

LRWC NEWSLETTER

June-July 2019 Edition

LRWC ACTION NEWS and UPDATES

CAMBODIA

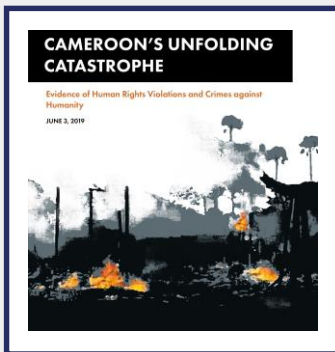
No effective investigation three years after the murder of defender Dr. Kem Ley



Dr. Kem Ley

On 9 July 2019, LRWC joined 23 other Cambodian and international human rights organizations in a statement [renewing](#) calls on Cambodia to conduct a thorough and effective investigation into the shooting murder of Dr. Kem Ley in Phnom Penh three years ago on 10 July 2016. Kem Ley was a political analyst and rights defender who criticized government corruption, illegal logging and land rights violations. The daylight killing took place in the context of other attacks on human rights defenders and political opposition members. The suspected shooter was sentenced to life imprisonment after a trial that failed to meet international

human rights standards. The government has failed to conduct an effective investigation amid suspicion of [government involvement](#) in arranging the murder. Cambodia has a longstanding pattern of judicial harassment, extrajudicial killings and enforced disappearances of defenders and government critics. Impunity for attacks against defenders and government critics is facilitated by a judicial system that lacks integrity, impartiality, and independence. The 9 July 2019 statement noted mistrust of the domestic legal system and urged Cambodia to request “an appropriate body with independent experts be established under the auspices of the United Nations.” The Asia Times reported, [Joint Statements urges probe into activist’s death](#).



CAMEROON

“The Unfolding Crisis in Cameroon” Report Released

On 3 June, the Raoul Wallenberg Centre for Human Rights and the Centre for Human Rights and Democracy in Africa released their long awaited joint report, [“The Unfolding Crisis in Cameroon”](#) which highlights the ongoing crisis between minority Anglophones and the government. The report cites evidence of widespread and systemic atrocities committed in the Anglophone areas since 2016. The report concludes that Cameroon is perpetrating widespread abuses and calls on the international community to prevent further atrocities and ensure accountability. The Norwegian Refugee Council (NRC) released a report identifying the conflict in Cameroon as, [“The world’s most neglected displacement crises”](#). NRC

Secretary General Jan Egeland warned that, “[t]he international community is asleep at the wheel when it comes to the crisis in Cameroon. Brutal killing, burned-down villages and massive displacement have been met with deafening silence.”

CANADA

LRWC calls for the immediate passage of Bill C-262



On 6 June, LRWC wrote a [letter](#) (Gail Davidson, Catherine Morris) to members of the Senate Standing Committee on Aboriginal Peoples urging them to ensure passage immediately of Bill C-262 which calls on all levels of government to “immediately and fully comply with all relevant instruments, including but not limited to the Universal Declaration on the Rights of Indigenous Peoples”.

[On 21 May 2019](#), LRWC had urged “all members of the Senate to insist that deliberations on Bill C-262 continue and

conclude immediately so that the Bill can return to Senate before the Bill dies on the order paper.” That entreaty has been ignored and in the June letter, LRWC emphasized that delays preventing passage were particularly alarming in view of the [Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls](#). LRWC wrote a further letter on 11 June to Conservative Leader, Andrew Sheer, urging immediate passage of the Bill. These letters were not effective and the bill died on the order paper.

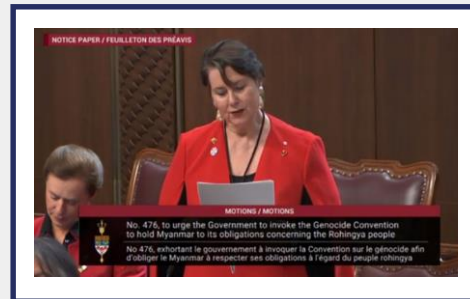
Missing and murdered indigenous women and girls report response

Former LRWC director, Monia Mazigh, wrote an [article](#) 7 June 2019 regarding the release of the [Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls](#). In her article she compares Canada’s treatment of indigenous women and girls to France’s treatment of Algerian women under French colonial rule. Ms. Mazigh suggests that Canada has two choices in response to the report: it can “look away and praise itself as one of the best places in the world” or it can be “courageous and brave and start decolonizing its institutions”.

CANADA/MYANMAR

Some Senators obstruct motion on accountability for genocide, access to investigators and aid

LRWC took a number of steps, that proved futile, to promote passage of the Senate Motion No. 476 asking Canada to seek remedies for the Rohingya people by: a/ pursuing accountability through a referral to the International Court of Justice (ICJ) under Article IX of the Genocide Convention; b/ urging Myanmar to allow access to investigators; and, c/ providing aid to Rohingya refugees in Bangladesh. The bill presented by Senator Marilou



McPhedran, was in response to the UN Fact Finding Mission confirming genocide against the Rohingya and the UN Security Council failure to refer the matter of genocide in Myanmar to the International Criminal Court (ICC). LRWC sent [a letter dated 11 June](#) to the Leader of the Conservative Party Andrew Sheer, Don Plett Opposition Whip in the Senate, and Yonah Martin and Larry Smith members of the Conservative Senate Caucus, expressing concern that a minority of Conservative Senators were obstructing progress on the motion and urging all members of the Senate to take immediate, non-partisan action to pass the motion without delay. On 13 June, Catherine Morris of LRWC joined a Press Conference in Ottawa calling for action to prevent impunity for genocide, ensure measures to protect the 1 million refugees in Bangladesh and remedies for those killed, injured and displaced. At the Press Conference LRWC released a brief, [“Canada’s obligation to hold Myanmar accountable for genocide: Pass Senate Motion 476.”](#) The briefing outlines Canada’s obligation to refer the issue of genocide in

Myanmar to the ICJ under the Genocide Convention Article IX in view of the UN Security Council's failure to refer the situation of Myanmar to the ICC for investigation of alleged crimes against humanity and war crimes against Rohingya, Shan and Kachin peoples, and genocide against the Rohingya people. LRWC then joined a letter released 25 June 2019 endorsing Senate *Motion 476 to Urge [Canada] to invoke the Genocide Convention to hold Myanmar to its obligations and to seek Provisional Measures for the Rohingya People*. The bill died without a vote.

HONG KONG

Joint letter objecting to proposed extradition law amendments 6 June endorsed by 68 NGOs

On 6 June 2019, 68 NGOs, including LRWC, endorsed an [open letter](#) to Carrie Lam, the Chief Executive of Hong Kong, expressing grave concern that the proposed changes to the extradition law would put anyone in the territory of Hong Kong—including human rights defenders, journalists and NGO workers, who have carried out work related to Mainland China—at risk of arbitrary detention, torture and other ill-treatment. The letter calls on the Hong Kong government to immediately halt its plan to amend the legislation. On [6 June](#), 3000-4000 Hong Kong lawyers held a protest opposing the amendments. With nearly one quarter of Hong Kong's lawyers in attendance, it was the largest ever protest of Hong Kong lawyers since 1997. On [16 June](#), nearly two million of Hong Kong's seven million residents took to the streets to protest the proposed extradition bill.



Hong Kong Protestors
Photo: HRW

LRWC cautions against illegal use of force against protesters in Hong Kong

LRWC sent a [letter](#) (Gail Davidson, Lois Leslie) dated 28 June to the Hong Kong administrators and UN human rights monitors regarding the illegal use of force against protesters by police on 12 June. Amnesty International reported having evidence of 14 incidents “of excessive use of force by the Hong Kong Police on the ground during the mass protest on 12 June 2019” that violated international law. The Amnesty report cited the unlawful use by police of batons, rubber bullets, tear gas and pepper spray resulting in injuries to at least 81 people. LRWC's letter asked Hong Kong to ensure that those responsible were identified and held accountable and that training be provided to police understand and fulfill legal obligations to enable the protests and protect dissenters. LRWC also called on Hong Kong to release all those arrested and to withdraw riot-related charges. LRWC distributed a Press Release (Bill Chu) in Chinese.

INTERNATIONAL CRIMINAL COURT

Decision to refuse prosecutions of US and others for crimes in Afghanistan appealed



On 7 June, the Office of the Prosecutor (OTP) at the International Criminal Court (ICC) [asked](#) the Pre-Trial Chamber (PTC) to grant leave to appeal the PTC's previous decision to refuse authorization of an investigation into war crimes and crimes against humanity committed by, inter alia, the US Armed Forces and the CIA on the territory of Afghanistan and other members of the ICC between 2003-2004. On 12 April, the PTC unanimously rejected the Prosecutor's request to investigate, stating that “an

investigation into the situation in Afghanistan at this stage would not serve the interests of justice.” The PTC referred to the lack of cooperation that would make a successful prosecution unlikely. The decision undermines the credibility of the ICC and its ability to prosecute powerful states for known crimes within the court's jurisdiction. The request seeks leave to appeal three specific issues, namely the interpretation of articles 15(4) and 53(1)(c) with regard to the assessment of the interests of justice, the exercise of the PTC's discretion under those provisions, and the PTC's understanding of the scope of

any investigation it may authorize in light of article 15 and other provisions. The preliminary inquiry by the OTP into war crimes and crimes against humanity in Afghanistan was conducted over 11 years.

Chief Prosecutor seeks approval to open investigation of crimes against the Rohingya people

The Chief Prosecutor of the ICC announced on 27 June 2019 that she has sought approval to open an investigation of crimes against the Rohingya people in Myanmar with ‘at least one element’ in Bangladesh. The OTP opened a preliminary inquiry in September 2018 after the PTC determined that although Myanmar is not a member of the ICC, the court has jurisdiction as Bangladesh is a member and because of the cross-border nature of the alleged crime of deportation, a crime against humanity under the Rome Statute. A three member panel of the PTC is considering the request to open a full investigation. Between 723,000 (UN High Commission of Refugees estimate) and 1.1 million (Prime Minister of Bangladesh estimate) Rohingya people have fled to Bangladesh since August 2017 to avoid genocide in Myanmar.

MOROCCO

LRWC urges Moroccan authorities to drop the charges against Nazha Al Khalidi

On 6 June, LRWC (Sarah Gale) wrote a [letter](#) to the Minister of Justice and Attorney General of Morocco calling for the charges against Ms. Al Khalidi to be dropped, and for an end to the harassment, arbitrary arrest and detention and unlawful prosecution of journalists and human rights defenders in the territory of Western Sahara. Ms. Al Khalidi, a journalist, was arrested and charged after she posted a video recording of a peaceful demonstration in the territory of Western Sahara. She was charged under Moroccan Penal Code Article 381 for practicing journalism without a journalism degree. Such a charge is an overextension of the law designed to ensure professionals such as doctors and lawyers are practicing their trade with the necessary credentials. Applying this law to journalists violates the freedom of expression guarantee of the International Covenant on Civil and Political Rights, which Morocco has ratified. On 8 July, Ms. Al Khalidi was found guilty and sentenced to a fine of 400€. There has been no word yet about a possible appeal from the Prosecutor for a harsher sentence. LRWC is continuing to monitor the case.



Nazha Al Khalidi

PAKISTAN/INDIA

ICJ rules that Pakistan breached Article 36 of the Vienna Convention on Consular Relations

India initiated proceedings in the International Court of Justice (ICJ) against Pakistan regarding the arrest, conviction and sentencing of Indian national, Kulbhushan Jadhav. Mr. Jadhav, reputed to be an Indian naval officer was tried and convicted of espionage and sentenced to death in Pakistan (10 April 2017) by a military court. On 18 May 2017 the ICJ ordered that it was ceased of the matter and directed Pakistan (para. 61) to ensure that Jadhav “is not executed pending the final decision in these proceedings.” Preliminary issues were jurisdiction under the ICJ statute and whether a bilateral agreement could restrict the scope of the Vienna Convention on Consular Relations and its Optional Protocol. LRWC and the Law Society of Ontario Human Rights Monitoring Group sent a joint [letter on 29 May 2017](#) after the Lahore Bar Association warned it would disbar any lawyer who acted for Mr. Jadhav in his appeal. On 17 July 2019 ICJ released its [decision](#), that Pakistan violated its obligations under the Vienna Convention by not informing Mr. Jadhav of his rights under Article 36 or notifying India’s appropriate



Kulbhushan Jadhav

consular post of Mr. Jadhav’s detention, thereby depriving India of the right to render assistance under the Convention. The ICJ ruled that under the Convention, India has a right to communicate and have access to Mr. Jadhav, to visit him in detention, and to arrange for his legal representation. The ICJ ordered Pakistan to inform Mr. Jadhav of his rights under Article 36 and to provide Indian consular officers with access to him without further delay. The court further ordered Pakistan to review and reconsider Mr. Jadhav’s conviction and sentence, giving full weight to the effect of Article 36 and to stay his execution.

PHILIPPINES

Killing the Lawyers: Forty-three jurists murdered in less than three years



On 5 July, LRWC published a report *Killing the Lawyers: Forty-three Jurists Murdered in the Philippines since 2016*, outlining the Philippines widespread and systematic campaign of extra-judicial killings since July 2016. On 23 July, lawyer Anthony Trinidad whose name had been on a hit list, was gunned down on Negros Island. The murders of lawyers, prosecutors and judges are associated with the “war on drugs” announced by President Rodrigo Duterte when he took office on 30 June 2016. The UN High Commissioner for Human Rights estimated in March 2019 that since Duterte took office up to 27,000 people including children, have been extra-judicially killed as a consequence of the government’s anti-drug campaign. Government authorities admit to 6,600 extrajudicial deaths during the same period. In February 2018 the International Criminal Court (ICC) prosecutor opened a preliminary examination of war crimes by the Duterte administration associated with the “war on drugs.” In response the Philippines withdrew from the ICC. The LRWC report focuses on the assassination of 43 jurists between August 2016 and May 2019. A [resolution](#), presented to the UN Human Rights Council by Iceland and co-sponsored by 34 other States, including Canada, calls for a UN inquiry into the extra-judicial killings. The resolution was adopted on 11 July 2019. The Philippine Foreign Secretary responded by threatening that there would be ‘consequences’ for the 18 Council members voting for the resolution. The video of the [statement can be viewed here](#). LRWC file an update of the report for consideration at the September session of the UN Human Rights Council.

SAUDI ARABIA

LRWC signs joint letter requesting Human Rights Council resolution

On 4 June, LRWC, with 38 other NGOs, signed a [joint letter](#) identifying continuing gross human rights abuses in Saudi Arabia. Highlighted as examples were the executions of 37 men on 23 April, the unlawful detention of scores of human rights defenders including women defenders and the ongoing impunity for serious human rights violations, including torture. The letter was sent to 44 countries



urging States to present a resolution at the UN Human Rights Council to establish a monitoring mechanism over the human rights abuses in Saudi Arabia, to call on Saudi Arabia to immediately release all individuals detained for exercising their fundamental freedoms, including named women defenders, to conduct prompt and credible investigations into allegations of torture, to abolish the male guardianship system and to establish a moratorium on the use of the death penalty with an aim towards its abolition.

UN releases report on Khashoggi killing

On 19 June, the UN Special Rapporteur on extrajudicial, summary or arbitrary killings, Agnes Callamard, [published a report](#) confirming that Saudi journalist Jamal Khashoggi was the victim of a premeditated extrajudicial execution for which the State of Saudi Arabia is responsible. The report

concludes that Khashoggi's killing was "overseen, planned and endorsed by high-level officials". The report cites six violations of international law and calls on States to exercise universal jurisdiction, specifically, to take the "necessary measures to establish their competence to exercise jurisdiction under international law" over the killing. The report further says there is credible evidence of the individual responsibility of Crown Prince Mohammad bin Salman and that investigations by Saudi Arabia and Turkey did not meet international standards for investigation of unlawful deaths. The report also calls for the release of all individuals imprisoned for peaceful expression of their opinion and belief. In response to the report, Canadian Foreign Affairs Minister Chrystia Freeland called once again for an independent international investigation, but did not commit to more sanctions. Several countries, including Germany, Finland and Denmark have cancelled arms deals with Saudi Arabia in the aftermath of Khashoggi's murder.



Waleed Abu al-Khair awarded the American Bar Association International Human Rights Award
Lawyer Waleed Abu al-Khair will be the [recipient of the 2019 American Bar Association International Human Rights Award](#). The award honours his extraordinary work as a lawyer, an advocate for human rights, democracy and justice for all in Saudi Arabia and representing victims of human rights abuses. Abu al Khair has been arbitrarily imprisoned for his advocacy since April 2014 under unremittingly severe conditions. He has refused Saudi offers to release him in return for an apology and silence, courageously

opting to remain, at cost of his own liberty, a voice for victims and an advocate for human rights reform. The UN Working Group on Arbitrary Detention ruled, in response by a [complaint by LRWC and others](#), that his arrest, conviction and detention lack any legal basis and has twice recommended that Saudi Arabia immediately release him and provide compensation for his arbitrary detention. The [nomination of Waleed](#) was submitted by LRWC, Lawyers for Lawyers, Union Internationale des Avocats and the Law Society of England and Wales.

SUDAN

African Commission passes resolution on Sudan



On 14 May 2019, the African Commission on Human and Peoples' Rights ("the Commission) passed [Resolution 421 on the Human Rights Situation in The Republic of Sudan](#). The resolution expresses deep concern regarding reports of excessive force by state security agents against peaceful protestors in the country and the Commission calls on the Transitional Authorities to: protect the right of citizens to participate in the government through freely chosen representatives, to respect and uphold the fundamental

human rights and freedoms of citizens, to refrain from the use of excessive force against protestors, to conduct prompt, impartial and independent investigations into alleged human rights abuses, and to ensure that the victims obtain full and adequate redress. LRWC advocacy regarding the arrest and detention of peaceful protestors and the unlawful restriction on assembly and protest in the country can be seen on the [Sudan page](#) of the LRWC website.

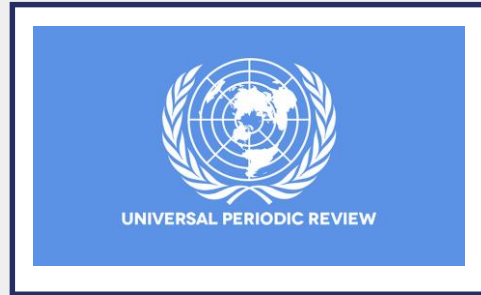
TURKEY

Joint submissions – UN urged to act over ‘purge’ of lawyers

LRWC was one of fourteen international human rights organizations endorsing [joint submissions](#) for the UPR of Turkey scheduled to take place in January

2020. The joint submissions recommend sweeping reforms to: end the arbitrary and systematic arrest, prosecution and detention of lawyers, guarantee the independence of judges, prosecutors and lawyers, ensure rights to receive and provide legal representation without interference, repeal laws restricting access to counsel and to case files, amend criminal laws that violate the principle of legality, and, release all those arbitrarily detained. The submissions expose four crises affecting lawyers in Turkey: a/

measures that impair judicial and prosecutorial independence; b/ mass dismissals and arrests of judges and prosecutors; c/ restrictions on rights to counsel, notice of criminal charges and disclosure; and, d/ arbitrary arrests, detentions and prosecutions of hundreds of lawyers and closure of bar associations. LRWC (Sebastian Ennis, Gail Davidson) contributed to the latter section. Between July 2016 and June 2019, 311 lawyers have been arbitrarily convicted of offences too broad to allow foreknowledge or defense and arbitrarily sentenced to lengthy terms of imprisonment totaling 1,967 years. The joint submission for the UPR of Turkey were reported in the Guardian newspaper, [“UN urged to act over ‘purge’ of Turkey’s lawyers by Erdogan”](#) For other media coverage of the joint submissions see, an [interview with Dr. Marina Brilman](#), the International Human Rights Policy Advisor for the Law Society of England and Wales on BBC World Service, an articles in the Times, [European Court cannot help thousands of persecuted lawyers in Turkey](#) and an article in Turkish in [Euronews](#).



Judicial Harassment Against Eren Keskin continues

On 21 May, renowned human rights lawyer, Eren Keskin was sentenced on another charge related to her writings in Özgür Gündem, one of the few independent newspapers in Turkey. Ms. Keskin is an internationally recognized human rights lawyer and currently Vice-President of the Human Rights Association in Turkey, as well as the co-founder of the Legal Aid for Women Who Were Raped or Otherwise Sexually Abused by National Security Forces. In retaliation for her human rights activities, Ms. Keskin has been subjected to multiple instances of persecution and harassment, including assassination attempts, and prosecutions based on overly broad and otherwise illegitimate charges. This time, she was sentenced to 3 years and 9 months in prison on charges of “propaganda on behalf of a terrorist organization” under Article 7(2) of the Anti-Terrorism Law. Due to her title as ‘editor-in-chief’ at Özgür Gündem, over 120 cases have been lodged against her in Turkish courts. As with her previous charges and convictions, the most recent charge against her represents the arbitrary use of the Turkish Penal Code to criminalize internationally protected rights to freedom of speech and expression. On 19 July, LRWC sent a [letter](#) (Brian Samuels, Gail Davidson) to the Turkish Minister of Justice urging the immediate and unconditional release Ms. Keskin, withdrawal of all charges against her, and that all convictions and sentences already imposed on her be vacated. LRWC also wrote letters on behalf of Ms. Keskin on [5 April 2019](#) and on [8 May 2018](#).

UNITED ARAB EMIRATES

7th anniversary of unlawful imprisonment of Dr. Mohammed Al-Roken

2019 marks the 7th anniversary of the unlawful imprisonment (arrested 17 July 2012) of prominent human rights lawyer and law professor Dr Mohammed Al-Roken, who has written a number of books and journal articles on human rights. LRWC joined joint letters calling for his release on [3 March 2015](#) and [4 March 2016](#).

VIET NAM

Human rights defenders still arbitrarily detained through exile

LRWC continues to work with civil society organizations like Lawyers for Lawyers (L4L) and Viet Tan in taking action against the Vietnamese government's ongoing crackdown against human rights defenders and lawyers. On 12 March 2019, L4L [presented a statement](#) to the UN Human Rights Committee prior to its review on Viet Nam's compliance with the International Covenant on Civil and Political Rights. The statement was based on the joint submissions by L4L and LRWC filed in [April 2018](#) and [February 2019](#). On March 28, 2019, the [UN HRC issued its concluding observations](#) Viet Nam, which included an expression of concern about the allegation of Viet Nam's violation of fair trial guarantees, and particularly mentioned the case of Nguyen Van Dai. The Committee called on Viet Nam to ensure fair trials in line with international standards, access to legal counsel for defendants, and protection of lawyers and advocates in line with the UN Basic Principles on the Roles of Lawyers. Since then, LRWC has been working with L4L and researching the issue of exile as a prohibited form of detention, in relation to the case of [Nguyen Van Dai, who is currently living in Germany in exile](#). LRWC members (Catherine Morris, Paul Scambler Q.C.) plan to meet with Nguyen Van Dai in London during September and present him with a brief on the international human rights law prohibitions on exile as a form of punishment. Nguyen Van Dai's and human rights defender Lê Thu Hà, were exiled to Germany as an alternative to remaining in prison. The two had been summarily convicted on 5 April 2018 of "carrying out activities aimed at overthrowing the people's administration" under Article 79 of the Penal Code. Van Dai was sentenced to 5 years in prison and 5 years probation. Lê Thu Hà was sentenced to 9 years in prison and 2 years probation. Both had been arbitrarily detained since their arrest on 16 December 2015. [The WGAD Opinion](#)



Viet Nam human rights defenders. Left to right: Vo An Don, Le Quoc Quan, Nguyen Van Dai

(A/HRC/WGAD/2017/26) released on 8 June 2017 concluded that the detention of Nguyễn Văn Đài is arbitrary under categories I, II, III and IV and the result of the lawful exercise of rights to expression, assembly, and association. Nguyen Van Dai, his wife, Vu Minh Khanh, and Lê Thu Hà, were released to go into exile on 8 May 2018. The 'offer' of exile was perhaps made in response to a joint campaign by several groups including LRWC to shut down the European Union trade talks with Viet Nam trade talks over the detentions.

YEMEN

Communication filed requesting preliminary investigation into Saudi war crimes in Yemen

On 1 July, the Iranian Center for International Criminal Law (ICICL) filed [a communication](#) under Article 15 of the Rome Statute requesting that the Prosecutor of the International Criminal Court open a preliminary examination of war crimes committed by the Saudi-led Coalition during the armed conflict in Yemen since 2015. The ICICL has provided legal arguments of alleged war crimes involving: a/ intentionally directing attacks against civilians and against personnel, installations, material, units or vehicles involved in humanitarian assistance missions; b/ attacks against buildings dedicated to hospitals and places where the sick and wounded are collected; and, c/ intentionally directing attacks against protected objects, such as educational institutions. The war in Yemen, which began in 2011, intensified in 2015 when a coalition of mostly Arab states, under Saudi leadership, intervened to support of self-appointed President Abd Rabbo Mansour Hadi and conducted attacks against the Yemeni people in violation of the Rome Statute and other international law. Yemen is not a party to the Rome Statute so the submissions rely on the actions of nationals of Jordan and the United Kingdom, both parties to the Rome State and part of the Saudi-led coalition.

RESEARCH and PUBLICATIONS

- ***Criminalization of Human Rights Defenders: a guide on international law***
LRWC is proud to announce completion of the draft *Criminalization of Human Rights Defenders: a guide on international law* by Lois Leslie. Production of this important guide was motivated by the growth of ‘rule by law’ practice around the world: the growing trend by many states to use domestic legal systems to arbitrarily punish lawyers and other human rights advocates for exposing, opposing and defending against, human rights violations by state or state-sanctioned actors. This important guide reviews international human rights law (IHRL) provisions and jurisprudence that guarantee advocacy rights, impose duties on states to ensure rights and prevent and punish violations, and prohibit attacks on human rights defenders. In spite or perhaps because of, a plethora of human rights treaties and other instruments recognizing that the implementation of internationally protected rights relies on effective human rights advocacy, states increasingly use domestic laws and legal systems to criminalize the lawful exercise of protected rights. The guide is intended for use by human rights defenders facing arbitrary detention and other unlawful treatment and punishment and advocates seeking remedies for violations.
- **[Canada’s obligation to hold Myanmar accountable for genocide](#)**, Catherine Morris, 13 June 2019. This briefing note outlines Canada’s legal obligation to take action to prevent and punish genocide in Myanmar and the factors that make a referral to the ICC unlikely. It was prepared to inform Canadian Senators, MPs and others about need to take action to ensure remedies for genocide in Myanmar.
- **[Killing the Lawyers: Forty-three Jurists Murdered in the Philippines since 2016](#)**, Maree Bullivant, Gail Davidson, Farhad Ghesimanidad and Catherine Morris, 5 July 2019. Report on the lawyers, prosecutors and judges murdered since August 2016 in the Philippines. This report was prepared for consideration by states regarding the UN Human Rights Council vote on the Philippine resolution. An updated version will be filed for the September session of Council.
- ***Human Rights Catastrophe in Cameroon***, Rob Lapper Q.C., Catherine Morris, Felix Nkongho Agbor, Gail Davidson. This report summarizes and augments the joint report [“The Unfolding Crisis in Cameroon”](#), includes recommendations for action and will be filed with the Human Rights Council.
- **[Joint Stakeholder Submission to the UN Human Rights Council’s Universal Periodic Review – TURKEY](#)**, International Coalition of Legal Organisations, 16 July 2019. These joint submissions, prepared by representatives of eight organizations, were filed for consideration during the 3rd UPR of Turkey. LRWC contributions were made by Sebastian Ennis and Gail Davidson.

UN HUMAN RIGHTS COUNCIL PARTICIPATION



41st Session of the Human Rights Council (UNHRC)

24 June – 12 July 2019

Although not actually present at this session, LRWC made significant contributions by closely following the proceedings (Catherine Morris), pre-registering for oral statements (Vani Selvarajah), contributing to joint oral statements (Gail Davidson, Catherine Morris), endorsing an important side-event and distributing (Catherine Morris) a report on the extra-judicial killings of lawyers in the Philippines for consideration prior to Council voting on a remedial resolution.

Opening Statement of the 41st Session

The UN High Commissioner for Human Rights (HCHR), Michelle Bachelet, opened the 41st session of the Human Rights Council with a statement canvassing a wide array of pressing human rights problems

including extrajudicial and arbitrary executions in Saudi Arabia, the continued use of the death penalty for children in Iran, increased restrictions on expression in Cameroon, the continued crack down on protestors in Sudan, the plight of the Rohingya in Myanmar, and extrajudicial killings in the Philippines, to name a few.

Oral Statements

➤ **China: Repression of human rights lawyers and legal activists**

On 24 June, LRWC was among four NGOs that delivered a [joint statement](#) drawing attention to China's repression of human rights lawyers and legal activists, who continue to be "disappeared, detained, and frequently convicted during secret trials which fail to respect basic rule of law guarantees." The statement specifically referenced the cases of Yu Wensheng, Sui Muqing, Zhou Shifeng, Xie Yanyi, Li Heping, Wang Yu, Liu Zhengqing and Xiaoyuan, 8 of at least 27 documented cases of human rights lawyers whose licenses have been revoked or invalidated since 2016 for failing to adhere to the ideology of the Chinese government. The statement called on the Special Rapporteur on Independence of Judges and Lawyers to "insist that China immediately stop all forms of harassment, intimidation and persecution of human rights lawyers...and unconditionally release those arbitrarily deprived of their liberty."



➤ **Attacks on lawyers in China, Philippines, Saudi Arabia and Turkey**

On 1 July, LRWC took part in a [joint statement](#) with Lawyers for Lawyers (L4L) and the International Bar Association Human Rights Institute (IBAHRI) regarding the arbitrary detention and conviction, extra judicial killings and enforced disappearances of lawyers in China, the Philippines, Saudi Arabia and Turkey. The statement, (Catherine Morris and Gail Davidson), delivered by Ms. H el ene Ramos dos Santos of the IBAHRI asks the Council to insist that these States halt and remedy violations and comply with remedial recommendations of Treaty Bodies and Special Procedures and ensure that all Council members uphold the "highest standards in the promotion and protection of human rights" as required by GA Resolution 60/251. The statement also urged the Council to establish an independent investigation into human rights violations in the Philippines.



Side Event

➤ **Human Rights in China – Strengthening Calls for Accountability**

On 27 June, LRWC co-sponsored a side event along with five other NGOs on "[Human Rights in China – Strengthening Calls for Accountability](#)". Notwithstanding its alarming human rights records, China still remains a member of the Council and to seek to use that position to shield China from scrutiny rather than live up to the highest human rights standards. The event was an opportunity to reiterate the call on the Council to seek access to China, to monitor and report on the situation and to hold China accountable for large scale human rights violations.



22 states endorse letter to UNHCHR calling for action to prevent abuses in China

22 States including Canada released an unprecedented [letter](#) to the High Commissioner for Human Rights on 8 July 2019 decrying “large scale places of detention, as well as widespread surveillance and restrictions, particularly targeting Ughurs and other minorities in Xinjiang. The letter calls on China to respect rights including freedom of religious and to allow the UN High Commissioner to visit Xinjiang to investigate reports of abuses.

Council passes resolution to investigate and report on abuses in the Philippines

Led by Iceland, 35 States, including Canada, presented a resolution to the Council, [Promotion and Protection of human rights in the Philippines, A/HRC/41/L.20](#), 5 July 2019, calling on the Philippines to prevent and remedy extra-judicial killings and other abuses and allow the UN High Commissioner for Human Rights (UNHCHR) to visit and investigate. The resolution directs the UNHCHR to “prepare a comprehensive written report on the situation of human rights in the Philippines” and present it to the Council at the September 2020 session. Prior to the vote, LRWC wrote to selected Council members and other States to request their co-sponsorship and support of the resolution, and to distribute LRWC’s report, [Killing the Lawyers: Forty-three Jurists Murdered in the Philippines since 2016](#), which emphasizes the threat of assassination facing judges, prosecutors and lawyers who act for people accused of drug dealing or criticize the widespread human rights abuses. The resolution was passed by the Council on 11 July (18 yes votes, 15 abstentions, 15 no votes). Voting no were Angola, Bahrain, Cameroon, China, Cuba, Egypt, Eritrea, Hungary, India, Iraq, Philippines, Qatar, Saudi Arabia, and Somalia. The 28-nation European bloc said the first-ever resolution on the Philippines by the UNHRC was a “constructive way forward” for the UN’s highest human rights body to know more about the brutal antinarcotics campaign.

EDUCATION



Day of the Endangered Lawyer 2020

Pakistan has been chosen as the focus for the Day of the Endangered Lawyer 2020.

WORKING PRO BONO during June - July 2019

Clive Ansley, Siobhan Airey, Harjot Brar, Hanna Bokhari, Maree Bullivant, Bill Chu, Paul Copeland, Gail Davidson, Joey Doyle, Sebastian Ennis, Pearl Eliadis Sayeh Hassan, Sarah Gale, Farhad Ghesimanidad, Sayeh Hassan, Tamara Friedland, Joshua Lam, Rob Lapper Q.C., Lois Leslie, Catherine Morris, Michael Mulligan, Renee Mulligan, Felix Nkongho Agbor, Parveen Parmar, Tina Parbhakar, Paria Saremi, Brian Samuels, Melissa Tessler, Aliya Virani.

COOPERATION WITH OTHER NGOS

During June and July LRWC worked with many NGOs including: Amnesty International, Article 19, ASEAN Parliamentarians for Human Rights, Asia Forum for Human Rights and Development, Asian Network for Free Elections, Bar Human Rights Committee of England & Wales, Cambodian Alliance for Trade Unions, Cambodian Center for Human Rights, Cambodian Food and Service Workers Federation, Cambodian Human Rights and Development Association, Cambodian League for the Promotion and Defense of Human Rights, Cambodian Youth Network, Center for Alliance of Labor and Human Rights, China Human Rights Lawyers Concern Group, Civil Rights Defenders, Coalition of Cambodian Farmer Community, European Bar Human Rights Institute, Geneva Bar Association, Equitable Cambodia, German Bar Association, Human Rights Committee, Human Rights Monitor, Human Rights Watch,

Human Rights Commission Abogacía Española – Consejo General, Law Society of England & Wales, Independent Democracy of Informal Economy Association, International Service for Human Rights, International Bar Association Human Rights Institute, Lawyers for Lawyers, International Commission of Jurists, International Federation for Human Rights, International Freedom of Expression Exchange, International Observatory for Endangered Lawyers, Labor Rights supported union of Khmer Employees of NagaWorld, National Union of Peoples’ Lawyers, Norwegian Bar Association, Not One More, Paris Bar Human Rights Institute, Southeast Asian Press Alliance.

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