Lawyers' Rights Watch Canada

*NGO in Special Consultative Status with the Economic and Social Council of the United Nations*
**Promoting human rights by protecting those who defend them**

**www.lrwc.org – lrwc@portal.ca – Tel: +1 604 736 1175 – Fax: +1 604 736 1170**
3220 West 13th Avenue, Vancouver, B.C. CANADA V6K 2V5

December 10, 2019

Prof. Mohan De Silva
University Grants Commission - Sri Lanka
20 Ward Place
Colombo 07
Sri Lanka
Email: sponec@slt.lk

Dear Prof. De Silva;

**Re: Dr. Kumaravadivel Guruparan and the decision to bar academics from practicing law**

Lawyers' Rights Watch Canada (LRWC), a committee of lawyers and human rights defenders who promote international human rights, the independence and security of human rights defenders, the integrity of legal systems and the rule of law through advocacy, education and legal research. LRWC has Special Consultative Status with the Economic and Social Council of the United Nations.

LRWC is deeply concerned with the University Grants Commission's decision to bar academics employed within the accredited university system from practicing as Attorneys-at-Law. The decision made by the Commission at a meeting held on 05/09/2019, announced in circular letter no. 10/2019, states that "approval cannot be granted to them to practice as Attorney-at-Law," but provides no explanation as the rationale for such a controversial measure.

Legal practice is an integral component of post-secondary education for law students. Having a professor with practical legal experience enriches the legal education for law students. Moreover, many of the world's most successful law school include practical legal experience as a requirement of legal education to provide law students with clinical work experience. These clinics are staffed by practicing lawyers who also engage with clinical teaching. A practicing lawyer as a law professor is not a detriment but rather a benefit to legal education for law students. In fact, many law schools around the world routinely employ practicing lawyers to teach law courses as Adjunct Faculty. The mentorship and practical skills that academic lawyers can provide to law students is invaluable.

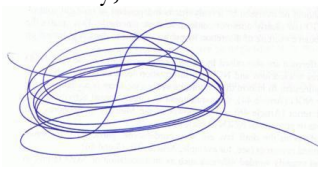
In particular we are concerned for the safety and security of Dr. Kumaravadivel Guruparan, Head of the Department of Law at the University of Jaffna, who appears to be the primary target of this decision. Dr. Guruparan has been a lecturer at the University of Jaffna since 2011. He is also a human rights defender who is involved in a number of high profile legal cases pending before the courts in Sir Lanka. The cases include allegations of the extra judicial killings and enforced disappearances of civilians in the North and East of the island, and attempts to hold the

Sri Lankan military accountable for war crimes committed during the armed conflict. Over the past several months, there have been a number of reported attempts to intimidate and suppress Dr. Guruparan's legitimate human rights legal advocacy.

In addition to the above noted decision targeting Dr. Guruparan, we are also concerned with the chilling impact that this decision has on legal advocacy seeking remedies for human rights and civil rights violations by the Sri Lankan government. This decision will have long-term impacts on civil society in Sri Lanka, and prevent many human rights defenders from doing important advocacy work to hold governments and other institutions accountable for human rights and civil right violations. The decision and policy directive to bar academics from practicing as lawyers is contrary to the Rule of Law and a threat to Academic Freedom.

We urge the University Grants Commission to reconsider this ill-advised decision and policy directive and immediately allow lawyer-academics to practice law and continue to fulfill their pivotal role in society of defending the rights of marginalized and oppressed peoples in their communities through legal advocacy.

Sincerely,



Gail Davidson, Executive Director, LRWC

Copied to:

**CAUT – Canadian Association of University Teachers**
2705 Queensview Drive
Ottawa, Ontario K2B 8K2
EMAIL: barnacle@caut.ca; lanzaderas@caut.ca

**SAR Canada | Scholars at Risk**
411 Lafayette Street, 3rd Floor,
New York, NY 1003
EMAIL: scholarsatrisk@nyu.edu; scholarsatriskcanada@gmail.com;
viviana.fernandez@uottawa.ca

**Special Rapporteur on the independence of judges and lawyers**
Ms. Mónica Pinto
Email: SRindependenceJL@ohchr.org

**Special Rapporteur on the situation of human rights defenders**
Mr. Michel Forst
Email: defenders@ohchr.org