

STATEMENT

Paris, May 3, 2023

Singapore

Unacceptable disciplinary sanctions imposed to Mr Ravi for the discharge of his professional duties and the exercise of his freedom of expression

The UIA-IROL is outraged by the repressive measures recently taken against prominent Singapore attorney M. Ravi Madasamy (M Ravi) in a decision handed down by the Singapore Supreme Court, in an appeal filed by the Law Society of Singapore seemingly because of this representation of clients accused of capital crimes, including death sentences handed down for narcotics crimes. The decision follows M. Ravi's public criticism of the prosecution and the Law Society of Singapore, in the context of the representation of a client facing a death sentence for drug-related offenses.

M Ravi has been an international human rights lawyer in Singapore for over 20 years, and has spent years representing landmark human rights and constitutional law cases, including death penalty cases.

In its decision dated March 21, 2023, the Court of Three Judges of the Court of Appeal of Singapore imposed a five years' suspension to M. Ravi, the maximum possible sanction for lawyers, and ordered him to bear the Law Society's costs for their prosecution of an appeal against him. These repressive measures constitute a grave violation of the UN Basic Principles on the Role of Lawyers and one of the most fundamental principles of the Rule of Law: the freedom of expression especially in matters concerning the law, the administration of justice and the protection of human rights.

We believe that M. Ravi was erroneously held to having "*recklessly and baselessly undermin[ed] the very pillars of the legal system in which he (as well as his fellow practitioners) operates*". Indeed, M. Ravi only expressed a personal opinion in the press about the procedure and the outcome of a trial he had been involved in, when stating in 2020 notably that the Public Prosecutor had been "*overzealous in his prosecution*" against his client, that the "*fairness of the administration of justice*" by the prosecution was to be called into question, and when asking the State, the Prosecution, and the Minister of Law to apologise to his client.

These repressive measures constitute a grave violation of the UN Basic Principles on the Role of Lawyers (Havana 1990) and one of the most fundamental principles of the Rule of Law: the freedom of expression especially in matters concerning the law, the administration of justice and the protection of human rights.

The Law Society of Singapore challenged the decision of its own disciplinary committee to the Supreme Court of Singapore against, *inter alia*, statements by M. Ravi that the role of the Law Society of Singapore was to protect lawyers rather than prosecute them for doing their job.

The UIA-IROL wishes to remind the Law Society of Singapore of its primary duties, which are explicitly mentioned on its website: "*Representing, **protecting** and assisting members of the legal profession in Singapore*" [...] "*The mission of the Law Society is to **serve its members** and the public **by sustaining an independent bar which upholds the rule of law** and ensures access to justice*".

The UIA-IROL recalls that no lawyer should suffer prosecution - including disciplinary measures -for any legitimate activities undertaken in the performance of his or her professional duties. Such rulings are therefore a flagrant violation of these duties and the UIA-IROL urges the Law Society of Singapore to protect lawyers in the exercise of their professional duties.

The UIA IROL commends M. Ravi's work as a lawyer, and respectfully disagrees entirely with the court's characterisation that he constitutes a "continuing danger" to the public's confidence in the Singaporean judicial system. In fact, it is the court's decision that undermines the rule of law in Singapore, for which the independence of the legal profession is essential. The Court reliance on M. Ravi's reference to the UN Convention on the Rights of Persons with Disabilities (CRPD), to which Singapore is a signatory, as a reason to sanction him is contrary to sound judicial reasoning and can only be considered an attack on the role of a lawyer.

Moreover, the fact that M. Ravi has been directed to pay the cost for his own prosecution, and compensate the Law Society of Singapore for its legal costs in filing an appeal goes against the very principle of the right to a fair trial, and the independence of the disciplinary proceedings with regard to lawyers. We urge the Law Society of Singapore to not seek the cost of its prosecution of M. Ravi. The UIA-IROL also urges the Law Society of Singapore to drop further disciplinary proceedings against M. Ravi for perceived violations as they are nothing but intimidatory tactics by the Singapore AG's office to stop him from defending those with most to lose – death row convicts.

It is noted with concern by UIA-IROL that the prosecution of M. Ravi is another chapter in the chilling effect of misconceived disciplinary proceedings which has led to lawyers not being willing to represent death row convicts.

We note with deep concern that there have been a number of cases where persons facing imminent execution have spent their final days appearing unrepresented. In August 2022, 24 persons on death row filed an unsuccessful joint constitutional challenge on the point of lack of access to counsel – all appeared unrepresented. More recently, a person sentenced to death for drug-related charges was executed despite numerous calls to halt the execution, raising several concerns about lack of respect of due process and fair trial guarantees, including the deprivation of the necessary legal representation¹. While reiterating its commitment to the universal abolition of the death penalty, the UIA-IROL recalls that the imposition of the death penalty following a trial in violation of due process and fair trial standards, including access to legal representation, would render the sentence arbitrary and in violation of the right to life.

The UIA-IROL will continue to monitor closely this situation and to support M. Ravi and more generally all lawyers arbitrarily prosecuted in Singapore for performing their professional duties and/or legitimately exercising their freedom of expression".

The UIA-IROL urges the Law Society of Singapore to review its practice of initiating disciplinary proceedings against lawyers for their role as lawyers, which includes the freedom of expression in representation of a case, and urges a moratorium on all disciplinary proceedings pending such a review.

More about UIA-IROL

The Institute for the Rule of Law of the International Association of Lawyers (UIA-IROL) promotes the Rule of Law and supports and defends, in particular, (1) lawyers, judges and human rights defenders who are harassed, threatened and/or persecuted in the exercise of their professions, (2) the independence of the legal and judicial professions, and (3) the UN Basic Principles on the Role of Lawyers, especially in defense of human rights.

For more information go to: www.uanet.org - uiacentre@uanet.org
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¹ See, for instance, [here](#) and [here](#).