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President Oleksandr Turchynov
Acting President of Ukraine
Chairman of the Ukrainian Parliament
Office of Presidential Administration of Ukraine
11 Bankova Street,
01220,
Kiev,
Ukraine

9 April 2014

Your Excellency,

We are writing to you on behalf of the International Bar Association's Human Rights Institute (IBAHRI) to express our concern over the circumstances relating to the arrest and detention of Ukrainian lawyer Denis Bugay Volodymyrovych.

The International Bar Association (IBA), established in 1947, is the world's leading organisation of international legal practitioners, bar associations and law societies. The IBA influences the development of international law and shapes the future of the legal profession throughout the world. It has a membership of over 55,000 individual lawyers and 206 bar associations and law societies spanning all continents. The IBAHRI is a non-political organisation that works across the association to promote and protect human rights and the independence of the legal profession worldwide.

The IBAHRI understands that Mr Volodymyrovych was arrested and detained by Ukrainian Border Service Officers at Boryspil International Airport on 21 March 2014. The IBAHRI has received information indicating that the arrest and detention of Mr Volodymyrovych has not been carried out in accordance with Ukrainian law. As such, the IBAHRI respectfully highlights to Your Excellency Article 208 of the *Code of Criminal Procedure of Ukraine*, which prohibits the detention of an individual without a ruling issued by an investigating judge, and Article 211, which states that a case should be dismissed (and the detainee released) if the 60-hours statutory time frame within which the detained person should be brought before a judge has been exceeded. In addition the IBAHRI reminds Your Excellency that Article 5 of the *European Convention on Human Rights*, ratified by Ukraine in 1997, stipulates that the detention of an individual must be carried out in accordance with the law.

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International Bar Association is incorporated as a Not-for-Profit Corporation under the laws of the State of New York in the United States of America and is registered with the Department of State of the State of New York with registration number 071114000655 - and the liability of its members is limited. Its registered address in New York is c/o Capitol Services Inc, 1218 Central Avenue, Suite 100, Albany, New York 12205.

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Further, in response to reports received by the IBAHRI that Mr Volodymyrovych's arrest is related to the performance of his professional duties as a lawyer, the IBAHRI wishes to draw

Your Excellency's attention to the *UN Basic Principles on the Role of Lawyers* which states at Principle 18 that 'Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions'.

The IBAHRI seeks clarification on the status of Mr Volodymyrovych's detention and respectfully urges Your Excellency to ensure that proceedings against him will follow the due process of law.

We would be grateful to receive your assurances that our concerns will be addressed as a matter of urgency.

Yours sincerely,

Baroness Helena Kennedy
IBAHRI Co-Chair

Sternford Moyo
IBAHRI Co-Chair

C.C.

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