



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

June 30, 2017

Office of the Treasurer

Osgoode Hall
130 Queen Street West
Toronto, Ontario
M5H 2N6

Tel 416-947-3415
Fax 416-947-7609

H.E. Paul Biya
President of the Republic of Cameroon
Presidency of the Republic
Civil Cabinet
Communication Unit
E-mail: cellcom@prc.cm

Your Excellency:

Re: Harassment and intimidation of lawyer Michel Togu 

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

Michel Togu  is a human rights lawyer who defends clients charged with homosexuality in Cameroon, where consensual same-sex conduct is criminalized and subject to a maximum prison sentence of five years. In March 2017, he was awarded the Dutch Geuzenpenning Award for his work and advocacy on behalf of the LGBT community in his country.

It has come to the Law Society's attention that in early 2017, Michel Togu  received multiple death threats as a result of his legal work on behalf of individuals who identify as LGBT. Reports indicate that when he subsequently approached Cameroon's Lawyer's Association for assistance, its president advised Michel Togu : "Stop defending the LGBT community and you won't have problems anymore." Similarly, his request for protection was denied by Cameroonian police.

Michel Togu , along with his wife and children, first began receiving death threats in the form of emails and text messages in October 2012. As the death threats against him and his family escalated, his wife and children sought asylum in the United States. Michel Togu , however, chose to remain in Cameroon to continue his work with the LGBT community.

In light of these circumstances, the Law Society urges Your Excellency to comply with Cameroon'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 Cameroon to:

- a. immediately conduct a fair, impartial and independent investigation into the harassment and intimidation of Michel Togu  in order to identify all those responsible, bring them to trial and apply to them civil, penal and/or administrative sanctions provided by law;
- b. put an end to all acts of harassment against Michel Togu  and all other lawyers in Cameroon;
- c. guarantee in all circumstances the physical and psychological integrity of Michel Togu ;

- d. ensure that all lawyers in Cameroon can carry out their professional duties and activities without fear of reprisals, physical violence or other human rights violations; and
- e. 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.

cc:

H.E. Mr. Solomon Azoh-Mbi
High Commissioner of the Republic of Cameroon in Canada
High Commission for the Republic of Cameroon in Canada
170 Clemow Avenue
Ottawa, Ontario
K1S 2B4
Fax: 613-236-3885
E-mail: cameroun@rogers.com

Ngnie Kamga Jackson
President of the Cameroon Bar Association
816-824 Rue Frédéric
Foe, BP 13488
Yaoundé, Cameroon

The Honourable Chrystia Freeland
Minister of Foreign Affairs
House of Commons
Ottawa, Ontario
K1A 0A6

Email: chrystia.freeland@parl.gc.ca

Jean Pierre Lavoie, The High Commissioner
The High Commission of Canada
P.O. Box 572
Yaoundé, Cameroon

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 of the Human Council 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