations' *Universal Declaration of Human Rights* and *The Basic Principles on the Role of Lawyers*.

Article 9 of *The Universal Declaration of Human Rights* states:

No one shall be subjected to arbitrary arrest, detention, or exile.

Article 7 of the *Basic Principles on the Role of Lawyers* states:

Governments shall further ensure that all persons arrested or detained, with or without criminal charge, shall have prompt access to a lawyer, and in any case not later than forty-eight hours from the time of arrest or detention.

Article 8 states:

All arrested, detained, or imprisoned persons shall be provided with adequate opportunities, time, and facilities to be visited by and to communicate and consult with a lawyer, without delay, interception, or censorship and in full confidentiality. Such consultations may be within sight, but not within the hearing, of law enforcement officials.

Article 18 states:

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

Furthermore, Article 23 states:

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 Sri Lanka to:

- a. immediately and unconditionally release lawyer Hejaaz Hizbullah;
- b. immediately and unconditionally withdraw all charges against lawyer Hejaaz Hizbullah;
- c. ensure that all lawyers, paralegals, judges, law students and human rights defenders in Sri Lanka can carry out their professional duties and activities without fear of reprisals, physical violence, 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.