



November 13, 2007

His Excellency Musa Javed Chohan
High Commissioner
High Commission for the Islamic Republic of Pakistan
10 Range Road
Ottawa ON K1N 8J3

Your Excellency:

Re: Arrest and Detention of Lawyers in Pakistan

I write to you on behalf of the Canadian Bar Association (CBA). The CBA is a national association representing over 37,000 jurists across Canada. We work to promote the Rule of Law and improve the administration of justice in Canada and around the world. It is from this perspective that we wish to raise our concerns with you regarding the current situation in Pakistan, and request a meeting so that we may discuss them with you in greater detail.

The CBA endorses a statement of core principles of the legal profession, which has been adopted by approximately 100 presidents of bar associations and international legal organizations from more than 40 countries. These core principles are a commitment to:

- an impartial and independent judiciary, without which there is no Rule of Law;
- an independent legal profession, without which there is no rule or law or freedom for the people; and
- access to justice for all people throughout the world, which is only possible with an independent legal profession and an impartial and independent judiciary.

The statement concludes, “These core principles shall not yield to any emergency of the moment.”

Nevertheless, we understand that the Emergency Declaration and Provisional Constitutional Order suspending Pakistan’s Constitution and proscribing any court decision against the Head of State or the government was not due to any emergency, but rather was a reaction to the anticipated imminent negative decision by the Supreme Court on the constitutionality of President Musharraf’s authority to stand as president during the previous elections. The citizens



of Pakistan are consequently without any protections afforded in their Constitution, including arrest and detention safeguards (including access to lawyers), and freedom of speech, assembly and association. The Chief Justice of the Supreme Court of Pakistan has been removed from his position and is under house detention. These actions strike at the heart of the Rule of Law.

The CBA has had numerous communications from our members who are worried about their colleagues in Pakistan. There has been a constant stream of reports of lawyers and civil rights activists being beaten and arrested. We are horrified at the images of bloodied lawyers who are defending a fair and impartial justice system in their country. Current reports indicate that as many as 3,500 lawyers and civil rights activists may be in custody, as well as many members of the judiciary. The situation calls out for immediate action by your government to reverse this state of emergency.

I plan to meet with representatives of the Canadian government to discuss this matter on an urgent basis and would appreciate the opportunity to meet personally with you before that time.

Please advise me as soon as possible as to your availability.

Yours very truly,

(original signed by Bernard Amyot)

Bernard Amyot