



The Law Society of
Upper Canada | Barreau
du Haut-Canada

January 23, 2017

President Ilham Aliyev
Office of the President of Azerbaijan
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Azerbaijan

Office of the Treasurer

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Dear President:

Re: Harassment of Lawyer Elchin Sadigov

I write on behalf of the Law Society of Upper Canada* to voice our grave concern over the harassment of lawyer Elchin Sadigov. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Elchin Sadigov is a prominent criminal lawyer in Azerbaijan whose clients include several prisoners of conscience and other individuals who have faced politically motivated charges.

It has come to our attention that on November 2, 2016, Elchin Sadigov was threatened by an investigator from the Main Organized Crime Department (MOCD) of the Ministry of the Interior after he disclosed, in an interview, information about the alleged torture of his client, journalist Fikret Farmazoglu, by MOCD staff. Fikret Farmazoglu is currently detained at the MOCD. Reports indicate that the investigator told Elchin Sadigov that he would “pay a high price” for accusing the MOCD of torture.

Since the November 2, 2016 incident, Elchin Sadigov and his family have faced additional harassment and intimidation, including a media article accusing Elchin Sadigov of having an affair with Fikret Farmazoglu’s wife, the hacking of his Facebook page and the creation of fake accounts using his name. In addition, police interrogated Elchin Sadigov’s brother and asked for information about Elchin Sadigov’s wife and children. It is our understanding that police later told Elchin

Sadigov that they had received a request to collect data about him and his family, but declined to disclose the reasons.

The Law Society is deeply concerned about Elchin Sadigov's case. Reports indicate that there have been a growing number of cases of harassment, intimidation and persecution of human rights defenders and human rights lawyers by Azerbaijani authorities in recent years. We believe strongly that lawyers should be able to exercise their legitimate duties without fear for their lives, for their liberty and for their security.

The Law Society of Upper Canada urges you to comply with Azerbaijan'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.

The Law Society urges the government of Azerbaijan to:

- a. put an end to all acts of harassment against Elchin Sadigov as well as other human rights lawyers and defenders in Azerbaijan;
- b. guarantee in all circumstances the physical and psychological integrity of Elchin Sadigov; and
- c. 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 Upper Canada 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.*

Copies:

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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

Gabriela Knaul, Special Rapporteur of the Human Council on the independence of judges and lawyers, Office of the United Nations High Commissioner for Human Rights

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