

LRWC NEWSLETTER

August-September 2019 Edition

LRWC ACTION NEWS and UPDATES

* N.B. the asterisks indicate advocacy successes, i.e. cases where there has been a positive development after LRWC intervention.

ARGENTINA

More about the murder of prosecutor Alberto Nisman



A new six-hour documentary, “[The Prosecutor, the President and the Spy](#),” produced by Barcelona’s Justin Webster, is premiering at Spain’s San Sebastian Film Festival. The documentary investigates the story of Argentine prosecutor Alberto Nisman who was found dead in his home days after making accusations of corruption against the Argentine President for negotiating the impunity of Iranians accused of the Buenos Aires’ 1994 AMIA bombing.

Nisman was also on the eve of testifying in court where he had promised decisive proof of collusion between the Argentine government and the perpetrators in his testimony. The documentary will be “an earthquake” in Argentina, predicts Film Festival director José Luis Rebordinos. LRWC advocacy on Alberto Nisman’s death can be viewed [on the Argentina page](#) of the LRWC website

CAMBODIA*

LRWC joins letter to request scrutiny and call for renewal of Special Rapporteur mandate

28 NGOs including LRWC sent [a joint letter](#) on 28 August to various UN members states to inform states of the ongoing human rights crisis in Cambodia and to request support for a resolution ensuring strengthened scrutiny of the human rights situation in the country at the upcoming 42nd session of the UN Human Rights Council (the “Council”) and for renewal of the mandate of the UN Special Rapporteur on the situation of human rights in Cambodia for another two years. The Human Rights Council voted to extend the mandate.

CAMEROON*

Cameroon must release Mancho Bibixy Tse and pay reparations for violations says WGAD

In July of 2018, [LRWC wrote to authorities in Cameroon](#) protesting the arrest, prosecution, sentencing, and detention of Mancho Bibixy Tse, a radio journalist who broadcasted on Bamunda FM radio in Cameroon. He used his broadcasts to draw attention to the economic and social marginalization of the Anglophone minority in Cameroon, and the violations by Cameroon of the constitutionally protected rights of the Anglophone minority. The concerns set out in LRWC’s letter included the circumstances of his arrest, the length and conditions of his pre-trial detention, the trial before a military tribunal and sentencing for acts that were founded on his exercise of freedom of expression and peaceful assembly



Mancho Bibixy

to protest. Based on LRWC's letter, the UN Working Group on Arbitrary Detention (WGAD) took up Mancho Bibixy's case, and invited Cameroon to respond to LRWC's concerns. Cameroon filed two voluminous responses to which LRWC responded with [submissions](#) and an additional [letter in February](#). On 23 August 2019, the WGAD released an advance unedited version of its Opinion which essentially accepted the legitimacy of the concerns set out in LRWC's communications. The WGAD concluded that 'the deprivation of liberty of Mancho Bibixy Tse contravenes

articles 8, 9, 10 and 11 of the Universal Declaration of Human Rights, and Articles 2, 3, 9 and 14 of the International Covenant on Civil and Political Rights, and constitutes arbitrary detention.' The WGAD recommended immediate release and other remedies, remitted the case to the Special Rapporteur on the Independence of Judges and Lawyers and directed Cameroon to provide a report of action taken in response to the WGAD recommendations within six months. LRWC will continue to monitor Mancho Bibixy Tse's situation. The final edition of the Opinion will be posted when available. Read more about the case [here](#).

Enough is enough say striking lawyers

Lawyers in Cameroon [staged a 5-day strike](#) from 16 to 20 September to protest the treatments of detained individuals. The treatment of clients identified in the [Bar Council's resolution](#) of 31 August includes allegations of torture and confirmed reports of denial of access to lawyers; trials in French for English speaking defendants; prolonged pre-trial detention without proper judicial oversight; and, failure to release defendants granted bail or discharged. The resolution confirms that lawyers themselves have



been threatened, arrested and detained. The lawyers are particularly concerned by the treatment of individuals detained in connection with the fight against Boko Haram, the Anglophone crisis and the post-election controversies and also with the thousands of individuals detained without adequate representation or due process. The lawyers expressed willingness to continue a dialogue with authorities on these issues. LRWC member and Cameroon barrister Felix Agbor Nkongho left Geneva early to attend discussions with the government.

CHINA

LRWC urges medical parole for Wang Quanzhang

LRWC sent a [letter dated 12 August 2019](#) (Gail Davidson, Joseph Doyle) to the Government of China regarding Wang Quanzhang, who has been imprisoned in the country since 2015 and is currently being denied adequate medical treatment. LRWC's letter calls on China to provide Mr. Wang with adequate medical care, in accordance with the international law rights to life and to freedom from cruel and inhumane treatment. The letter further requests China to comply with its international obligations arising from customary international law, the UDHR, its membership on the UN Human Rights Council, and the *Convention Against Torture* to grant Mr. Wang medical parole necessary to receive treatment for his mental and physical ailments.



LRWC joins letter regarding the revocation of lawyer Li Jinxiang's license

LRWC joined 18 other NGOs in a letter dated 14 August 2019 expressing grave concern at the revocation of Li Jinxiang's license to practice law on the basis of posts on a social media platform, alleged to provoke discontent with the Communist Party of China. Since 2017, more than 31 human rights

lawyers and law firms have had their licenses revoked, invalidated or suspended. The letter urges the Chinese government to stop using administrative licensing mechanisms for punishing lawyers acting for clients being prosecuted by the Chinese government, to revoke administrative measures taken against lawyers that improperly interfere with lawyers' professional functions, to guarantee that lawyers will not be threatened or face State obstruction for carrying out their professional duties, and to stop all forms of harassment against human rights lawyers and their law firms.

NGOs urge suspension of cooperation and business with China until abuses are remedied

Twelve international human rights organizations including LRWC, ICJ, ISHR, FIDH/OMCT, Human Rights in China and Amnesty International published an ['open letter on the rule of law in China'](#) on 4 September 2019 calling on the Human Rights Council and states to suspend rule of law cooperation with the People's Republic of China until China takes concrete and measurable steps to implement recommendations of the UN human rights mechanisms. The letter cites the lack of an independent judiciary and China's use of law and legal systems to restrict access to information, criminalize the exercise of protected rights and arbitrarily punish critics and the result: arbitrary and incommunicado detention, disappearances, deaths in custody, alleged torture and ill-treatment of detainees and large-scale detention of Uyghurs and other religious and ethnic minorities. The letter, sent to Human Rights Council members and other states is part of a growing movement amongst civil society groups to call on states to use their diplomatic influence to effectively promote compliance with international human rights norms and oppose violations. States have in the past opted to keep silent about violations of international human rights and humanitarian law in order to protect or promote business interests with the offending state. This has resulted in economically powerful states including members of the Human Rights Council, committing grave violations of international human rights law with absolute impunity which in turn creates acceptance of a certain level of ongoing human rights abuses as the 'cost of business.'

INDONESIA

Rights lawyer threatened with international arrest warrant and revocation of passport

LRWC and L4L sent a [joint letter on 12 September](#), calling on Indonesia to drop charges against and stop harassment of human rights lawyer Veronica Koman. Ms Koman has advocated for human rights issues in West Papua before domestic courts and international fora, is a member of the International Lawyers for West Papua and a board member of the Refugee and Asylum Seekers Information Centre. She is a national of Indonesia, currently in Australia. Indonesia seeks to wrongly use criminal law powers to prevent and punish reporting of unrest and wrongdoing by state authorities in West Papua. Indonesia has announced charges against Ms Koman under Law number 19 of the 2016 Electronic Information and Transaction (Articles 45A (2) and 28 (2) and the Criminal Code Article 160 for disseminating videos of an altercation between military personnel and students at a student dormitory in Surabaya, Java on 16 and 17 August. At that time, in response to a complaint that the flag normally flying outside the dormitory was found in a sewer, military personnel surrounded the dormitory, engaged in racial taunts calling the students dogs and monkeys, used tear gas and made 43 arrests. Subsequently there have been several protests in other locations and calls from West Papuans for an independence referendum. Indonesia has threatened to ask Interpol to issue a 'red notice' and an international arrest warrant for Ms. Koman and to revoke her passport. Interpol should refuse these requests, given its mandate to provide assistance that is "in the spirit of the UDHR" and not of a political character. Concerns raised by LRWC and L4L were reported by [Radio New Zealand/Pacific/Papua](#) and VOA/Indonesia. The letter is in English and Bahasa.

*On 16 September four UN Special Rapporteurs and the Working Group on Discrimination against Women and Girls [published a statement](#) calling for the withdrawal of charges against Ms Koman.



PAKISTAN*

LRWC in the news calling for the safety of Pakistani lawyers

A recent article in Pakistani newspaper The Express Tribune featured LRWC's communications to the government of Pakistan identifying the urgent need to provide effective protection for lawyers in danger and to ensure investigations of attacks on lawyers that that comply with international law requirements and result in the collection and preservation of evidence and identification of suspects necessary to the determination and punishment of perpetrators through prosecutions and trials. The article mentioned LRWC's calls on Pakistan to investigate and remedy the murders of Bilal Anwar Kasi and the estimated 78 others killed 8 August 2016 in the Sandeman civil hospital bombing. International law requirements of effective investigations as an integral part of the state duty to protect the right to life is set out in LRWC letters including those of [9 December 2016](#), [12 October 2017](#) and [24 April 2018](#).

PHILIPPINES

Over 150 civil society groups join to express concern at the plight of lawyers in the Philippines



A joint statement was released on 17 September 2019 urging the Philippine Government to stop the extra-judicial killings of lawyers, allow investigations that ensure accountability for perpetrators and guarantee the safety of lawyers and judges in the Philippines. The statement initiated by Lawyers for Lawyers and co-signed by LRWC was endorsed by over 150 bar associations, NGOs and other organizations representing lawyers and legal professionals from 49 countries in Africa, Asia, Australia, Europe, North America and South America. These groups joined to express their shared concern with attacks against lawyers in the Philippines and the dangers the face since the start of President Duterte's administration in July 2016.

TURKEY*

LRWC urges Turkey to vacate conviction of Nurullah Albayrak

On 8 August 2019, LRWC sent a letter (Brian Samuels Q.C., Gail Davidson) to Turkey objecting to the conviction and sentencing of lawyer Nurullah Albayrak. The letter states that the alleged crimes that underline his conviction are not in fact crimes under Turkish law and would not be considered crimes in any country governed by the rule of law. LRWC urged Turkey to immediately and unconditionally withdraw all charges against Mr. Albayrak and vacate the convictions and sentences imposed. The WGAD is considering a review of this case on the basis of the concern raised by LRWC.



Nurullah Albayrak

Groups investigate violations of the fair trial rights of 18 lawyers convicted

Several organizations, including the [European Association of Lawyers for Democracy & Human Rights](#), the Day of the Endangered Lawyer, and [European Democratic Lawyers](#), are preparing for a fact-finding mission in Turkey from the 13th to 15th of October to investigate the convictions, sentencing and pending appeals of 18 lawyers from the Çağdaş Hukukçular Derneği, in English the Progressive Lawyers Association (CHD). The organizations hope to bring attention to all possible violations of internationally protected fair trial rights that occurred in the course of the arrest, detention, trials and appeals. The groups invite participation and have documents available to share with anyone interested.

The [Arrested Lawyers Initiative reports](#) that as of 1 September 2019, “more than 1500 lawyers have been prosecuted and 599 lawyers arrested. So far, 321 lawyers have been sentenced to 2022 years in prison on the grounds of membership of an armed terrorism organization or of spreading terrorist propaganda.”

SAUDI ARABIA*

NGOs call for action by the Human Rights Council and States to stop abuses in Saudi Arabia

Twenty NGOs including LRWC, Amnesty, ISHR, Human Rights Watch and FIDH/OMCT, as a follow up to the [20 June 2019 Open Statement by 40 NGOs](#), sent a joint letter on 28 August 2019 to members of the Human Rights Council and to the foreign affairs ministries of many states. The letter, sent privately asked states to support action at

the 42nd session of the UN Human Rights Council action on Saudi Arabia, including by demanding the unconditional and immediate release of Saudi women human rights defenders, for all charges to be dropped against them, and supporting a resolution establishing a monitoring mechanism over the human rights situation in the country. States were asked to: “support Saudi women human rights defenders, who have been forcibly disappeared, arbitrarily detained and tortured as a direct result of their peaceful activism and demands for women be treated as equals to men in their country; including by supporting the calls made to States by over 50 organizations from across the world to adopt a resolution setting up a monitoring mechanism over the human rights situation in Saudi Arabia.”



Thirteen UN Special Rapporteurs call on Saudi Arabia to stop abuses and release defenders *

Following the joint letter of 28 August and the joint oral statement (see below) on 25 September, thirteen UN HRC Special Rapporteurs [published a joint statement](#) calling on Saudi Arabia to end the crackdown on human rights defenders and stating, “[w]e call upon the Government to immediately release Ms Al-Hathloul and all other human rights defenders in Saudi prisons, and urge the Government to launch a prompt, effective and independent investigation into whether she has been tortured. No one should suffer such adversity for exercising their right to defend the human rights of others.”

Complaint to the UN Working Group on Enforced and Involuntary Disappearance: Samar Badawi



Samar Badawi

A complaint to the Working Group on Enforced and Involuntary Disappearances (WGEID) by the Raoul Wallenberg Centre for Human Rights (RWCHR) endorsed by LRWC alleges that Saudi activist Samar Badawi was subjected to enforced disappearance within the Saudi prison system after her arrest on or about 30 July 2018. The complaint was filed in response to two reports by the WGEID. The [WGEID reported](#) asking Saudi Arabia in the fall of 2018, to provide information about the whereabouts and treatment since the July 2018 arrest by Mabahith State security forces (see A/HRC/WGIED/116/1 at para. 143 (c)). In May 2019, the [WGEID reported](#) deciding to ‘clarify’ the case of Samar Badawi (see A/HRC/WGIED/117/1 at para. 115). LRWC will provide the WGEID with its updated brief, [The Arbitrary Detention of Samar Badawi](#). Samar is an internationally respected human rights activist targeted by the Saudi regime for her lawful advocacy. Details of calls by other UN and EU bodies for her release are set out in the LRWC brief.

VIET NAM

Seven NGOs including LRWC sent an [Open letter dated 25 September](#) calling on the European Union (EU) to delay implementation of the European-Vietnam Free Trade Agreement until Viet Nam demonstrates its commitment to international human rights law and to remedy violations. The letter cites use of laws to criminalize the peaceful exercise of internationally protected rights and the use of executive controlled courts to arbitrarily convict and imprison critics, journalists and human rights defenders. The letter suggests that before the EU expands economic relations, Viet Nam must: satisfy human rights



benchmarks identified by EU Parliamentarians, adhere to international labour standards, and, comply with the recommendations of UN treaty monitoring bodies and Special Procedures. The letter which was sent to the EU President, EU Human Rights Committee and all EU member states, was endorsed by an additional 41 organizations. .

ZAMBIA

LRWC joins six NGOs in voice concerns over Zambia's proposed constitutional amendment

On 5 August 2019, LRWC joined six other NGOs published a [press release](#) voicing deep concern regarding proposed changes to Zambia's Constitution which, if enacted, could negatively impact the independence and impartiality of the judiciary. The proposed Zambian Constitutional Amendment Bill 2019, provides that a judge may be removed from office if they are "legally disqualified from performing judicial functions", yet the Bill does not set out the circumstances of specific infractions that could lead to a judge being removed under this new provision. The vagueness of the provision increases the risk of judges being removed on politically motivated grounds, threatens the rule of law and separation of powers, and violates the principle of legal certainty.

PUBLICATIONS, REPORTS and RESEARCH

Research

LRWC volunteers worked on several important international human rights law issues. Their ongoing research is available for use and feedback by LRWC volunteers and partner organizations.

Working Papers

Papers posted and distributed to other NGOs for feedback

- [Freedom from Exile – International Law: Viet Nam and the exile of Nguyễn Văn Đài and Lê Thu Hà](#), Draft working paper, prepared for LRWC by Gail Davidson, Joshua Lam and Aliya Virani; released for feedback to partner NGOs, 12 September 2019.
- [The Arbitrary Detention of Samar Badawi](#), prepared for LRWC by Gail Davidson, Tamara Freidman and Parveen Parmar, released for feedback to partner NGOs 20 September 2019.

Memos

Memos not finalized or posted for available to LRWC members working on related issues

- **Myanmar** - Memo on reports of the International Fact Finding Mission, Oliver Buck.
- **Myanmar** - Status of international proceedings to prosecute crimes against the Rohingya, Oliver Buck
- **Yemen** - Arms trade with Saudi Arabia, Maya Diekmann, 20 September 2019
- **Sudan, Saudi Arabia** - Use of public relations firms to distort reporting of rights abuses, Paria Sameni
- **Saudi Arabia** - WGAD Opinions on arbitrary detention 2002 to 2018, by Natasha Rygnestad-Stahl.

Reports

- **Cambodia** - *The roots of Cambodia's persistent rights violations: Impunity of the powerful*
- **Cameroon** - *Human Rights Catastrophe in Cameroon*
- **Philippines** - *Extrajudicial killing of jurists*
- **Thailand** - [Unforgotten in Thailand: Ensure truth, justice, and reparation for victims of enforced disappearance](#)

UN HUMAN RIGHTS COUNCIL PARTICIPATION

42nd Session of the Human Rights Council (UNHRC)

Three LRWC representatives attended and participated in the September session of the HRC: Catherine Morris and Paul Scambler Q.C. of Victoria, Canada attended 16 to 27 September Felix Agbor Nkongho of Yaoundé, Cameroon, attended from 9 to 20 September. LRWC representatives met with NGOs and members of Special Procedures Working Groups, and attended side events, including on [Saudi women defenders](#), organ harvesting in China, and other topics. In addition to filing four written statements, LRWC participated in nine oral statements delivered during the session. Prior to the September session LRWC had joined two letters urging states to take action at Council to stop and remedies widespread human rights abuses by China and Saudi Arabia.

Oral Statements

- **[Human rights crises in China, the Philippines, Saudi Arabia and Cameroon](#)**. This statement (drafted by G. Davidson and Catherine Morris), was presented by Felix Agbor Nkongho on 11 September and can be [viewed online](#) at Chapter 74.
- **[Arbitrary detention of lawyers and defenders in China, Saudi Arabia, Turkey, and Cameroon](#)**. This LRWC statement (drafted by Rob Lapper QC and Felix Nkongho Agbor), was presented by Felix Agbor Nkongho on 16 September and can be viewed [here](#) at Chapter 55, at 01:29:37.
- **South Sudan – [Disappearance and killing of human rights defenders in South Sudan](#)** This LRWC Statement (drafted by Temisan Boyo), was presented by Paul Scambler QC on 16 September can be [viewed online](#) at Chapter 21, at 00:37:23.
- **Myanmar & Bangladesh: [Rights, dignity, and future of genocide survivors at stake](#)**. This joint statement by LRWC and the Asian Legal Resource Centre (ALRC) (drafted by Zaman Ashrafuzzaman and Catherine Morris), was presented on 16 September by Catherine Morris, can be [viewed online here](#).
- **Philippines: [Halt assassinations of lawyers and ensure accountability for perpetrators](#)**. This joint statement of Lawyers for Lawyers (L4L) and LRWC was presented by Catherine Morris on 16 September [can be viewed online](#).
- ***Saudi Arabia – Release Loujain Al-Hathloul**. This joint statement by ISHR and LRWC, prepared by ISHR and presented by Loujain Al-Hathloul's sister, Lina Al-Hathloul on 25 September, called on the HRC to ensure her immediate and unconditional release and accountability for authorities responsible for her torture. The statement [can be viewed online](#).
- **Cambodia – [Failure to fulfill international law obligations](#)**. - This joint statement (drafted by Catherine Morris) by LRWC, the International Commission of Jurists and the ISHR was presented on 25 September by Catherine Morris. The [presentation can be viewed here](#).
- **Sudan - [Grave violations against protesters continue under transitional government](#)**. This statement (Temisan Boyo) was presented by Paul Scambler on 25 September. The presentation [can be viewed here](#).
- **Yemen – [Call to ban export of arms to conflict in Yemen](#)**. This LRWC statement (G. Davidson) was presented by Paul Scambler on 26 September. The presentation [can be viewed here](#).



WRITTEN REPORTS

Cambodia – The roots of Cambodia’s persistent rights violations: Impunity of the powerful

LRWC submitted a joint written statement with the Asian Legal Resource Centre Session of the HRC highlighting the continued lack of fulfillment of Cambodia’s international human rights obligations. The report asks the HRC to extend the mandate of the Special Rapporteur on the Situation of Human Rights in Cambodia and urges Cambodia to make significant changes to ensure full cooperation with the HRC and its monitoring bodies and to prevent and remedy violations against human rights defenders.

Cameroon - *Human Rights Catastrophe in Cameroon*

LRWC, supported by the Centre for Human Rights and Democracy in Africa (CHRDA) and the Raoul Wallenberg Centre for Human Rights (RWCHR), submitted a written statement [to the 42nd Session of the HRC](#) seeking an end to catastrophic atrocities taking place in the Northwest and Southwest regions of Cameroon. Since October 2016, Anglophones have been targeted with violence and persecution by state authorities and a separatist movement has responded with violent acts. Government authorities and armed insurgency groups have reportedly perpetrated sexual assault, torture, and public humiliation of women and girls throughout Anglophone regions. Crimes reported in the Anglophone regions include murder and lethal force against civilians, mass arbitrary arrests and detentions and torture. An estimated 500,000 civilians have been forcibly displaced. The report asks for an independent international investigation into the grave and widespread human rights violations by state and non-state actors against civilians. A [press release published 26 August](#) summarizes the report.

Philippines - *Extrajudicial killing of jurists*

LRWC was joined by six other legal organizations in a written statement to HRC calling for a halt to tens of thousands of extrajudicial killings in the Philippines, currently a HRC member. Among the dead are 46 lawyers, prosecutors and judges and at least 134 human rights defenders assassinated between August 2016 and 5 September 2019 in the Philippines. The statement highlights the killings as part of a “pattern of gross and systematic violations of human rights” by the Philippines in its “war on drugs” that has led to the extrajudicial killing of up to 27,000 people with impunity since President Duterte took office on 30 June 2016. The statement, written by LRWC, is joined by Lawyers for Lawyers (L4L), Asian Legal Resource Centre (ALRC), International Association of Democratic Lawyers (IADL), International Association of People’s Lawyers (IAPL), Bar Human Rights Committee of England and Wales (BHRC) and the Philippines National Union of Peoples’ Lawyers (NUPL). The statement links to a [list of 45 jurists who had been murdered](#) at the time of submission of the statement. A 46th jurist, a lawyer, was murdered on 5 September. The [press release published 9 September](#) summaries the issues raised and the remedies requested.

Thailand - *Unforgotten in Thailand: Ensure truth, justice, and reparation for victims of enforced disappearance*

LRWC, joined by the ALRC, submitted [a written statement to the HRC](#). The report highlights a pattern of impunity for enforced disappearances in Thailand despite years of promises to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (UNCED) and to pass legislation making enforced disappearance a crime. The statement requests the HRC urge Thailand to: a/ensure independent, impartial and thorough investigations into all enforced disappearances; b/ accept the WGEID’s request for a country visit, c/ratify UNCED, d/ ensure revision and adoption of the draft Prevention and Suppression of Torture and Enforced Disappearance Act; e/guarantee protection from harassment for all relatives and others seeking justice for victims of enforced disappearances; and, f/ guarantee defenders in Thailand the right to conduct human rights activities in accordance with the UN Declaration on Human Rights Defenders

All four of these LRWC reports are published as official HRC reports and can be accessed on the [UN HRC website](#).

Letters to HRC members and State representatives

LRWC joined other NGOs in three joint letters to states urging action to prevent and remedy human rights abuses in Saudi Arabia, China and Cambodia. China and Saudi Arabia are currently member of the HRC. Open statements by NGOs are increasingly used to persuade states to take a stand against human rights abuses by economically powerful states such as China and Saudi Arabia.

*For example, the joint statement on Saudi Arabia (see Saudi Arabia section above), was followed by 24 States making a [joint statement to the HRC on 23 September 2019](#) expressing collective concern at continuing reports of human rights defenders in Saudi Arabia and their colleagues and families being routinely subjected to torture, arbitrary detention, enforced disappearance, unfair trial and other forms of treatment prohibited by international law. The joint statement, although mild and laced with underserved praise for reforms by Saudi Arabia, is important. It acknowledges the duty of states to promote and protect universal rights globally, a duty vigorously refuted by Saudi Arabia. It also identifies Saudi Arabia's rights violations as intolerable. The statement was delivered by Australia and endorsed by: Belgium, Canada, Croatia, Denmark, Estonia, Finland, Germany, Iceland, Ireland, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Montenegro, Netherlands, New Zealand, Norway, Peru, Slovakia, Slovenia, Sweden and the United Kingdom.

INTERNATIONAL CRIMINAL COURT (ICC)



On July 4, 2019, the Office of the Prosecutor of the ICC requested authorization to open an investigation into alleged crimes against the Rohingya from Myanmar, including deportation that have occurred since October 9, 2016. Although Myanmar is not a party to the Rome Statute, the ICC Pre-Trial Chamber, in a precedent-setting decision on 6 September 2018, authorized a preliminary investigation of forced deportation, persecution and other Rome Statute crimes. The authorization was based on Bangladesh being a State Party

to the ICC and 'clearances' of Rohingya by Myanmar authorities involving killing, rape, torture, the razing of homes and villages and other grave rights violations that killed thousands of Rohingya and forced an estimated 1 million to seek refuge in Bangladesh. Conditions in Myanmar make the safe return of Rohingya people impossible at present. UN monitors [reported in September](#) 2019 that "[t]he 600,000 Rohingya remaining inside Myanmar face systematic persecution and live under the threat of genocide." UN monitors demand accountability which they say can only be achieved with the support of the international community. UN reports on Myanmar can [be accessed here](#). LRWC advocacy on the obligation of other states to seek accountability for the crimes against the Rohingya people [can be accessed here](#).

NOTABLE DECISION

The right to say no recognized as part of the African Charter

In [Baleni & Others v Minister of Mineral Resources and Others](#), the Xolobeni community and the Amadiba Crisis Committee defending their territory against titanium mining on the East Coast of South Africa, won a historic judgment in the Pretoria High Court, on November 22, 2018. The court upheld their right to say no, in this case to mining. The Court concluded that even though the African Charter does not expressly provide for free, prior and informed consent, the bodies responsible for interpretation have held that no decisions may be made about people's land with free, prior and informed consent.

WORKING PRO BONO during June - July 2019

Clive Ansley, Hanna Bokhari, Temisan Boyo, Harjot Brar, Oliver Buck, Maree Bullivant, Gail Davidson, Maya Diekmann, Joseph Doyle, Sebastian Ennis, Sarah Gayle, Farhad Ghaseminejad, Julius Grey, Sayeh Hassan, Joshua Lam, Rob Lapper QC, Catherine Morris, Felix Agbor Nkongho, Tina Parbhakar, Parveen Parmar, Brian Samuels QC, Paria Sameni, Paul Scambler QC, Melissa Tessler, Aliya Virani.

COOPERATION WITH OTHER NGOS

LRWC worked with hundreds of other human rights organizations during this reporting period, including the: International Service for Human Rights, International Bar Association Human Rights Institute, International Commission of Jurists, FIDH/OMCT, Human Rights in China, European Association of Lawyers for Democracy & Human Rights, Day of the Endangered Lawyer, European Democratic Lawyers, Amnesty International, Lawyers for Lawyers (L4L), Asian Legal Resource Centre (ALRC), International Association of Democratic Lawyers (IADL), International Association of People's Lawyers (IAPL), Bar Human Rights Committee of England and Wales (BHRC) and the Philippines National Union of Peoples' Lawyers (NUPL), Centre for Human Rights and Democracy in Africa (CHRDA), Raoul Wallenberg Centre for Human Rights (RWCHR), Commonwealth Lawyers Association, Commonwealth Magistrates' and Judges' Association and the Southern Africa Litigation Centre, Defend the Defenders, Freed Vietnam Journalists Association, Reporters Without Borders and Viet Tan. Thank you to all these organizations and the dedicated people defending rights and human rights defenders under attack.

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