



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

May 10, 2017

H.E. Nawaz Sharif  
Prime Minister of Pakistan  
Prime Minister House, Pakistan Secretariat  
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Office of the Treasurer

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Your Excellency:

**Re: Murder of Muhammad Jan Gigyani**

I write on behalf of the Law Society of Upper Canada\* to voice our grave concern over the murder of Muhammad Jan Gigyani. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

The Law Society's information states that on March 4, 2017, Muhammad Jan Gigyani, a senior lawyer and a provincial council member of the secular Qaumi Watan Party ("QWP"), was murdered by two armed, unknown assailants in Shabqadar, a small town located near the Afghanistan-Pakistan border. According to reports, he – accompanied by his nephew and two other lawyers – was driving to the local court when two gunmen on a motorcycle opened fire on his vehicle before fleeing. According to the local police, Muhammad Jan Gigyani was critically wounded and died on his way to the hospital. His nephew was also seriously injured; the two other lawyers were not physically injured.

Shortly thereafter, Jamaat-ul-Ahrar ("JuA"), a banned militant group responsible for many of the recent militant attacks in Pakistan, claimed responsibility for the killing in a statement issued to local media.

Muhammad Jan Gigyani, a long-time advocate for the rights of the poorest members of society, was well respected by local people for speaking out on important issues and regularly worked on cases relating to labour and women's rights. He was one of the lawyers that had survived the suicide bomb attack at the Shabqaddar courts on March 7, 2016. In honour of Muhammad Jan Gigyani, lawyers across Khyber Pakhtunkhwa province boycotted courts and observed a day of mourning on March 6, 2017.

The Law Society of Upper Canada is deeply troubled by the murder of Muhammad Jan Gigyani. We urge Your Excellency to comply with Pakistan'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.

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 Pakistan to:

- a. immediately conduct a fair, impartial and independent investigation into the murder of Muhammad Jan Gigyani 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 and violence against lawyers in Pakistan;

- c. guarantee in all circumstances the physical and psychological integrity of all lawyers in Pakistan;
- d. ensure that all lawyers in Pakistan 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:

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