

**President Michel Joseph Martelly**  
**Palais National**  
**Rue Magny**  
**Port-au-Prince, Haiti**

Brussels, the 27<sup>th</sup> May 2013

**Re: Concerns regarding the death threats to Mr Patrice Florvilus, human right lawyer**

Your Excellency,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it has also observer representatives from a further twelve European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE writes to express its serious concern over the situation of Mr Patrice Florvilus who has been repeatedly threatened since 15 April 2013.

Patrice Florvilus is a prominent human rights lawyer and executive director of the NGO Defenders of the Oppressed (Défenseurs des Opprimés – DOP). He is currently the legal representative of Mr Darlin Lexima and of the family of Mr. Méris Civil in relation to their recent arrest and beating. Reports indicate that the two men were arrested and brutally beaten on the 15<sup>th</sup> of April by policemen from Delmas 33 police station; Mr Civil died in police custody, while Mr Lexima was released without charges.

The CCBE has been informed that, starting from 15<sup>th</sup> of April, Mr Florvilus has been the target of multiple threats and acts of intimidation.

According to the information that we received, on the 15<sup>th</sup>, 17<sup>th</sup> and 19<sup>th</sup> of April Mr Florvilus was repeatedly followed by the same police car. In addition, on the 11<sup>th</sup> of May, following a press conference held by the organisation DOP on the killing of Mr Civil, he was stopped on the street by two people in the municipality of Delma in Port-au-Prince. The two men, who identified themselves as policemen, warned him not to give any public statements regarding the beating and death of Méris Civil.

The CCBE is alarmed by these facts, which indicate a threatening environment for human rights lawyers, especially when they are dealing with cases involving law enforcement authorities' actions of this gravity.

In this context, the CCBE wishes to draw to your attention the following Articles of the United Nations Basic Principles on the Role of Lawyers (1990):

Article 16 states that:

*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, economics or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.*

Furthermore, Article 17 states that:

*Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.*

In view of the above, the CCBE respectfully urges you to take immediate and effective steps to guarantee the safety of Patrice Florvilus and to ensure that the threats that he has received are impartially investigated and the persons behind them are promptly identified and prosecuted. The CCBE also implores you to take all necessary measures to guarantee that lawyers in Haiti are able to perform their professional duties without hindrance, intimidation and harassment, including from members of the law enforcement agencies, so as to preserve the independence and integrity of the administration of justice.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'E. Tsouroulis', written in a cursive style.

EVANGELOS TSOUROULIS

CCBE President