



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

February 23, 2017

His Excellency President Vladimir Putin
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: Harassment of lawyer Bakhrom Khamroev

I write on behalf of the Law Society of Upper Canada* to voice our grave concern over the ongoing harassment of lawyer Bakhrom Khamroev. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Bakhrom Khamroev is a human rights lawyer and the head of Erdam, an organization that works to protect Central Asian migrant workers in Russia. He is known for representing persecuted Uzbekistani political refugees.

It has recently come to the Law Society's attention that on September 29, 2016, 20 armed officers from the Federal Security Service ("FSB") conducted an eight-hour raid on Bakhrom Khamroev's home in Moscow, confiscating various documents and technical equipment. He was detained and taken FSB headquarters where he was questioned about his political viewpoints and his knowledge of two Uzbekistanis who had been charged with terrorism for their alleged involvement in the Islamic political organization "Hizb ut-Tahrir". He was told he was now a witness in the case against the two Uzbekistanis. Bakhrom Khamroev had previously represented these two individuals on a separate matter. He was later released, but warned that he would be summoned for further questioning.

It is our understanding that Bakhrom Khamroev has been targeted in the past for his human rights work. Prior to the abovementioned incident, he had been convicted and sentenced to 1.5 years imprisonment on fabricated drug possession charges. He was later released on parole. Additionally, Bakhrom Khamroev has been attacked by both unknown assailants and FSB officers on five separate

occasions. While criminal investigations were opened by the Russian authorities for some of the attacks, no suspects were ever identified or brought to justice.

The Law Society is concerned that the raid, the seizure of Bakhrom Khamroev's property and his detention and questioning are an attempt to intimidate him and prevent him from continuing to represent migrant workers and Uzbekistan citizens living in the Russian Federation.

The Law Society of Upper Canada 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, 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.

The Law Society urges the Government of Russia to:

- a. put an end to all acts of harassment against Bakhrom Khamroev;

- b. to return to Bakhrom Khamroev the property confiscated from his residence by the Federal Security Service;
- c. guarantee in all circumstances the physical and psychological integrity of Bakhrom Khamroev; 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,

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
House of Commons
Ottawa, Ontario
K1A 0A6
Email: chrystia.freeland@parl.gc.ca

Alex Neve, Secretary General, Amnesty International Canada

Mary Lawlor, 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

Yves Berthelot, 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