



Public Statement

The Law Society of Upper Canada expresses grave concerns about the harassment of lawyers Tigor Gempita Hutapea and Obed Sakti Andre Dominika in Indonesia

The Law Society has received reports that on 30 October 2015, Tigor Gempita Hutapea and Obed Sakti Andre Dominika attended a peaceful protest rally at the Presidential Palace in order to monitor police violence against protestors. The lawyers were arrested along with 24 activists and subsequently charged under article 216 of the *Indonesian Criminal Code* for 'disobeying police orders'; however, reports indicate that the lawyers and the protestors were already dispersing the area when police started to beat them and put them in custody.

In their joint submission of 4 April 2016, Lawyers for Lawyers and Lawyers' Rights Watch Canada noted that the charges appear to relate solely to Tigor Gempita Hutapea and Obed Sakti Andre Dominika's "legitimate actions as lawyers and human rights defenders."

The Law Society presently writes to voice its deeply concerned that charges laid against Tigor Gempita Hutapea and Obed Sakti Andre Dominika appear to relate solely to their legitimate actions as lawyers and human rights defenders.

The Law Society of Upper Canada has written to [His Excellency](#) Joko Widodo, President of Indonesia, urging the government of Indonesia to comply with Articles 16 and 23 of the United Nations' *Basic Principles on the Role of Lawyers*.

Article 16 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.

Moreover, 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 the government of Indonesia to:

- a. put an end to all acts of harassment against *Tigor Gempita Hutapea* and *Obed Sakti Andre Dominika*;
- b. ensure that all lawyers can carry out their peaceful and legitimate activities without fear of physical violence or other human rights violations; and
- c. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

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.

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