

LRWC NEWSLETTER

April 2013 Edition

LRWC ACTION NEWS

BAHRAIN



Dr. Ali bin Fadhel Al-Buainain (shura.bh)

LRWC joined the initiative of Ceartas, Irish Lawyers for Human Rights asking the International Prosecutors' Association (IPA) to investigate [the complaint](#) against IPA Executive Committee member, Dr. Ali bin Fadhel Al-Buainain, Attorney General of Bahrain. The complaint of Toby Cadman Q.C. alleges that, as Attorney General, Dr. Ali bin Fadhel Al-Buainain authorized and directed, or failed to properly supervise and prevent, prosecutions flagrantly in violation of international human rights law and IPA standards. Rights violated include freedom from torture, freedoms of expression, association and assembly and the rights violated by unfair prosecutions and trials. The complaint is based on the March 2013 Ceartas report, [Report on Bahrain's Attorney General, Dr. Ali bin Fadhel Al-Buainain](#) and the

November 2011 [Report of the Bahrain Independent Commission of Inquiry](#) (BICI). Also joining the Ceartas initiative are: The Irish Congress of Trade Unions, Front Line Defenders, The Freedom of Expression Institute, Gulf Centre for Human Rights and the European Centre for Constitutional and Human Rights. Those endorsing the complaint: The Bahrain Centre for Human Rights, Americans for Democracy & Human Rights in Bahrain, Chris Collier of the Netherlands (Human Rights Consultant) and Pablo Salinas of Xumek, Argentina. LRWC sent a [separate letter](#) to the Canadian members of the IPA Executive. On April 24 Bahrain withdrew its consent to a visit by Juan Mendez, UN Special Rapporteur on Torture, repeating the cancellation of a 2012 visit. The recent cancellation was [widely criticized](#) by Nigel Rodley and others and is cause for alarm given reports of the continuing use of torture. Nigel Rodley was a member of BCIC and Special Rapporteur on Torture from 1993 to 2001.

GUATEMALA

Omar Jerónimo and Damaso Aldana, members of the Coordinación Campesina Nuevo Día received threats following the murder of Carlos Hernandez, a leading member of several civil society organizations. UFCW Canada and LRWC sent a [joint letter](#) calling on the Guatemalan government to provide protection for the members of Coordinación Campesina Nuevo Día and to order an independent investigation into the killing of Carlos Hernández.

IRAN

Lawyer Abdolfattah Soltani remains in prison after bail was set at 1 billion toman (approx. 335,000 Cdn). Soltani has been in prison since September 2010 when he was convicted and sentenced to 13 years imprisonment for charges (fighting god) believed to be in reprisal for his human rights work. In February 2013, the UN Working Group on Arbitrary Detention (WGAD) reviewed a complaint brought by the Observatory and ruled that the imprisonment of Mr. Soltani was arbitrary, there being no legal justification and requested his release. The application for bail was in response to the WGAD ruling. LRWC sent a [letter requesting](#) that Mr. Soltani be released immediately and unconditionally.

TAJKISTAN

Lawyer Salim Shansiddinov disappeared on March 15, 2013. The leader of the opposition party has said his disappearance is politically motivated. Mr. Shansiddinov's public advocacy included lobbying for electoral reform and urging ethnic Uzbeks to vote for the opposition candidate in the November 2013 presidential election. He was apparently preparing to speak to the media about discrimination against Uzbeks at the time of his disappearance. Mr. Shansiddinov was beaten in May 2012 after speaking out against government policies. LRWC sent a [letter to Tajikistan authorities](#) requesting an independent and transparent investigation of Mr. Shansiddinov's disappearance, citing international human rights law obligations to investigate the disappearance and safeguard the right lawyers and others to engage in political activism without fear of reprisal.

INTER-AMERICAN COMMISSION OF HUMAN RIGHTS

The [amicus curiae submissions](#) of LRWC and Lawyers Without Borders Canada (LWBC) were filed with the IACHR on April 12, 2013. The joint amicus examines Colombia's duty as a member of the Organization of American States and a party to the *American Convention on Human Rights* to prevent and punish attacks on lawyers as part of state legal obligations to ensure the advocacy and personal rights of clients and lawyers. The amicus was filed in English and Spanish. The petition, *Members of José Alvéar Restrepo Lawyers' Collective v. Colombia*, Case No. 12.380, will be heard at a date yet to be determined.



Corporación Colectivo de Abogados José Alvear Restrepo (pbicolombia.com)

COLOMBIA CARAVANA 2012



JUDGES' REPORT LAUNCHED IN LONDON

COLOMBIA CARAVANA 2012 - Judges at Risk: Report of the judge delegates of the Colombia Caravana, Monitoring visit 25 August to 1 September 2012, was launched on April 24th in London England. Retired BC Court of Appeal judge Carol Huddart, Amsterdam Court of Appeal judge Peter Ingelse and Judge Vargas Silva attended the launch and participated in the roundtable discussion about how jurists outside Colombia can

provide support to Colombian jurists under attack. The Vice President of the Constitutional Court also attended and endorsed the reports' recommendations. He identified international community initiatives that could promote improved human rights implementation, particularly for vulnerable people (displaced campesinos, Afro-Colombians and indigenous peoples) in Colombia. Monitoring government compliance with orders of the Constitutional Court was primary. The judges' report notes ongoing stigmatization, threats and lack of respect faced by Colombian judges and makes a number of recommendations for urgent remedial measures. The full report of the 2012 Colombia Caravana will be launched in London on May 21st. LRWC plans a follow-up roundtable discussion of the implementation of Caravana recommendations in October 2013.

UNIVERSAL PERIODIC REVIEW OF CANADA

The UN Human Rights Council's Universal Periodic Review (UPR) Working Group conducted the second UPR of Canada on April 26th in Geneva. The Working Group is composed of all 47 members of the HRC and all member states can attend and participate. The Working Group considered: a/ Canada's report; b/ a summary of current state obligations and past recommendations by UN monitoring bodies for improved compliance; and, c/ the Office of the High Commissioner of Human Rights (OHCHR) [summary of concerns](#) identified by NGOs and the Canadian

Human Rights Commission. Recommendations made by LRWC in [a joint report](#) and endorsed by LRWC in the [NGO Coalition statement](#) (*Empty Words and Double Standards: Canada's Failure To Respect And Uphold International Human Rights*), were included in the OHCHR summary and were therefore before the Working Group. NGOs can attend but not participate in the review by the Working Group. A report of the Working Group is expected soon. Canada will then file a response indicating acceptance or rejection of the Working Group recommendations.



EDUCATION – UPCOMING EVENT



Professor Robert Williams

SAVAGE ANXIETIES – THE INVENTION OF WESTERN CIVILIZATION ; INDIGENOUS RIGHTS AND THE HUL'QUMP'NUM TREATY GROUP CASE

Thursday May 9, 2013, 7:00 – 8:30 pm, Alice MacKay room of the Vancouver Public Library, 350 West Georgia St. Vancouver. Admission is free. This talk qualifies for continuing professional development credits.

Professor Robert Williams will explore justifications for conquest, war, acts of racist violence and colonial dispossession from the time of the ancient Greeks to 21st Century treaty negotiations and introduce his book, *Savage Anxieties – The Invention of Western Civilization*. Prof. Williams is the E. Thomas Sullivan Professor of Law and American Indian Studies at the University of Arizona. He graduated from and taught at Harvard. He is the author of several books, the recipient of many awards and is member of the Lumbee Indian Tribe of North Carolina.

EDUCATION – APRIL EVENTS

OMAR KHADR-STILL IN JAIL AFTER 11 YEARS: WHAT'S NEXT?

On April 16 at Simon Fraser University, Harbour Centre campus, Dennis Edney was the speaker at an event organized by the Free Omar Khadr Now Committee. To an audience of approximately 120, Mr. Edney explained the background facts, the applicable law and Omar Khadr's present situation. Mr. Khadr was released from Guantánamo Bay prison to the custody of Canadian officials in September 12, 2012 and since then has been in Millhaven, where having been designated as maximum security is denied access to education and rehabilitation services. Mr. Edney reminded audience members of the importance of speaking out, stating that “the only crime equal to wilfull inhumanity is the crime of silence and forgetting.” The event was co-sponsored by LRWC, BC Civil Liberties Association, CUPW/Pacific Region, No One is Illegal/Vancouver, Stop.War.ca and the Seriously Free Speech Committee. Watch the [video](#).



THE ACCOUNTABILITY GAP: CANADIAN MINING IN MEXICO (AND BEYOND)

Mexican human rights lawyer Alejandra Ancheita and Canadian law graduate Emily Dwyer identified widespread serious human rights abuses by Canadian mining companies in Mexico and other countries and the urgent need to establish accountability. Emily explained the work of the Canadian Network for

