

## LRWC NEWSLETTER

June–July 2015 Edition

### LRWC ACTION NEWS

#### BAHRAIN

**Nabeel Rajab released** – Nabeel Rajab, President of the Bahrain Centre for Human Rights and prominent human rights advocate, was pardoned and released from prison—ostensibly for health reasons—on 14 July 2015 after serving 3 months of his most recent sentence of 6 months. Nabeel Rajab has been subjected to a number of illegitimate prosecutions resulting in sentences of imprisonment. The UN Working Group on Arbitrary Detention has determined in the past that his conviction and detention were arbitrary having resulted from violations of his internationally protected rights to expression, association and assembly. He now faces more illegitimate charges that could result in up to 10 additional years in jail. LRWC has written [many letters](#) and summaries of the applicable law on behalf of Nabeel Rajab (26/02/15, 18/01/15, 10/10/14, 14/06/13, 20/11/12) and has endorsed joint statements.



Nabeel Rajab

**Longer sentence for Zainab Al-Khawaja** – Democracy activist Zainab Al-Khawaja was sentenced in December 2014 to 4 years, 4 months in prison for ripping up a photo of the king. In June the sentence was increased to 5 years. Ms Al-Khawaja is currently free. LRWC has written several letters (12/05/12, 14/06/13, 26/03/13, 9/04/14, 5/09/14, 25/09/14) on behalf of Ms. Al-Khawaja and other members of the extraordinary Al-Khawaja family targeted with false prosecutions and arbitrary conviction for engaging in peaceful human rights advocacy protected by international law.



Zainab Al-Khawaja | pomed.org

#### CAMBODIA

**Proposed law restricting NGOs opposed** – LRWC was among 11 international human rights organizations calling on 44 foreign governments and the European Union to press the Cambodian

government to withdraw a proposed law that would severely limit the rights of NGOs operating in Cambodia. In a 29 May 2015 [letter](#), the human rights organizations urged donors and others to press the government of Cambodia to withdraw a draft law called “Law on Associations and Non-Government Organizations” (LANGO), designed to restrict the legitimate activities of civil society and human rights defenders in violation of the right to freedom of association, a right protected by Article 42 of the Cambodian Constitution and Article 22 of the *International Covenant on Civil and Political Rights* (ICCPR) of which Cambodia is a State party. LRWC and the Centre for Law and Democracy wrote letters in [July 2011](#) and [21 December 2011](#) critiquing the 3rd and 4th drafts of the law and co-signed a [joint statement with two other international NGOs on 22 December 2011](#). After domestic and international pressure, the 2011 draft law was shelved with a promise of consultation on the next draft. On 22 June 2015, LWRC, together with 32 other NGOs, released a joint statement in [English](#) and [Khmer](#) calling on the National Assembly of Cambodia to immediately withdraw the government’s latest effort to revive LANGO. The proposed draft would introduce 39 articles outlining a dual regulatory regime for domestic and international civil society groups under the respective aegis of the Ministry of Interior and Ministry of Foreign Affairs and International Assistance, with additional regulatory and oversight authority resting with other government ministries and agencies. The joint statement analyzed and concluded that LANGO fails the three-part test for limitations on freedom of association of Article 22 of the ICCPR and should be immediately withdrawn.

On 10 July, the European Parliament adopted a resolution calling on the Cambodian government to cancel the LANGO, warning that its passage could cost Cambodia up to \$700 million in development aid. The resolution noted,

[S]everal renowned NGOs have pointed out that LANGO follow previous attempts...to enact a law that would impose unwarranted restrictions on the right to freedom of association and expressions and create legal grounds for arbitrarily closing or denying registration to politically disfavoured NGOs, including those employing human rights defenders.

On July 13, all 68 MPs from the ruling Cambodian People’s Party (CPP), which holds the majority in the 123-seat National Assembly, voted in favour of passing the LANGO. The law was adopted by the CCP-dominated Senate on 14 July 2015 and now awaits constitutional review before being signed into law by King Norodom Sihamoni. FIDH President Karim Lahidji observed, “The LANGO has finally given the Hun Sen’s government the legal tool it needs to exert its total control over civil society, grassroots groups, and independent human rights groups. It is a dangerous harbinger of other draconian laws that the ruling party can unilaterally adopt in the near future.” A video of protests in Cambodia against LANGO is [available online](#).

## CANADA

**Bill C-51 provisions should be repealed** – Bill C-51 was passed by the Canadian Senate on 10 June with 44 Conservative Senators and one independent voting in favour and 28 Liberal Senators and one independent voting against. LRWC issued [a statement on 11 June](#) that the new law demonstrates the intention to violate internationally protected rights and must be repealed. Threatened by the new provisions are internationally protected rights to expression, association, dissent, assembly, privacy and deportation to torture. The law also puts at risk the integrity and independence of Canadian courts by empowering judges to secretly issue warrants authorizing CSIS to violate the law. The United Nations Human Rights Committee in its July report stated that Canada “should refrain from adopting [Bill C-51] that imposes undue restrictions on the exercise of rights under the Covenant” and recommended a rewrite that ensures compliance with the ICCPR, better safeguards so information-sharing does not lead to human rights abuses and oversight of security and intelligence agencies. The Canadian Civil Liberties Association and Amnesty International had criticized Bill C-51 during the Committee’s review of

Canada's compliance with the ICCPR. The Canadian Journalists for Free Expression (CJFE) and Canadian Civil Liberties Association (CCLA) filed an action in the Superior Court of Ontario ([The Canadian Civil Liberties Association, Canadian Journalists For Free Expression, Sukanya Pillay, and Tom Henheffer v. The Attorney General Of Canada](#)) seeking declarations that enumerated provisions of the new act violate the *Charter of Rights and Freedoms*, are unconstitutional and of no force and effect. [LRWC submissions](#) by Clayton Ruby and Nader Hasan recommending the Bill be scrapped were before the House of Commons Standing Committee on Public Safety and National Security.

### **Truth and Reconciliation Commission of Canada (TRC) Recommendations**

– In response to publication of the TRC report, LRWC, in collaboration with the Native Women's Association of Canada, B.C. CEDAW Group, Feminist Alliance for International Action, and International Women's Rights Project published a [statement on 16 June](#) urging the federal government to immediately adopt and implement TRC Recommendation #41 to, "in consultation with Aboriginal organizations, appoint a public inquiry into the causes of, and remedies for, the disproportionate victimization of Aboriginal women and girls" including an "[i]nvestigation into missing and murdered Aboriginal women and girls" and "[l]inks to the intergenerational legacy of residential schools." The organizations also call on the federal government to adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples*, as recommended in TRC recommendations #24, 27, 28, 42, 43, 44, 45, 48, 50, 57, 67, 69, 70, 86, and 92.



[Trinity Western University v The Law Society of Upper Canada](#), 2015 ONSC 4250. The Ontario Divisional Court on 2 July upheld the decision of the Law Society of Upper Canada not to accredit the law school proposed by TWU, concluding "that neither freedom of expression nor freedom of association is infringed by the respondent's decision." The court noted that TWU could not "use the right to freedom of association to argue in favour of state action that will permit them to be equal to, but operate separate from, all other law schools."

## **CHINA**

### **Nation-wide crackdown on lawyers and other human rights defenders in China**

– On 15 July 2015, LRWC wrote [a letter](#) in response to a nation-wide crackdown on lawyers and other human rights defenders resulting in the arbitrary arrest and detention of more than 230 advocates. While the majority of those detained have been released, dozens remain in detention or have been subjected to enforced disappearance. The arrests, detentions and treatments violate China's international law obligations and the *Constitution of the People's Republic of China*, which was amended in 2004 to include a provision that China respects and safeguards human rights.



As a member of the UN Human Rights Council, China is required to uphold the highest standards in the promotion of and protection of human rights under the *Universal Declaration of Human Rights* (UDHR). LRWC has called for the immediate and unconditional release all those detained in the round-up and other remedies. LRWC also called on the Canadian Minister of Foreign Affairs ([16 July 2015](#)) to urge China to release all those detained and refrain from further illegal arrests and detentions of human rights advocates. LRWC and 23 other NGOs published an open letter

([22 July](#)) calling for release of those detained, disclosure of the whereabouts of disappeared people and protection from further persecution. Of the more than 230 detained following the July 9 arrest of Wang Yu, 12 lawyers and 3 non-lawyers are still being held in undisclosed locations. Among those still being detained are Wang Yu, her husband Bao Longjun and Fengrui law firm colleagues Wang Quanzhang, Huang Liqun and Zhou Shifeng. A Chinese state news agency has released dubious confessions in order to support their official narrative. A few states have called for resolution: [Canada](#), United States and the United Kingdom. Five UN Special Rapporteurs (on the independence of judges and lawyers, freedom of expression, freedom of assembly, human rights defenders and torture) published a [Press Release](#) calling for release and cessation of detentions.

## COLOMBIA

**Failure to investigate assault and attempted abduction of lawyer** – In [a letter dated 3 July 2015](#), LRWC wrote to the Colombian President regarding the closing of the investigation of the 2013 complaint of assault and attempted abduction of lawyer Sofia Lopez Mera. LRWC has been advised that the latter decision was adopted by the Sixth Specialized Prosecutor of Bogotá, Germán Arias Cortes. Lopez is a human rights lawyer from the city of Popayán, Cauca and founder of the Justice and Dignity Corporation of Colombia. On 19 April 2013, she was assaulted, allegedly by civilian-clothed police officers, who forced her into a taxi that was directed towards an undisclosed destination. LRWC has been advised that the attempted abduction was ordered by the Fifth Specialised Prosecutor of Popayán, Martha Liliana Realpe Ceron, and was executed by members of the Judicial Police (SIJIN) Carlos Andres Lozano and Ivan Moreno Cruz, who work for the aforementioned prosecutor's office. These events forced Lopez to leave Popayán and she has yet to be provided with security measures, which violates Colombia's obligations under the ICCPR and American Convention on Human Rights. Lopez, along with other members of her firm, are the beneficiaries of precautionary measures granted by the Inter-American Commission on Human Rights (IACHR) in 2010 and it appears that this order has not been implemented by the Colombian authorities. LRWC called on the President to launch an impartial investigation into this incident of attempted disappearance, with the objective of bringing to justice for those involved in the Fifth Specialised Prosecutors office of Popayán, and to urgently review the protective measures to be provided to Lopez in accordance with the dictates of Inter-American human rights law.

**Lawyer threatened with rape and death for representing disappearance victims** – In [a letter dated 3 July 2015](#), LRWC wrote to Colombian President regarding the threats of violence against Andrea Torres Bautista, a lawyer representing the families of victims enforced disappearances, collectively known as La Combinada case on behalf of human rights organization Fundación Nydia Erika Bautista. Her clients include the relatives of James Holguín, who along with four others was forcibly disappeared by paramilitaries operating in collusion with the police in Monterrey Municipality. On 23 June 2015, Bautista phoned the Court in Yopal and requested that the judge presiding over the La Combinada case recuse himself. The following day, Bautista received a phone call, in which a man told her: “[D]idn't you understand that you should stop annoying us, we are going to kill you, but first we will rape you so that you respect men”. In its letter, LRWC reviewed the Colombia State's duties under the ICCPR, ACHR, and Articles 8, 16, 17 and 18 of the Basic Principles on the Role of Lawyers, and Article 12 of the UN Declaration on Human Rights, which impose duties on the State to ensure that lawyers are able to perform their professional functions without intimidation or improper interference. LRWC urged the



Colombian State authorities to implement protective measures to ensure the safety of Bautista, as well those involved in the La Combinada case through consultations with the beneficiaries of these measures; order full and impartial investigation into the aforementioned threats and attack; and recognize the competence of the UN Committee on Enforced Disappearances to receive and consider communications on this and other cases, under the International Convention for the Protection of All Persons from Enforced Disappearance.

## PAKISTAN

### **Fatal shooting of human rights activist Sabeen Mahmud**

– On 24 April 2015, Ms. Sabeen Mahmud, a prominent human rights activist, was fatally gunned down shortly after hosting an event to publicize the forced disappearances in Balochistan. Ms. Mahmud was accompanied by her mother, who was severely injured by the incident. The event had initially been cancelled because the moderator and an associate journalist withdrew their participation upon receiving death threats. Reports indicate that many activists who have exposed or condemned the torture and killing of missing persons involved in the Baloch nationalist movement have been harmed or threatened. In response, LRWC wrote [a letter](#)

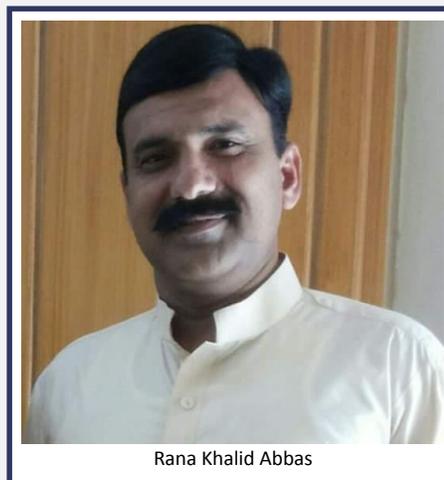


Sabeen Mahmud | tarekfatah.com

to Pakistani authorities demanding an immediate and independent investigation into the murder, the prosecution of suspected perpetrators, an investigation by the Human Rights Commission of Pakistan, and in collaboration with relevant NGOs the creation a “First Response Service” resource to provide immediate protection to lawyers and human rights defenders who report being in danger because of their work.

### **Shooting of prominent human rights lawyers**

– On 25 May 2015, a Daska police officer fired indiscriminately into a group of lawyers peacefully protesting a disagreement with the Tehsil Municipal Association. Irfan Chauhan, a prominent human rights lawyer, and Rana Khalid Abbas, President of the Daska Bar Association, were killed and Zohaib Sahi, another human rights lawyer, was injured. Various sectors in Pakistan along with the international community have expressed outrage at the extrajudicial killings. The Pakistan Bar Council announced a nationwide strike for lawyers; the Chairman of the Pakistani Bar Council strongly condemned the murders and demanded the immediate arrest of the shooter(s). The latter sentiments were echoed by the Islamabad Bar Association and the Punjab’s Chief Minister. The Prime Minister of Pakistan, Nawaz Sharif, ordered an investigation. The officer identified as the shooter is now in



Rana Khalid Abbas

custody and a joint investigation committee has been launched. The investigation committee has been criticized as being potentially biased given that police investigating a police incident carries an unavoidable conflict of interest. LRWC wrote [a letter](#) to the Government of Pakistan calling for an independent investigation into the shooting, prosecution and trial of the suspect(s), compliance with all provisions of the ICCPR, and publication of a statement by the President and Prime Minister condemning the shooting.

## SAUDI ARABIA

### **Arrest and treatment of Raif Badawi violates international legal obligations**

– On 17 June 2012, Raif Badawi was arrested for “apostasy” for having insulted Islam through electronic channels because he created a website called Saudi Liberal Network, devoted to freedom of speech, human rights activism and criticizing government officials. He was initially sentenced to seven years in jail and 600 lashes by the Criminal Court. The Court of Appeals ordered a retrial, which was held in absentia and without representation. Badawi’s lawyer, Waleed Abu Al-Khair, was arrested shortly before the retrial and has been held in prison since.



Raif Badawi | [amnesty.org.uk](http://amnesty.org.uk)

The new trial increased Badawi’s sentence to 10 years in prison, 1000 lashings, a 10-year travel ban following his sentence, and a 1 million Saudi Riyals (325,890.00 CAD) fine. After receiving 50 lashes, the case was referred to the Saudi Supreme Court, which upheld the sentence, eliminating any right to further appeal. LRWC and the Law Society of England and Wales wrote a [letter](#) to the Government of Saudi Arabia and the international community outlining how Badawi’s sentence violates Saudi Arabia’s international legal obligations and demanding his immediate and unconditional release.

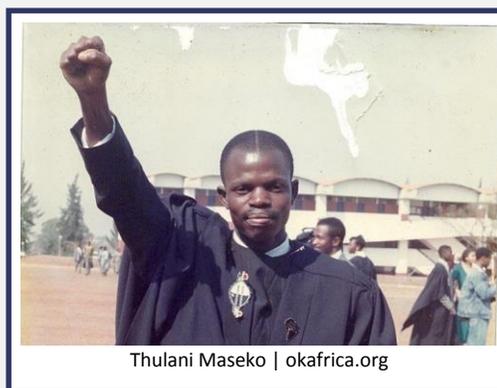
**Waleed Abu Al-Khair receives award** – Waleed Abu Al-Khair, a Saudi lawyer defending a blogger sentenced to 1,000 lashes, was awarded the prestigious Ludovic Trarieux Prize for his work defending human rights. More groups endorsed the Petition to the Working Group on Arbitrary Detention, including Human Rights Watch, Union Internationale des Avocats (UIA) and the Institut Des Droits De L'homme Des Avocats Européens (IDHAE).



Waleed Abu Al-Khair | [clarionproject.org](http://clarionproject.org)

## SWAZILAND

The UN Working Group on Arbitrary Detention (UNWGAD) released an Opinion condemning as arbitrary the detention of Thulani Maseko and calling on the Government of Swaziland to ensure his immediate release. Maseko, a prominent human rights lawyer and member of Lawyers for Human Rights Swaziland and the Southern African Human Rights Defenders Network and Bhekithemba Makhubu, Editor-in-Chief of *The Nation*, the sole independent newspaper of Swaziland were sentenced to 2 years in prison for writing articles questioning the independence of the judiciary. LRWC sent a [letter](#) in July 2014 stating that the detention is arbitrary.



Thulani Maseko | [okafrica.org](http://okafrica.org)

## THAILAND

**Persecution of Rohingya people** – In May 2015, raids and arrests in Thailand led human traffickers to

abruptly abandon boatloads of trafficked migrants from Burma (Myanmar) and Bangladesh, leaving thousands stranded in life-threatening conditions off the coasts of several countries in Southeast Asia, including Thailand. On 26 May, LRWC released [a statement](#) recommending that all ASEAN States and their economic partners develop a plan of action to push the Myanmar government to end its persecution of Rohingya people. On 29 May 2015, Thailand hosted 17 country-representatives in Asia alongside the UN High Commissioner for Refugees (UNHCR), the UN Officer on Drugs and Crime (UNODC), the International Organization for Migration (IOM), the UN Resident Coordinator for Thailand, along with a number of ambassadors and journalists. The final statement of the meeting was disappointing, as it considered the matter only in general terms and failed to address Myanmar's persecution of Rohingya people. LRWC also wrote [a letter](#) to Canadian officials asking them, as a condition precedent to trade relationships in the region, to encourage all ASEAN members and Bangladesh to ratify the *Refugee Convention* of 1951, the *Rome Statute of the International Criminal Court (ICC)* and other relevant UN human rights treaties; to ensure an adequate domestic legal framework is in place to prevent human trafficking; and to ensure protection of the legitimate work of lawyers, journalists, and human rights defenders. The Philippines and Cambodia are the only members of ASEAN that have ratified the *Rome Statute of the ICC*.



**Launch of lawyers' report on human rights abuses prevented** – On 4 June 2015, Thailand's National Council for Peace and Order (NCPO) ordered the Foreign Correspondents' Club of Thailand (FCCT) to cancel an event organized by the Thai Lawyers for Human Rights (TLHR) to launch and discuss the TLHR report on human rights one year after the coup in Thailand. On 5 June, LRWC released a [statement](#) objecting to the NCPO's prevention of the TLHR's legitimate human rights education event in violation of the ICCPR and the UN *Declaration on Human Rights Defenders*. Since the military coup on 22 May 2014, the NCPO has cancelled or interfered with at least 71 public events, including human rights education events, as part of an ongoing pattern of serious human rights violations, including judicial and administrative harassment of lawyers and other human rights defenders and journalists, arbitrary detention of dissidents and human rights defenders, torture, internationally unlawful trials of civilians by military courts and consistent violation of freedoms of assembly, association, opinion and expression.

**LRWC statement translated to Thai** – On 7 June, the Cross Cultural Foundation in Thailand released its Thai translation of LRWC's 25 May 2015 [statement](#) on the right to trial by civilian courts and the use of military tribunals to determine charges against civilians.

**LRWC calls upon Thai military rulers to drop charges against student activists** – On 8 July 2015, LRWC released a [statement](#) calling upon Thai military rulers to drop all charges against 14 student human rights defenders and activists and human rights defender Mr. Baramee Chairat. The 14 activists were charged with violating a ban on political gatherings of more than five persons and for inciting public unrest (sedition). Mr. Baramee, coordinator of Thailand's Assembly of the Poor and a member of the board of Amnesty International Thailand, was accused of sedition for showing support for the 14 activists



at a demonstration at Democracy Monument. The systematic use of the Criminal Code and military orders to silence lawful dissent and repress freedom of expression, association, peaceful assembly and fair trial rights in violation of the ICCPR is part the disturbing trend since the 2014 military coup. LRWC also called on Thailand to cease all harassment and intimidation of student activists' family members and advocates and end the restrictions imposed on the NCPO on internationally protected rights to peaceful and nonviolent expression and assembly.

**Journalists prosecuted for exposing human trafficking**

– On 10 July 2015, LRWC released a [statement](#) on the prosecution of journalists Chutima Sidasatheian and Alan Morison for reporting on human trafficking of Rohingya and other migrants. The journalists faced trial on 14 July 2015 on charges of criminal defamation and the Computer Crimes Act by the Royal Thai Navy based on a 17 July 2013 article quoting a Reuters story on alleged involvement of Thai authorities, including naval forces, in human trafficking of Rohingya people. The prosecution appears to be in retaliation for the defendants' legitimate human rights



Chutima Sidasathian and Alan Morison

journalism and for the illegitimate purpose of punishing the lawful exercise of freedom of expression. The charges have been brought under laws that fail to meet Thailand's international obligations to ensure the rights of freedom of expression and the fair trial rights guaranteed by the ICCPR and UDHR. LRWC urged Thailand to ensure the immediate discontinuance of the criminal proceedings and comply with its international obligations. The three-day trial ended 16 July. A number of human rights organizations monitored the trial. The prosecutor was absent for two out of three days of the trial, which meant that defence testimony was unchallenged. One expert witness, Dr. Niran Pitakwatchara of Thailand's National Human Rights Commissioner, provided testimony that the Computer Crime Act was being misused to suppress freedom of expression.

**Human rights researcher prosecuted for exposing labour rights abuses**

– On 30 July, LRWC wrote a [statement](#) calling on Thai authorities and the Natural Fruit Co. Ltd (Natural Fruit) to drop all criminal charges against British human rights defender Mr. Andy Hall and urging Natural Fruit to discontinue its two civil lawsuits against him. On 20 July 2015, Mr. Hall faced the sixth preliminary hearing of a criminal defamation case that is part of a concerted campaign of judicial harassment against him initiated by Natural Fruit and facilitated by public prosecutors. The criminal



prosecution relies on laws and court processes that fail to meet international human rights standards of fairness. On 24 August 2015, the Bangkok Criminal Court will decide whether to indict Mr. Hall. If indicted, he will be arrested and be entitled to apply for bail to secure his pre-trial release from jail. If convicted at trial, Mr. Hall faces a possible seven years' imprisonment. The criminal and civil defamation cases against Mr. Hall have been brought in retaliation for his involvement in conducting research for the January 2013 report, *Cheap Has a High Price*, published by Finnwatch, and for the illegitimate purpose of punishing the lawful exercise of freedom of expression and suppressing the public's right to freedom of information on a matter of public concern. Mr. Hall's case is specifically mentioned in the findings and recommendations of the 27 July 2015 United States Trafficking in Persons (TIP) Report, which maintain Thailand at the lowest "tier 3" ranking. LRWC urged the immediate discontinuance of all criminal and

civil proceedings against Andy Hall and calls upon Thailand and Natural Fruit to comply with Thailand's international human rights obligations.

## VIET NAM

**Release of Le Quoc Quan** – LRWC and others applauded the release on 27 June 2015 of human rights lawyer and blogger Le Quoc Quan, most recently in prison since 27 December 2012. Viet Nam authorities have targeted Le Quoc Quan with a variety of charges over the past 6 years in order to prevent and punish his human rights advocacy and his engagement in public dialogue on issues of public concern through his blog. His licence to practice law was removed in 2008 for reasons unrelated to his competence and integrity as a lawyer. He then began speaking out on human rights issues through his blog. Charges against Le Quoc Quan were first brought under Article 79 (working to overthrow the government) and when the state had no evidence to proceed, charges were brought under Article 88 (propaganda against the state). When the state had no evidence to proceed, charges of tax evasion were laid and on 2 October 2013 he was convicted and was sentenced to 30 months' imprisonment and a fine of 1.2 billion dong (approximately USD 59,000). Prior to his conviction, LRWC and eleven other NGOs, in a Petition to the UN Working Group on Arbitrary Detention (WGAD), submitted that the tax evasion charges were politically motivated and improperly determined given that Viet Nam had denied Le Quoc Quan's rights to counsel, pre-trial release and fair rights in determining the charges. The WGAD, in its November 2013 Opinion ([A/HRC/WGAD/2013](#)), concluded that Le Quoc Quan had been held incommunicado for two months when first arrested and thereby deprived of timely access to his lawyer and his right to a fair trial and that his detention was arbitrary. The WGAD recommended that the Government of Viet Nam immediately release him or ensure a trial conducted in strict compliance with ICCPR requirements and provide reparation. When Viet Nam ignored the recommendation, LRWC and 10 other NGOs filed a [second Petition](#) with the WGAD. Gail Davidson and others from the petitioning NGOs had an inspiring meeting via Skype with Le Quoc Quan after his release. He intends to apply for re-instatement of his license to practice law and for the return of his passport. LRWC has committed to supporting these results. Le Quoc Quan thanked us all for working on his behalf. We in turn extended our gratitude for his courage in continuing to speak loudly for the human rights of others even at the cost of his livelihood and liberty. His brother Le Quoc Quyet wrote to say, "Once again, million thanks to you all for your kind concern about my brother & our family!" LRWC's letters, statements, written and oral reports to the UN and a brief on the right to pre-trial release to the Court of Appeal of Viet Nam can be viewed on the [LRWC Viet Nam Campaign](#) page.



## UN HUMAN RIGHTS COUNCIL – 29<sup>TH</sup> SESSION 15 JUNE – 3 JULY 2015

**Right to Peace** – The debate on the report of the third session of the Intergovernmental Working Group on the Right to Peace (A/HRC/29/45) on 25 June 2015 in Geneva ended with no action being taken on the proposed draft declaration and no resolution to extend the mandate of the WG for another year. The process to develop a Declaration on the Right to Peace is now suspended. LRWC joined other NGOs in [a statement filed 25 May \(A/HRC/29/NGO/90\)](#) calling on Council to extend the mandate of the Working Group on the Right to Peace and to take into account in further negotiations to create a

Declaration, the essential elements developed by the Advisory Committee in 2012 and the Santiago Declaration on the Right to Peace in 2010. Reports of the [Working Group](#) and of the Spanish Society for Human Rights on the debate are available on the LRWC website.

**[Selection and Appointment of Special Mandate Holders](#)** – LRWC nominated Pearl Eliadis for the position on the Working Group on Arbitrary Detention left vacant by Norwegian Mads Andenas, as a jurist uniquely equipped to contribute to the important and precedent setting-work of the WGAD. Appointed to this position was Ms. Leigh Toomey of Australia. Ms. Mónica PINTO of Argentina was appointed as Special Rapporteur on the independence of judges and lawyers, replacing Gabriel Knaul. LRWC’s nominee for this position, British solicitor Phil Shiner has to withdraw prior to filing of the nomination application. Mr. Tae-Ung BAIK of the Republic of Korea was appointed to the Working Group on Enforced Disappearances, Mr. Joseph CANNATACI of Malta was appointed Special Rapporteur on the right to privacy Ms. Dubravka ŠIMONOVIĆ of Croatia was appointed as Special Rapporteur on violence against women, its causes and consequences. LRWC would like to be more involved in nominations of special mandate holders and in promoting more transparency and greater involvement of NGOs in the selection process.



## UN HUMAN RIGHTS COMMITTEE REVIEW OF CANADA

This report must be read by all Canadian human rights advocates. The UN Human Rights Committee (HR Committee) reviewed for the first time in 10 years Canada’s compliance with the International Covenant on Civil and Political Rights (ICCPR), which Canada ratified 19 May 1976 and released the ‘Advance Unedited Version’ [Concluding Observations on the sixth periodic report of Canada, CCPR/C/CAN/CO/6](#). The report is a scathing indictment of Canada’s deteriorating human rights performance. The HR Committee expressed concern with many of the areas flagged by LRWC in the past, including the need to hold a national inquiry into missing and murdered indigenous women and girls; rewrite Bill C-51; give effect to views of the HR Committee and ensure remedies for violations of ICCPR rights; “ensure that all Canadian corporations, in particular mining corporations, under its jurisdiction respect human rights standards when operating abroad”; “ensure that all allegations of ill-treatment and excessive use of force by the police are promptly and impartially investigated by strong independent oversight bodies”; “avoid unnecessary obstacles and restrictions, legally or in practice, against the activities of civil society organizations”; “protect the exercise of the freedom of peaceful assembly and avoid restrictions that are not proportionate”; and “seek [Indigenous peoples] free, prior and informed consent whenever legislation and actions impact on their lands and rights and...establish their titles over their lands with respect to their treaty rights.”

## NOTABLE REPORTS

[Defending the Defenders Attacks on Lawyers A Problem in Search of Solutions](#), Gill Boehringer, Stuart Russell, Kristian Boehringer and Júlio Moreira outline the increase in 80 countries in attacks— including murders, politically motivated prosecutions, intimidation and harassment—against lawyers engaged in human rights advocacy or representing issues unpopular with the state or its corporate partners. The May 2015 report notes the wholly inadequate state action to prevent and punish attacks and notes that most attacks are recorded and investigated by civil society. The authors recommend a global conference to “bring together a wide cross section of people and support groups including leading lawyers and victims” to

raise awareness, focus international attention and force remedial action by states.

**UN Human Rights Council report, [Independence and impartiality of the judiciary, jurors and assessors, and the independence of lawyers](#) A/HRC/29/L.1, by Special Rapporteur Gabriela Knaul was published on 30 June 2015. The report confirms that an independent and impartial judiciary and lawyers empowered to act independently are a prerequisite to implementing and enforcing human rights and that attacks on lawyers and judges are increasing around the world. The report also recognizes “that legal aid is an essential element of a fair, humane and efficient system of administration of justice that is based on the rule of law.”**

**Truth and Reconciliation Commission of Canada, [Honouring the Truth](#), *Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada*. The recommendations of the report are summarized in [Truth and Reconciliation Commission Calls to Action](#). The TRC calls for sweeping change including implementation of the *United Nations Declaration on the Rights of Indigenous Peoples*.**

[Dismantling Democracy: Stifling debate and dissent in Canada](#), Voices/Voix, June 2015. A compilation of 5 years of research on measures taken in Canada to stifle debate and prevent dissent through a variety of means including enactment of repressive laws, use of audits to hamper NGOs, statements by members of the federal executive vilifying activists and their organizations, cutting off funds to NGOs engaged in work that conflicts with the religious and political views of the executive.

**Fourth International Colombia Caravana [Colombia at the Crossroads – The vital role of lawyers and human rights defenders for justice and peace](#), International Colombia Caravana, June 2015. Report of the Fourth International Colombia Caravana to Colombia in August 2014. [Separate reports of delegates](#) to regions of Colombia are available.**

## LRWC MEMBERS CONTRIBUTING PRO BONO IN JUNE & JULY

**Thank you to LRWC members and volunteers working *pro-bono* during June and July 2015** on letters, research, writing, investigations and advocacy: Clive Ansley, Brenda Belak, Grace Chen, Lauren Crumley, Gail Davidson, Kim Hawkins, Lois Leslie, Heather Liu, Gavin Magrath, Carolyn McCool, Catherine Morris, Renee Mulligan, Heather Neun, Avi Sharma, Ben Sutherland, Rohan Shah, Grace Woo.

LRWC is looking for researchers, case monitors and country monitors.

We welcome feedback on Newsletter content, format, and delivery. Mail subscriptions are also available.

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