



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

May 10, 2017

H.E. Petro Poroshenko  
President of Ukraine  
11 Bankova Street  
Kyiv, 01220 Ukraine

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: Murders of lawyers Tetyana Popova and Valeriy Rybalchenko**

I write on behalf of the Law Society of Upper Canada\* to voice our grave concern over the murders of lawyers Tetyana Popova and Valeriy Rybalchenko. 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 December 22, 2016, Tetyana Popova was brutally attacked near her office in Kharkiv, Ukraine. She was found on the street by passers-by and taken to a hospital, where she eventually died from her injuries (a broken neck and stab wounds to the chest). Tetyana Popova's colleagues believe that her murder was related to her professional activities as a lawyer, as she had won a number of high-profile cases just prior to her death.

As for Valeriy Rybalchenko, sources indicate that he was shot in the head on January 21, 2017 in the Dniproviskyi District of Kiev. He later died from his injuries at a hospital.

According to reports, the Ukrainian National Bar Association has called for thorough investigations into the assassinations of the two lawyers and has expressed concerns over the increasing risk faced by the legal profession in the country.

The Law Society of Upper Canada 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.

The Law Society urges the Government of Ukraine to:

- a. immediately conduct fair, impartial and independent investigations into the murders of Tetyana Popova and Valeriy Rybalchenko 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 Ukraine;
- c. guarantee in all circumstances the physical and psychological integrity of all lawyers in Ukraine;
- d. ensure that all lawyers in Ukraine 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:

Mr. Andriy Shevchenko  
Ambassador  
Embassy of Ukraine in Canada  
310 Somerset Street West  
Ottawa, Ontario  
K2P 0J9  
Fax: (+1 613) 230-2400  
Email: emb\_ca@mfa.gov.ua

Ukrainian Bar Association  
2nd Floor  
2A Kostyantynivska Street  
Kiev  
04071  
Ukraine  
Email: info@uba.ua

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

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