



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

May 10, 2017

H.E. President Vladimir Putin
President of the Russian Federation
Office of the President of the Russian Federation
23 Ilyinka Street
Moscow, 103132, Russia

Office of the Treasurer

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

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

Your Excellency:

Re: Arrest and administrative conviction of lawyer Emil Kurbedinov

I write on behalf of the Law Society of Upper Canada* to voice our grave concern over the arrest and administrative conviction of lawyer Emil Kurbedinov. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Emil Kurbedinov is a vocal human rights lawyer based in Crimea. Since the occupation of Crimea by the Russian Federation, he has actively defended Crimean Tatars, journalists and civil society activists. He has also drawn attention to human rights violations in Crimea through the use of social media, participation in international conferences and reports to international human rights organizations.

The Law Society's information states that on the morning of January 26, 2017, Emil Kurbedinov was detained by a group of masked and armed representatives of Crimea's Centre for Counteracting Extremism and taken to a local directorate of the Russian Federal Security Service (FSB) for interrogation. Following his arrest, Emil Kurbedinov's office was searched and all electronic equipment seized. That same day, the Zheleznodorozhny district court of Simferopol found him guilty of "propagandizing for extremist organizations" and sentenced him to ten days of administrative detention.

The charge and conviction have been attributed to a social media post Emil Kurbedinov made on June 6, 2013. According to the court, the impugned post, a video recording of Hizb ut Tahrir demonstrations which took place in Crimea in 2013, displayed "symbols of the terrorist organization 'Hizb ut Tahrir'". While

Hizb ut Tahrir is not a prohibited organization under Ukrainian law, it was deemed a terrorist organization by the Russian Supreme Court in 2003.

The Law Society is troubled by Emil Kurbedinov's situation and urges Your Excellency to comply with Russia'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.

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 Russia to:

- a. immediately and unconditionally vacate the conviction rendered against Emil Kurbedinov;
- b. put an end to all acts of harassment against Emil Kurbedinov and all other human rights lawyers and defenders in Crimea and Russia;
- c. guarantee in all circumstances the physical and psychological integrity of Emil Kurbedinov and all other human rights lawyers and defenders in Crimea and Russia;
- d. ensure that all lawyers in Crimea and Russia 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:

Alexander N. Darchiev
Ambassador Extraordinary and Plenipotentiary of the Russian Federation
to Canada
Embassy of the Russian Federation in Ottawa
285 Charlotte Street
Ottawa, Ontario
K1N 8L5
Fax: (613) 236-63-42
Email: info@rusembassy.ca

Federal Chamber of Lawyers of the Russian Federation
43 Sivtzer Vrashek Lane
119002
Moscow
Russian Federation
Tel: +7 495 787 2835
Email: info@advpalata.com

The Honourable Chrystia Freeland
Minister of Foreign Affairs
125 Sussex Drive
Ottawa, Ontario
K1A 0G2
Email: chrystia.freeland@international.gc.ca

Alex Neve, Secretary General, Amnesty International Canada

Andrew Anderson, Executive Director, Front Line Defenders

Emma Achili, 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

Hina Jilani, President, Observatory for the Protection of Human Rights Defenders

Michel Forst, Special Rapporteur on the situation of human rights defenders, Office of the United Nations High Commissioner for Human Rights

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

Marina Brilman, International Human Rights Policy Adviser, The Law Society of England and Wales