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Amsterdam, 12 April 2013

Subject: Mr. Lakshan Dias; lawyer at risk

Your Excellency,

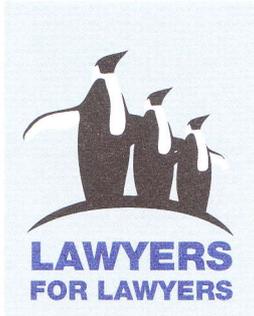
The Dutch Lawyers for Lawyers Foundation (*Stichting Advocaten voor Advocaten*) is committed to helping lawyers around the world who are prevented from exercising their profession without any improper interference. Lawyers for Lawyers would like to express its grave concern about the intimidation of our colleague Mr. Lakshan Dias.

Mr. Dias has appeared for victims of human rights violations in fundamental rights applications before the Supreme Court and lower courts. Among other things Mr. Dias has often offered advice and assistance to victims and families of those detained or disappeared. He has been actively engaged with the National Human Rights Commission of Sri Lanka, participating in meetings, sharing information and offering them assistance and has been involved in conducting trainings for human rights defenders around Sri Lanka. Mr. Dias has also been an active and leading member of Lawyers for Democracy and the Lawyers Collective, which in late 2012 and early 2013 led the campaigner against the impeachment of the Chief Justice of Sri Lanka. Mr. Dias is nationally and internationally highly respected for his work as a human rights lawyer.

We now have been informed that Mr. Lakshan Dias is a victim of sincere surveillance and intimidation. According to our sources, men on motorcycles and in a white van have been watching Lakshan Dias' residence from 22 February to 26 February 2012, and have questioned his neighbours and family members about him, creating a climate of fear and intimidation. There are fears for Mr. Dias' physical and psychological integrity.

One individual who visited the neighbourhood and asked about Lakshan Dias reportedly identified himself to a neighbour as an Inspector of Police, but the Officer in Charge of the Moratuwa Police station denied knowing an Inspector by that name.

Reportedly, other lawyers who were involved in the campaign against impeachment of the 43rd Chief Justice of Sri Lanka also faced acts of surveillance, attempted abduction, shootings and threatening letters. Judges have also been threatened and attacked.



Lakshan Dias lodged a formal complaint with the Moratuwa Police, Colombo district, on 25 February 2013 under reference no.CIB-1- 232/442. We urge the Sri Lankan government to investigate the complaint of Mr. Dias promptly, fully and objectively and we call on the authorities to take decisive steps to show that forms of intimidation will not be tolerated.

In this context, we urge the Sri Lankan government to recognize the valuable role played by human rights 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, which provide for a number of rights and responsibilities for lawyers acting in their professional capacity.

In particular 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'*. Paragraph 18 states clearly that *'Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions'*.

According to paragraph 23, *'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 [...]'*.

These principles are universally applicable. Therefore, your government is under an obligation to adequately protect and support its lawyers. In this particular case this entails immediately providing effective security to Mr. Dias and make sure that the complaint is being investigated and that the perpetrators are brought to justice.

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