



The Law Society of
Upper Canada

Barreau
du Haut-Canada

February 4, 2016

Office of the Treasurer

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H.E. Mr. Truong Tan Sang
President of the Socialist Republic of Viet Nam
02 Hung Vuong Street, Ba Dinh District
Ha Noi, Viet Nam

Your Excellency:

Re: Attack on human rights lawyers Tran Thu Nam and Le Luan

I write on behalf of the Law Society of Upper Canada* to voice our grave concern over the attack on human rights lawyers Tran Thu Nam and Le Luan. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Tran Thu Nam and Le Luan are human rights lawyers who provide legal support to the victims of alleged police brutality and other human rights abuses by the authorities. They are currently supporting the family of Do Dang Du, who died on 10 October 2015, in police custody after being held there for two months on a charge of theft. It is our understanding that Tran Thu Nam and Le Luan questioned the validity of the autopsy carried out on Do Dang Du's body as it did not include an examination of internal organs, which could prove that he died as a result of injuries sustained in a beating.

Reports indicate that on 3 November 2015, Tran Thu Nam and Le Luan were attacked and beaten by eight masked men. Front Line Defenders notes that the two lawyers recognized one of their attackers as a local police officer. Tran Thu Nam and Le Luan sustained a number of injuries for which they received medical treatment. The attack took place following a meeting between Tran Thu Nam, Le Luan and the family of Do Dang Du to discuss the steps in the legal proceedings regarding Do Dang Du's death. Do Dang Du's mother, Do Thi Mai, witnessed the attack.

Human rights organizations believe that Tran Thu Nam and Le Luan were targeted as a result of their human rights work.

The Law Society of Upper Canada urges Your Excellency to consider Articles 16 and 23 of the United Nations' *Basic Principles on the Role of Lawyers*.

Article 16 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.

Moreover, 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 Vietnam to:

- a. conduct a fair, impartial and independent investigation into the attack on Tran Thu Nam and Le Luan 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 against Tran Thu Nam and Le Luan, as well as other human rights lawyers and defenders in Vietnam;
- c. guarantee in all circumstances the physical and psychological integrity of Tran Thu Nam and Le Luan; and

- d. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours very truly,

Janet E. Minor
Treasurer

**The Law Society of Upper Canada is the governing body for more than 49,000 lawyers and 7,400 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. To Anh Dung
Ambassador
Embassy of the Socialist Republic of Vietnam in Canada
55 MacKay Street
Ottawa, Ontario, Canada
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Alex Neve, Secretary General, Amnesty International Canada

Mary Lawlor, Executive Director, Front Line Defenders

Vincent Forest, Head of European Union Office, Front Line Defenders

Kenneth Roth, Executive Director, Human Rights Watch

Vietnam Bar Federation

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

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

Sarah Smith, Human Rights and Rule of Law Policy Adviser, The Law Society of England and Wales