

## LRWC NEWSLETTER

June 2013 Edition

### LRWC ACTION NEWS

#### BAHRAIN

**Joint Letter on Assembly Rights** - LRWC prepared [a brief, endorsed by the Canadian Journalists for Free Expression and the Bahrain Centre for Human Rights](#) expressing concern with the continuing wrongful arrest, prosecution, conviction and sentencing of human rights advocates in Bahrain for peacefully exercising their internationally protected freedoms of expression and assembly. The government of Bahrain has been censured by many for the large number of people jailed for peacefully criticizing the government, but laws authorizing criminalizing assembly remain in force. The joint brief compares Bahrain's laws and procedures with international law obligations, as interpreted by a variety of tribunals, and calls for legal reform and the release of people detained under the authority of domestic laws that violate, or are inconsistent with, international law obligations. This brief is part of a campaign by LRWC, other NGOs and monitors to promote adherence to international law obligations and to protect the work and security of human rights defenders in Bahrain.



#### Cambodia

**Yorm Bopha** - The Appeal Court in Phnom Penh vacated the conviction of land rights activist Yorm Bopha for 'intentional violence with aggravated circumstances' and substituted a conviction for 'masterminding the assault' and reduced the sentence from 3 to 2 years in prison and the fine from 30 to 20 million riel. The prosecution is widely viewed as an illegitimate use of criminal law to punish lawful opposition. The Appeals Court decision sparked protest demonstrations in Cambodia. Ms Yorm has been in incarceration since September 4<sup>th</sup>, 2012. LRWC is preparing a petition to the United Nations Working Group on Arbitrary Detention requesting a determination that Ms Yorm's detention is arbitrary.



Yorm Bopha | photo by Jenny Holligan

**Kuch Veng** - [LRWC's May letter](#) requesting the immediate and unconditional release of detained land rights and forestry activist Kuch Veng was [translated into Khmer](#) and sent, by others, to judicial authorities.

## Russia

**Death Threats against lawyers** - Criminal defence lawyers Sapiyat Magomedova and Musa Suslanov received death threats in May 2013 in connection with their work in the North Caucasus Republic of Dagestan. These text message threats were designed to discourage them from representing the families of five men killed in March 2012. The lawyers have also received further threats against their persons and place of work. Despite regular reports from the North Caucasus of human rights violations and threats made against criminal defence lawyers, Russian authorities have systematically failed to investigate such violations. LRWC sent [a letter](#) to Russian authorities requesting an independent and transparent investigation into these threats, citing international human rights law obligations to investigate and protect the roles of lawyers.



Ms Sapiyat Magomedova |  
<http://www.frontlinedefenders.org>

## Vietnam

**Le Quoc Quan** - The trial of charges widely viewed as illegitimate against Le Quoc Quan is scheduled for July 9, 2013. In response to advice that the presence of international observers may encourage the Vietnamese Government to respect their international human rights obligations, LRWC and partner organizations encouraged observers to attend. The Canadian Embassy has applied for permission to attend the proceedings. Twelve NGOs including LRWC, [sent letters](#) to the Ministries of Foreign Affairs of the EU, Australia, Japan and the U.S. and to their respective embassies in Hanoi, asking that representatives be sent to observe the proceedings. We have yet to receive a response, on this case, to the joint complaint to the Working Group on Arbitrary Detention (WGAD), filed in April 2013, yet we know the WGAD is investigating the situation of Le Quoc Quan and 13 other pro-democracy activists in response to an earlier complaint. Viet Nam officials maintain, in spite of evidence to the contrary, that treatment of Le Quoc Quan has been “in strict compliance with the sequence and procedures stipulated in current Vietnamese laws, international norms and practices on human rights.”



Le Quoc Quan | [online.wsj.com](http://online.wsj.com)

## United States

**Lynne Stewart** - Release from prison of gravely ill attorney Lynne Stewart was denied by the Director of the US Federal Bureau of Prisons on the preposterous grounds that her “health is improving.” It is our understanding that without the Director’s approval the Motion for Release on Compassionate Grounds, which was approved by the warden in April, cannot go before the judge who imposed the sentence for determination. Ms Stewart’s condition continues to deteriorate; Memorial Sloan Kettering Cancer Centre remains ready to provide urgently needed medical treatment upon her release. LRWC



Lynne Stewart

sent [another letter](#) urging the Director to sign the motion for release, in order for the motion to be heard by the judge who imposed the sentence.

## Zimbabwe

**Beatrice Mtetwa** - In March human rights lawyer Beatrice Mtetwa was arrested and detained for 8 nights after asking police for a search warrant and an inventory list during a raid of her client's premises. Charges of defeating and/or obstructing the course of justice under the *Criminal Law (Codification and Reform)* were laid. Shortly before the trial started on June 10, the prosecution alleged Ms Mtetwa had called police 'Mugabe's dogs'. LRWC sent [another letter](#) stating the prosecution was unfounded and improperly directed at punishing the lawful exercise of professional duties.



Beatrice Mtetwa |  
blog.case.edu

## EDUCATION EVENTS

### Videos and podcasts now available

**Savage Anxieties: The Invention of Western Civilization.** A podcast of this eloquent and thought-provoking presentation by Professor Robert Williams is [now available](#) along with the accompanying power point.

**Indigenous Law as a Solution to Resource Conflict.** This information-packed talk by Caleb Behn examines environmental degradation from fracking in Northern BC, and solutions to the resulting conflict offered by indigenous law. [The video and a podcast](#) are now available.

Both these talks were approved by the Law Society of BC for CPD credits.



## UN HUMAN RIGHTS COUNCIL

### UNIVERSAL PERIODIC REVIEW (UPR)

#### Joint Submission for the UPR of Viet Nam

Lawyers for Lawyers, the Law Society of England and Wales and LRWC filed a [joint report for the UPR of Viet Nam](#). The use of arbitrary arrests, malicious prosecutions, imprisonment and disbarment to silence human rights lawyers, is the focus of this joint report. Cited as examples of these practices are the cases of:

- Le Quoc Quan, arrested and law practice certificate revoked in 2007;

- Le Cong Dinh, sentenced to 5 years in prison and 3 years house arrest and law practice certificate revoked in 2010;
- Mrs. Le Thi Cong Nhan sentenced to 3 years in prison and 3 years of house arrest and law practice certificate revoked in 2007;
- Nguyen Van Dai (also known as blogger Dieu Cay) sentenced to 4 years in prison and 3 years of house arrest and law practice certificate revoked in 2007;
- Huynh Van Dong, law practice certificate revoked in 2011; and,
- Cù Huy Hà Vũ sentenced to 7 years in prison and 3 years of house arrest and law practice certificate revoked in 2011.

The UPR of Viet Nam is expected to take place in Geneva during February 2014.

LRWC hopes to be represented at the preliminary meetings for the UPRs of Mexico and China scheduled to take place during September 2013 in Geneva.

## THE 23<sup>RD</sup> SESSION OF THE HUMAN RIGHTS COUNCIL

The 23<sup>rd</sup> Session of the Human Rights Council (HRC) in Geneva took place between May 27<sup>th</sup> and June 14<sup>th</sup> 2013. Highlights of this session were the urgent debate on Syria, the reports of the Special Rapporteur on the Independence of Judges and Lawyers and the Working Group on Business and Human Rights. LRWC made oral statements on the latter two reports. Gary Anandasangaree and Paulo de Tarso Lugon Arantes attended the 23<sup>rd</sup> session as representatives of LRWC. Noteworthy were many resolutions addressing the situation of human rights defenders. A total of 26 resolutions and one Presidential Statement were adopted. A resolution on the independence of judges adopted by consensus, called on states to: ensure the independence of judges and prosecutors; encourage diversity in the judiciary, including a gendered perspective; condemn acts of violence, reprisal and intimidation against judges, prosecutors and lawyers; call on national institutions to provide adequate international human rights education and training for judges and lawyers; and, provide legal aid systems that comply with international law obligations. [Read more.](#)



## GETTING INVOLVED WITH LRWC

**Mexico Country Monitor** – LRWC is looking for a Mexico Country monitor to fill in for Cara Gibbons.

**Legal Research** – LRWC is looking for researchers to work on reports on: assembly rights; duties of states to investigate and remedy criminal human rights violations; international rights to legal aid; rights to counsel.

**Letters for Lawyers** – LRWC needs a (volunteer) coordinator for our Letters for Lawyers programme.

We welcome feedback on Newsletter content, format, and delivery. Mail subscriptions are also available.

Fees and donations can be made by cheque, [PayPal](#), or [Canada Helps](#).

Monthly donations increase LRWC's ability both to respond quickly and plan ahead.

Airline points donated to LRWC qualify as a tax-deductible donation!

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