



Public Statement

The Law Society of Upper Canada expresses grave concern about the arrest, detention, and deportation of Bangladeshi lawyer Adilur Rahman Khan in Malaysia

Toronto, ON — The Law Society of Upper Canada expresses grave concern about the arrest, detention, and deportation of Bangladeshi lawyer Adilur Rahman Khan in Malaysia.

Adilur Rahman Khan is a prominent Bangladeshi human rights lawyer and the Secretary of Odhikar, a human rights organisation founded in 1994 with the aim of monitoring and spreading awareness of human rights throughout Bangladesh. He is also the Vice Chair of Forum-Asia, a member of the OMCT (World Organisation Against Torture) General Assembly and a Vice-President of FIDH (International Federation for Human Rights).¹ The Law Society first intervened on his behalf in December 2015.

It has come to the Law Society's attention that at around 4am on July 20, 2017, Adilur Rahman Khan landed at Kuala Lumpur International Airport, where he was denied entry into Malaysia, arrested and detained by immigration officers. Adilur Rahman Khan was in Malaysia to attend the National Conference on Death Penalty organised by the Anti-Death Penalty Asia Network (ADPAN) from July 21 to 22, 2017.

After being detained for more than 16 hours, with no access to a lawyer when he was questioned by officers, Adilur Rahman Khan was forced on a plane and deported back to Bangladesh at 8pm the same day.

Reports also note that Adilur Rahman Khan has been facing ongoing judicial harassment from the Bangladeshi authorities since 2013, when he and Nasiruddin Elan, the director of Odhikar, were charged with "publishing false images and information" and "disrupting the law and order situation of the country" under the controversial Information and Communications Technology Act of 2006.²

In light of these circumstances, the Law Society urges the Governments of Bangladesh and Malaysia to comply with Bangladesh's and Malaysia'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, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

¹ "Take Action for Adilur Rahman Khan", *Frontline Defenders* (20 July 2017), online: <<https://www.frontlinedefenders.org/en/action/take-action-adilur-rahman-khan-0>> [*Adilur Rahman Khan FD*].
² *Ibid.*

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 Bangladesh to:

- a. put an end to all acts of harassment against Adilur Rahman Khan and all other lawyers in Bangladesh;
- b. guarantee in all circumstances the physical and psychological integrity of Adilur Rahman Khan;
- c. ensure that all lawyers are able to travel and to consult with their clients freely both within their own country and abroad;
- d. ensure that lawyers 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;
- e. ensure that all lawyers in Bangladesh can carry out their professional duties and activities without fear of reprisals, physical violence or other human rights violations; and
- f. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instrument.