



P.O. Box 7113,
1007 JC AMSTERDAM
The Netherlands
info@lawyersforlawyers.org
www.lawyersforlawyers.org

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: +1 604 738 0338 – Fax: +1 604 736 1175
3220 West 13th Avenue, Vancouver, B.C. CANADA V6K 2V5

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Organization: Lawyers' Rights Watch Canada and Lawyers for Lawyers
Item: Item 4 – Interactive Dialogue with the Special Rapporteur on Myanmar
Date: 15 June 2017
Speaker: Mr. Joseph Doyle

Oral Statement to the 35th Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), and Lawyers for Lawyers (L4L), NGOs in special consultative status

Mr. President,

Lawyers' Rights Watch Canada and Lawyers for Lawyers welcome the Special Rapporteur's oral update on the human rights situation in Myanmar. We stress the need for an independent and self-governing legal profession in Myanmar, enabled to uphold human rights and the rule of law without fear.

Protection of human rights and fundamental freedoms requires effective access to legal services provided by an independent legal profession. Fundamental to improving human rights for the people of Myanmar is a justice system that provides due process for rights holders and allows lawyers to work independently without fear of harassment or intimidation.

We are pleased by progress towards an independent bar association in Myanmar. This is an important step towards ensuring that the legal profession can function in accordance with the *UN Basic Principles on the Role of Lawyers*.

We are concerned about the recent killing of lawyer U Ko Ni and the reported intimidation, harassment and government surveillance of other lawyers.

U Ko Ni, a strong advocate against religious discrimination and for inter-communal peace, was murdered on 29 January 2017. Several suspects have been arrested, but concerns remain about lack of impartiality and due diligence due to reported failures to apprehend all intellectual and material authors of this murder. Lawyer Mr. Robert Sann Aung has received death threats since the assassination of U Ko Ni and has reportedly been monitored by Myanmar's security forces.

These forms of harassment have a chilling effect on lawyers who may be reluctant to defend persons in sensitive cases. The killing of U Ko Ni and the threats against Mr. Robert Sann Aung must be subject to prompt, impartial and effective investigations, capable of identifying suspects and enabling appropriate arrests, prosecutions and fair trials that will ensure accountability of all those responsible.

Thank you.