

Public Statement

The Law Society of Ontario expresses grave concern about the investigation into the attack of Aldo Fellix Januarydy in Indonesia

Toronto, ON — The Law Society of Ontario expresses grave concern over the discontinuation of an investigation into the South Jakarta Police Office in relation to an attack by police against lawyer Aldo Fellix Januarydy. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Aldo Fellix Januarydy is an independent public interest lawyer at the Legal Aid Institute in Jakarta. We intervened on his behalf, in our letter to you dated June 7, 2016, shortly after he was attacked by members of the Civil Service Police Unit and the Sub-District Head of Tebet in relation to the forced eviction of his clients from their homes. I enclose a copy of this letter for your ease of reference.

Shortly after the attack on him, Aldo Fellix Januarydy filed a police report in relation to this attack which led to a police investigation. The South Jakarta Police recently decided to terminate the police investigation after 1.5 years, despite reports of compelling evidence of maltreatment, including witness reports and publicly released photos relating to the attack on him by state officials.

The Law Society of Ontario is deeply troubled by Aldo Fellix Januarydy's situation and urges the Indonesian Government to comply with Indonesia'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 Indonesia to:

- a. resume and/or conduct a fair, impartial and independent investigation into the attack on Alldo Fellix Januarydy 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. guarantee in all circumstances the physical and psychological integrity of Alldo Fellix Januarydy;
- c. put an end to all acts of harassment against lawyers in Indonesia;
- d. ensure that all lawyers and judges in Indonesia are adequately safeguarded by the authorities such that they are able to carry out their professional duties and activities free from intimidation, hindrance, harassment, improper interference, the threat of criminalization, 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.