

Safeguarding the independence and integrity of the bar, courts and tribunals: A case study

INTERNATIONAL HUMAN RIGHTS, THE RULE OF LAW AND CAMBODIA'S ELECTION CONFLICT

April 23, 2014, noon to 1:15 pm | Barristers' Lounge, Victoria Courthouse, 850 Burdett Avenue, Victoria, BC
No charge. A light lunch will be available (by donation)

The right to vote in regularly held elections is an internationally protected human right. In the aftermath of Cambodia's infamous Khmer Rouge regime of the 1970s, the United Nations organized a national election in 1993. Since then, Cambodia's national elections have been described as "little more than a sideshow" to bolster the "electoral-authoritarian regime" that has now ruled Cambodia for nearly three decades. Election irregularities and ineffective dispute resolution in Cambodia's latest election in July 2013 led Transparency International Cambodia to say that it cannot "express with confidence that the outcome of the election reflects the will of the Cambodian people" Post-election conflict continues with an opposition boycott of parliament and regular demonstrations. Cambodia's election conflict is directly linked to problems with the rule of law including concerns about integrity of the legal system and lack of independence of courts and tribunals. This Cambodian case study will draw attention to roles for Canadian lawyers in safeguarding the independence of the bar and the integrity of courts and tribunals at home and internationally.

Robert Patterson is a former Chief Electoral Officer (1990-2002) of British Columbia, has been the Head of Party for the International Foundation for Electoral Systems (IFES) in Cambodia since 2010. He has also served with international electoral assessment and observation missions in Malawi, Ethiopia, Yemen, The Gambia, South Africa, Nigeria, Jamaica, Guyana, Papua New Guinea, Ukraine and the Republic of Georgia. In addition, he has served as advisor to electoral commissions in Afghanistan, Papua New Guinea, Liberia, Zambia and the Palestinian Territory. He will provide an overview of successes and challenges of his work with Cambodia's government and National Election Committee (NEC) to improve election administration.

Catherine Morris is a Victoria lawyer, adjunct professor at University of Victoria Faculty of Law and a member of Lawyers' Rights Watch Canada (LRWC). She has been involved in conflict resolution or human rights missions in Thailand, Burma (Myanmar), Bangladesh, Bolivia, Rwanda and Austria. She has represented LRWC at the UN Human Rights Council in Geneva. She will speak about LRWC's work advocating for integrity of Cambodia's legal system. Drawing on her work in Cambodia for the past two decades, she will discuss how lack of independence of lawyers, judges and other institutions in Cambodia is linked to persistent patterns of impunity for corruption and land-grabbing at the heart of discontent of Cambodia's electorate.

Moderated by **John Waddell, QC**, a Victoria lawyer and member of the Board of Directors of the International Commission of Jurists in Canada.