



The Rt. Hon. Stephen Harper
Office of the Prime Minister
80 Wellington Street
Ottawa
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Canada

16th February 2006

Dear Prime Minister

In its role as a dual membership organisation, comprising about 20,000 individual lawyers and over 190 Bar Associations and Law Societies from almost every country in the world, the International Bar Association (IBA) influences the development of international law reform and shapes the future of the legal profession. Its Member Organisations cover all continents and include (for example) the American Bar Association, the German Federal Bar, the Japan Federation of Bar Associations, the Law Society of Zimbabwe and the Canadian Bar Association.

The supreme governing body of the IBA is its Council, on which all our member organisations are represented. At our recent Conference in Prague, the Council passed the following resolution:-

Rule of Law Resolution

"The International Bar Association (IBA), the global voice of the legal profession, deplores the increasing erosion around the world of the Rule of Law. The IBA welcomes recent decisions of courts in some countries that reiterate the principles underlying the Rule of Law. These decisions reflect the fundamental role of an independent judiciary and legal profession in upholding these principles. The IBA also welcomes and supports the efforts of its member Bar Associations to draw attention and seek adherence to these principles.

An independent, impartial judiciary; the presumption of innocence; the right to a fair and public trial without undue delay; a rational and proportionate approach to punishment; a strong and independent legal profession; strict protection of confidential communications between lawyer and client; equality of all before the law; these are all fundamental principles of the Rule of Law. Accordingly,

arbitrary arrests; secret trials; indefinite detention without trial; cruel or degrading treatment or punishment; intimidation or corruption in the electoral process, are all unacceptable.

The Rule of Law is the foundation of a civilised society. It establishes a transparent process accessible and equal to all. It ensures adherence to principles that both liberate and protect. The IBA calls upon all countries to respect these fundamental principles. It also calls upon its members to speak out in support of the Rule of Law within their respective communities."

I will be glad to hear from you that your country is fully committed to the Rule of Law and to complying with the fundamental principles embodied in this resolution. I would like to be able to report this to the next meeting of the Council of the IBA.

I look forward to hearing from you.

Yours faithfully

Original copy signed by Francis Neate

Francis Neate
President

cc.

Canadian Bar Association
Chambre des Notaires du Quebec
Federation of Law Societies of Canada