

# Lawyers' Rights Watch Canada

*NGO in Special Consultative Status with the Economic and Social Council of the United Nations*

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HRC section: Agenda Item 3

Speaker: Gavin Magath (intended)

## **Oral Statement to the 27th Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC)**

### **Human Rights Defenders subjected to arbitrary detention and enforced disappearance**

Mr. President,

Lawyers' Rights Watch Canada commends the Working Group on Enforced Disappearances and its Chair-Rapporteur Ariel Dulitzky for their report to Council, and the Working Group on Arbitrary Detention and Chair-Rapporteur Mads Andenas for their Report to Council. LRWC shares the concerns raised in both reports.

Recognizing that deprivation of liberty is among the most serious of human rights abuses, which can only be justified when absolutely necessary to meet a pressing societal need, we emphasize that arbitrary detention and enforced disappearance of human rights defenders constitute a grave violation of protected rights, a serious contravention of rule of law principles, and an attack on institutions intended to protect rights and remedy violations.

We condemn the prevailing impunity for the arbitrary detention and enforced disappearance of human rights defenders by state actors under the guise of national security, or the authority of laws criminalizing the peaceful exercise of protected rights.

We urge Council to support the Working Groups by calling on states to comply with working group recommendations and to act to remedy and to prevent arbitrary detentions and enforced disappearances. Specific cases include. :

- The prosecution of N. Surendran, a lawyer and member of the Malaysian Parliament, for sedition in respect of statements made in defence of his client;
- The recent arrest of Azmi Sharom, a law professor from the university Malaya, on sedition charges;
- The case of Le Quoc Quan of Viet Nam, who remains in detention despite the November 2013 opinion of the Working Group that he had been denied fair trial rights because of his human rights advocacy;
- The disappearance last week of Kittisak Somsri of Thailand whose whereabouts remain unknown;
- The arrest, disappearance, or arbitrary killing of numerous human rights defenders in Egypt since 2013; and
- The criminalization in Bahrain of numerous human rights defenders for exercising their rights to peaceful expression, assembly and association.

We join the Special Rapporteurs in urging States to "refrain from criminalizing defenders' peaceful and legitimate activities," to combat impunity by ensuring prompt and impartial investigations and holding perpetrators accountable, and to ensure that reprisals against defenders are "firmly and unequivocally condemned."

Thank you.