

February 26, 2018

H.E. President Petro Poroshenko
The Presidential Administration of Ukraine
Inquiry Office of the Presidential Administration
11 Bankova St.
Kyiv, Ukraine
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Office of the Treasurer

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Your Excellency:

Re: Concerns regarding the murder of lawyer Iryna Nozdrovska

I write on behalf of the Law Society of Ontario* to voice our grave concern over the murder of lawyer Iryna Nozdrovska. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

At the time of her murder, Iryna Nozdrovska was working as a lawyer on the case of her murdered sister, Svitlana Sapatanyaska. She had successfully advocated for Dmytro Rossoshansky, the man responsible for her sister's murder, to be sentenced to 7 years in May 2017.

Dmytro Rossoshansky is the nephew of an influential judge. On December 27, 2017, Dmytro Rossoshansky appealed for an early release from prison. Iryna Nozdrovska raised awareness of the case through a public campaign. She was successful in blocking Dmytro Rossoshansky's release.

According to the information received, Iryna Nozdrovska was reported missing on December 29, 2017. It is the Law Society's understanding that Iryna Nozdrovska received several death threats during the period of the trial and the appeal hearing. Her daughter, Anastasiya, was also assaulted by unknown assailants in 2016 in an attack that Iryna Nozdrovska said was intended to warn her to drop the case. Iryna Nozdrovska's body was discovered in a river in Kiev on January 1, 2018 with multiple stab wounds.

The Law Society is deeply troubled by Iryna Nozdrovska's murder and urges Your Excellency to comply with Ukraine'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.

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 Ukraine to:

- a. launch a full and impartial investigation into Iryna Nozdrowska's murder, with a view to bringing those responsible to justice in accordance with international standards;
- b. put an end to all acts of harassment and acts of violence against lawyers in Ukraine;
- c. ensure that all lawyers and judges in Ukraine 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
- 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 Schabas
Treasurer

**The Law Society of Ontario 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:

Ambassador Andriy Shevchenko
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Embassy of Ukraine in Canada
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Ambassador Roman Waschuk
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The Honourable Chrystia Freeland, Minister of Foreign Affairs

Alex Neve, Secretary General, Amnesty International Canada

Andrew Anderson, Executive Director, Front Line Defenders

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Kenneth Roth, Executive Director, Human Rights Watch

Farida Deif, Canada 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
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Michel Forst, Special Rapporteur on the situation of human rights defenders,
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Diego García-Sayán, Special Rapporteur of the Human Council on the
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Marina Brilman, International Human Rights Policy Adviser, The Law
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