



The Law Society of  
Upper Canada

Barreau  
du Haut-Canada

August 15, 2014

Office of the Treasurer

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

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

Prime Minister Abdullah al-Thinni  
c/o Embassy of Libya  
81 Metcalfe Street  
Suite 1000  
Ottawa, ON  
K1P 6K7

Dear Prime Minister al-Thinni:

***Re: Assassination of lawyer Salwa Bugaighis***

I write on behalf of The Law Society of Upper Canada\* to voice our concern about the assassination of Salwa Bugaighis, prominent Libyan lawyer and human rights activist. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

On June 25, 2014, Salwa Bugaighis was assassinated in Benghazi, Libya. Salwa Bugaighis played a significant role in Libya's 2011 revolution. She was an advocate for gender equality and women's political participation in Libya. In addition, she was a founding member of Libya's National Transitional Council and a member of the National Dialogue Preparatory Committee. Salwa Bugaighis was also known for her work defending political prisoners.

Salwa Bugaighis had accused militant groups of undermining the June 25, 2014, Libyan parliamentary elections and called for protection of the polling stations. On the day of her death, she participated in a phone interview with Libya's al-Nabaa TV and spoke of fighting between army units and Islamist armed elements in Benghazi. She was fearful that the violence would prevent people from voting.

Shortly after the interview, Salwa Bugaighis was shot dead in her home in Benghazi by unknown assailants. We believe that she was targeted because of her human rights work. Her husband, Issam al-Ghariani, an elected member of the Benghazi municipal council, has been missing since the June 25, 2014, attack. He is feared to have been abducted by the attackers.

The Law Society is deeply concerned about situations where lawyers are targeted in the legitimate exercise of their duties. International human rights instruments, including the *Universal Declaration of Human Rights* and the *International Covenant on Civil and Political Rights* state that respect for human rights is essential to advancing the rule of law. Article 16 of the *United Nations Basic Principles on the Role of Lawyers* states “governments shall ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; are able to travel and to consult with their clients freely; and 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.”

The Law Society urges the government of Libya to:

- a. thoroughly investigate the death of Salwa Bugaighis and to ensure that the perpetrators of this act of violence are tried fairly and are brought to justice;
- b. ensure that all lawyers can carry out their peaceful and legitimate activities without fear of physical violence or other human rights violations;
- c. put an end to all acts of harassment and intimidation of human rights defenders in Libya; 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,

Janet E. Minor  
Treasurer

*\*The Law Society of Upper Canada is the governing body for more than 47,000 lawyers and 6,000 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.*

Copy:

Alex Neve, Secretary General, Amnesty International Canada

Reine Alapini-Gansou, Special Rapporteur on Human Rights Defenders, African Commission on Human and Peoples' Rights

Mary Lawlor, Executive Director, Front Line Defenders

Vincent Forest, Head of European Union Office, Front Line Defenders

Kenneth Roth, Executive Director, Human Rights Watch

Adrie van de Streek, Executive Director, Lawyers for Lawyers

David F. Sutherland, Chair, Lawyers Rights Watch Canada

Yves Berthelot, President, Observatory for the Protection of Human Rights

Michael Frost, Special Rapporteur on the situation of human rights defenders, Office of the High Commissioner for Human Rights

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

Samir Ghattas, Acting Chief of Public Information and Communication Office, United Nations Support Mission in Libya