

## *Check Against Delivery*

Organization: Lawyers' Rights Watch Canada  
Item: Item 4 – General Debate: Council members must comply with human rights duties  
Date: 19 September 2017  
Speaker: Catherine Morris

## **Oral Statement to the 36th Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), NGO in special consultative status**

### **Need to develop a mandatory Code of Conduct for members of the UN Human Rights Council**

Mr. President:

In June, Lawyers' Rights Watch Canada called on Council to persuade China, the Philippines, Saudi Arabia and other Council members to comply with duties to uphold the "highest standards in the promotion and protection of human rights." Instead, China, Saudi Arabia and the Philippines continue to *prevent* the protection of human rights by engaging with impunity, in widespread and systematic human rights violations against human rights defenders.

China refuses to remedy gross violations committed during the 709 crackdown, ongoing since July 2015.<sup>1</sup> Saudi Arabia refuses to release globally renowned human rights defenders suffering lengthy arbitrary imprisonment and other cruel punishments for peacefully exercising internationally protected rights to promote the human rights of others.<sup>2</sup> In the Philippines, extra-judicial killings, now estimated in the thousands,<sup>3</sup> continue with President

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<sup>1</sup> For example, lawyer Wang Quanzhang has been held incommunicado and denied legal counsel since July 2015. LRWC is deeply concerned, in part by credible reports of torture with electric batons, that he is subjected to severe torture. Incommunicado detention is known to increase the use of torture or other prohibited treatment to extract confessions and compliance agreements. China has created laws to allow enforced appearance, specifically targeting those lawyers and other human rights defenders advocating for the rights of politically sensitive clients. Wang Quanzhang's imprisonment is believed to be based solely on his legal courtroom advocacy for clients.

<sup>2</sup> For example, lawyer Waleed Abu al Khair and writer Raif Badawi, each the recipient of several awards for outstanding human rights and democracy advocacy, remain cruelly imprisoned contrary to the recommendations of the UN Working Group on Arbitrary Detention. Both were convicted of illegitimate charges after unfair trials of charges based solely on the peaceful exercise of internationally protected rights to promote fundamental rights. The arbitrary detention of Mr. Abu al-Khair has continued since 15 April 2014 and that of Mr. Badawi since 17 June 2012. In July 2014, Mr. Abu al-Khair was sentenced to 15 years in prison, a 15 year travel ban following release, and a fine of SAR 200,000. Mr. Badawi was sentenced on 30 July 2013 to 7 years in prison and 600 lashes. The sentence was increased on 7 May 2014 to 10 years in prison and 1,000 lashes.

<sup>3</sup> *Thousands dead: the Philippine president, the death squad allegations and a brutal drugs war*, Kate Lamb, The Guardian, 2 April 2017. <https://www.theguardian.com/world/2017/apr/02/philippines-president-duterte-drugs-war-death-squads>

Duterte directing police to kill human rights activists,<sup>4</sup> rejecting human rights standards as a guide to the state's behaviour<sup>5</sup> and imposing unacceptable conditions on a visit by the Special Rapporteur on extra-judicial, summary or arbitrary executions.<sup>6</sup>

We call on Council to provide a means of addressing such atrocities by developing fair procedures to determine and remedy complaints of non-compliance.

Thank you.

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<sup>4</sup> *Human rights group slams Philippines president Duterte's threat to kill them*, Oliver Holmes, The Guardian, 17 August 2017. <https://www.theguardian.com/world/2017/aug/17/human-rights-watch-philippines-president-duterte-threat>

<sup>5</sup> *Philippines President says he doesn't give a shit about human rights*, 17 October 2016, PublikaMD. [http://en.publika.md/philippines-president-rodrigo-duterte-says-he-doesn-t-give-a-s-about-human-rights\\_2629387.html](http://en.publika.md/philippines-president-rodrigo-duterte-says-he-doesn-t-give-a-s-about-human-rights_2629387.html)

<sup>6</sup> *UN expert rejects Philippines conditions for fact-finding mission on drugs war*, Geneva, 16 December 2016. <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21045&LangID=E>