



BY AIRMAIL

His Excellency Almazbek Atambayev
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Amsterdam, 4 September 2013

Subject: Physical attack on lawyers Dinara Medetova and Kubanychbek Zhoroyev

Your Excellency,

I am writing to you on behalf of Lawyers for Lawyers (L4L), an independent and non-political Dutch foundation which supports lawyers who are threatened or suppressed in the execution of their legal profession all over the world. L4L is committed to ensuring the proper functioning of the rule of law by pursuing freedom and independence of the legal profession. In that context, Lawyers for Lawyers respectfully would like to express its grave concern about the situation of our colleagues, lawyers Dinara Medetova and Kubanychbek Zhoroyev.

On 20 August 2013, lawyers Dinara Medetova and Kubanychbek Zhoroyev were physically attacked following a hearing in the Osh Regional Court. The two lawyers were defending Makhamatkir Bizurukov, an ethnic Uzbek, in a trial related to the 2010 ethnic clashes in the south of the country.

Lawyers for Lawyers has been informed that the lawyers were repeatedly interrupted, insulted and threatened by members of the public in the course of the hearing. This created an atmosphere of intimidation, which prevented the lawyers from effectively defending their client. Furthermore, the lawyers received death threats during the hearing, to which the judge did not respond. After the hearing, reports indicate that around ten women, supporters of the victims in the case, physically attacked the lawyers.

This attack took place despite an earlier written request by Dinara Medetova and Kubanychbek Zhoroyev in the case submitted to the local Police Department, President of the Court and the Osh Regional Prosecutor that security measures be taken during the hearing, in light of attacks on the accused, witnesses and lawyers at a previous hearing in the same case.



Lawyers for Lawyers is concerned that, in the face of repeated attacks of this kind, your government and law enforcement authorities have consistently failed to take effective measures to prevent these attacks on lawyers and to ensure that these attacks are effectively investigated and the perpetrators brought to justice.

In this context, Lawyers for Lawyers urge your government to recognize the valuable role played by lawyers and to promote and support their work in line with the Basic Principles on the Role of Lawyers, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1990.

Paragraphs 16 and 17 of the United Nations Basic Principles on the Role of Lawyers state that the Government is under an obligation *'to ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference'*. Further: *'Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities'*.

These principles are universally applicable. Therefore, your government is under an obligation to adequately protect and support its lawyers.

In view of the above, Lawyers for Lawyers respectfully urges you to

- 1) unequivocally and publicly condemn these attacks and to ensure that effective measures are taken to investigate them and bring those responsible to justice.
- 2) put an end to all acts of violence, intimidation, hindrance, harassment against Dinara Medetova and Kubanychbek Zhoroyev and take all possible measures to ensure that they are enabled to carry out their professional duties without improper interference, and
- 3) take all necessary steps to ensure the safety and security of all lawyers working in your country.

We thank you for your attention to this very important matter. We are confident of your good will and sense of justice and will continue to monitor this case closely.

On behalf of the President of Lawyers for Lawyers, Phon van den Biesen,

Sincerely,

Lawyers for Lawyers

Adrie van de Streek
Executive director