

International Human Rights **ACTION NEWS**

Lawyers' Rights Watch Canada

Summer 2020

LRWC NEWS and UPDATES April to June 2020

LEADING NEWS

China's new "national security law" violates international human rights in Hong Kong



On 30 June 2020, China's national legislature enacted a new national security law for Hong Kong. The contents of the law were kept secret until [after it was passed](#).[□] There was no consultation with Hong Kong's legislature. The text was released to the public on 30 June, late at night, in Chinese only.

The law creates four [new offences](#),[□] all of which are broadly defined: secession, subversion, terrorism, and collusion with foreign forces to endanger national security. The law provides for lengthy jail sentences, overrides, Hong Kong laws, provides for secret trials, provides for new procedures, increases police powers, and allows the Chinese executive to select Hong Kong judges for national security cases. The law is [expansively extraterritorial in its scope](#) and can apply even to offenses committed "outside the region by a person who is not a permanent resident of the region."

Reports on the [contents](#)[□] of the new law indicate that it violates the [International Covenant on Civil and Political Rights \(ICCPR\)](#), which extends to Hong Kong under the terms of the UK's handover. While China has not ratified the ICCPR, it has endorsed the [Universal Declaration of Human Rights](#),[□] which, like the ICCPR, provides for fair trial rights and an independent judiciary as well as rights to freedom of opinion, expression, association, and peaceful assembly.

A few hours after later, police began to [arrest people](#)[□] for holding a Hong Kong independence flag. On Wednesday 1 July, hundreds of people participated in street demonstrations to mark the 23rd anniversary of the city's 1997 handover of Hong Kong from the United Kingdom to China. Hong Kong Police arrested more than 70 peaceful protestors for participating in "unauthorized assemblies." Two are reportedly arrested for suspected violations of the new national security law. Lawyers' Rights Watch Canada monitors are reviewing the legislation and monitoring its implementation.

Global Call to End Systemic Racism: “Time to Move from Words to Deeds”

“Black lives matter. Indigenous lives matter. The lives of people of colour matter.”

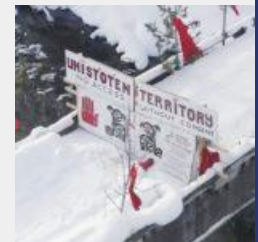


These were the words of UN High Commissioner for Human Rights at an urgent debate held by the UN Human Rights Council on [17 and 18 June, 2020](#).³⁷ The Council called the rare urgent debate after 54 African States insisted on immediate action towards ending systemic racism against Africans and people of African ancestry.

On 25 May 2020, millions of people were galvanized by the brutal torture and murder of an unarmed Black man, George Floyd by a police officer, in broad daylight in Minneapolis, Minnesota. Violent suppression of peaceful protests in the US sparked global outrage about systemic racism and impunity for police violence against Black people, Indigenous Peoples and people of colour around the world.

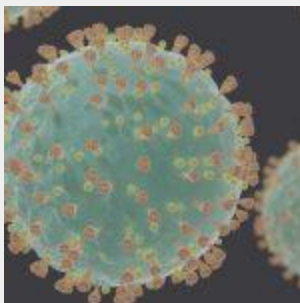
On 8 June 2020, LRWC co-signed an ACLU-led joint [letter](#) asking member states of the UN Human Rights Council to convene a Special Session to call for an independent inquiry into racist policing and excessive use of force against peaceful protesters and journalists in the US. The Council responded by holding an urgent debate in Geneva on 17-19 June 2020. LRWC was among the NGOs joining an [oral statement](#)³⁸ at the urgent debate [by the ACLU](#) and delivered by the Geneva-based International Service for Human Rights (ISHR). The member States of the Human Rights Council adopted a consensus resolution [A/HRC/43/L.50](#) on 19 June requesting the UN High Commissioner for Human Rights “to prepare a report on systemic racism, violations of international human rights law against Africans and people of African descent by law enforcement agencies, especially those incidents that resulted in the death of George Floyd and other Africans and of people of African descent.

Systemic racism is not confined to Black lives in the US but extends to the Indigenous Peoples and people of colour around the world, including [Canada](#). On 23 June, LRWC’s Executive Director, Catherine Morris, wrote an [article](#), published by the Canadian online law magazine, *Slaw.ca*, reflecting on the urgency of moving from rhetoric to meaningful action to address Canada’s historic systemic racism against First Nations, Inuit, Métis, and other Indigenous Peoples as well as Black people and people of colour.



COVID-19 AND HUMAN RIGHTS

Call to UN Member States: Don’t Violate Human Rights While Responding to COVID-19



Around the world, journalists, defenders, and others have been threatened and punished for speaking about the impact of COVID-19 in their countries, including Tajikistan, Niger, Egypt, Thailand, Saudi Arabia, El Salvador, Bangladesh, and China. In a virtual information session with the UN High Commissioner for Human Rights on 9 April 2020, Lawyers’ Rights Watch Canada was one of 33 NGOs presenting a [written statement](#), “Civil society’s call to States: We are in this together, don’t violate human rights while responding to COVID-19.” The statement lists States that have used the pandemic as an excuse to enact legislation curtailing fundamental freedoms, including Hungary, Armenia, Azerbaijan, and the Philippines; the statement

also comments on Hong Kong’s abuses of emergency powers to suppress peaceful assemblies. Also

listed are countries where internet restrictions have prevented many people from accessing information vital to their protection from the virus, such as India, Myanmar, and Bangladesh. The statement asks States to comply with their international law obligations and ensure that restrictions on human rights are “necessary, proportionate, inclusive, time-limited and meet all other requirements under international human rights law.”

COVID-19 Civic Freedom Tracker

The International Centre for Not-for-Profit Law and the European Centre for Not-for-Profit Law have created a [COVID-19 Civic Freedom Tracker](#) to monitor government responses to the pandemic that affect civic freedoms and human rights, focusing on emergency laws.

INTERNET FREEDOM AND SECURITY

Global internet freedom and security is more important than ever

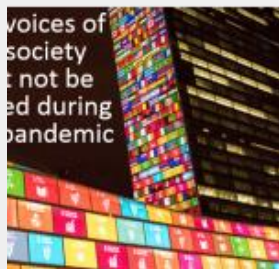
Human rights defenders are increasingly concerned about internet freedom and security. On 29 June, LRWC joined hundreds of civil society and human rights organizations and thousands of individuals around the world in signing a letter to ask the US Congress to express support for the Open Technology Fund (OTF) and ensure that recently-appointed leadership of the United States Agency for Global Media (USAGM) does not dismantle OTF or rescind support for its independent work towards safeguarding internet security.

Joint letter to UN Member States: Ensure meaningful civil society participation in the 2020 virtual High Level Political Forum

In a June 2020 [letter](#), LRWC joined 460 other civil society organizations from 115 countries seeking support from UN Member States to ensure effective participation of civil society during the UN High Level Political Forum (HLPF) scheduled for 7-16 July 2020. As the HLPF transitions to virtual communication and convening for its July 2020 session due to the global spread of the COVID-19 pandemic, the statement referenced the 23 April 2020 of UN Secretary General António Guterres, “We are all in this together,” in which he emphasized the role of civil society as essential to implementing the [Sustainable Development Goals \(SDGs\)](#). The statement made specific recommendations for enabling civil society participation in the Forum.

AZERBAIJAN

The Day of the Endangered Lawyer (DOEL)



Each year on January 24th, members of the legal community around the world honour the courage and commitment of lawyers on the frontlines of efforts to promote human rights and to uphold the rule of law. On 16 June 2020, a coalition of international lawyer organizations and bar associations, led by [The Day of the Endangered Lawyer Foundation](#), selected Azerbaijan as the country of focus for 2021. Lawyers’ Rights Watch Canada is a member of the coalition.

In Azerbaijan, there are concerns about independence of the legal profession, including reported political biases in the bar admission process. Human rights lawyers have been suspended or disbarred, and only a handful of lawyers are permitted to defend people’s rights in Azerbaijan’s courts. In preparation for the Day of the Endangered Lawyer on 24 January 2021, LRWC will join with other lawyers’ organizations in Canada to raise awareness about the situation of lawyers in Azerbaijan while continuing to advocate for lawyers at risk in countries of concern and discussed in DOEL events in [previous years](#).

BAHRAIN

Human rights defender Nabeel Rajab is finally free after four years!



On 9 June 2020 human rights defender Mr. Nabeel Rajab was [released](#) from prison in Bahrain after spending nearly four years in arbitrary detention in relation to Twitter posts and media interviews criticizing Bahrain’s human rights record. Nabeel Rajab is the co-founder and President of the Bahrain Center for Human Rights (BCHR) and founding Director of the Gulf Center for Human Rights (GCHR). He was reelected Deputy Secretary General of the International Federation for Human Rights (FIDH) in March 2020. He was released on a non-custodial sentence, a new system allowing Bahraini courts to convert jail terms into alternative sentences. LRWC has been engaged in advocacy for Nabeel Rajab since he was [arbitrarily detained in 2016](#) and during previous judicial harassment and arbitrary detention [during 2012-2014](#).

CAMBODIA

Civil society seeks changes to State of Emergency Law

Lawyers’ Rights Watch Canada endorsed a 13 May 2020 [joint statement](#) of more than 60 Cambodian civil society organizations. The statement outlined concerns about Cambodia’s recently-passed State of Emergency Law and called on the Cambodian government to undertake inclusive consultation with all stakeholders with a view to amending the law to bring it into compliance with their international human rights obligations.

CAMEROON

Harassment of human rights law and law school instructor



LRWC led a [joint letter](#) to the government of Cameroon from several Canadian academic bodies and individuals seeking reinstatement of Felix Agbor Nkongho to his position as a law lecturer at the University of Buea. In May 2020 he was arbitrarily relieved of his teaching duties after he and his two co-lecturers asked their students to engage in scholarly discussion of the Anglophone crisis. Cameroon’s Minister of Higher Education ordered the University to take measures against Mr. Agbor Nkongho for infringing on the “apolitical character of the university.” The joint letter reminded the Cameroon government leadership of the provisions of the 1998 United Nations (UN) [Declaration on Human Rights Defenders](#) ² which requires Cameroon to ensure that everyone “has the right, individually and in association with others, to participate in peaceful activities against violations of human rights and fundamental freedoms” and called on them to ensure the protection of human rights defenders against any “retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action” as a consequence of their legitimate exercise of their internationally-protected rights.

Mr. Agbor Nkongho is a human rights lawyer and prominent civil society leader who has advocated for international human rights, including at the UN Human Rights Council in Geneva in [2018](#) and [2019](#). Mr. Agbor Nkongho’s dismissal is believed to be part of a pattern of intimidation and aggression towards him for his human rights advocacy for the protection of the rights of the Anglophone minority in Cameroon. LRWC in 2019 sent a [written statement](#) to the Human Rights Council about alleged crimes against humanity and targeted reprisals against defenders. On 11 June 2020 a newspaper in Cameroon printed a detailed [article](#) about LRWC’s joint letter.

The Global Campaign for Peace & Justice in Cameroon: Ceasefire challenge

Défi de cessez-le-feu COVID-19

LRWC joined 20 other organizations in endorsing in the [COVID-19 Ceasefire Challenge](#) issued on 22 June 2020 by the Global Campaign for Peace and Justice in Cameroon. The Ceasefire Challenge calls on the warring parties in Cameroon's Anglophone conflict to declare a humanitarian ceasefire. In September 2019, LRWC submitted a written statement to the UN Human Rights Council calling for an independent international investigation of violations against civilian populations by government and non-state actors, including violations that may amount to crimes against humanity. LRWC's 2019 statement summarized grave concerns about lack of effective investigations to identify and hold perpetrators accountable for extrajudicial killings, excessive and unlawful use of force by authorities, torture, reprisals against human rights defenders, and violations of rights to freedoms of expression and assembly, sexual assault, torture, and public humiliation of women and girls throughout Anglophone areas.

CANADA

UN experts confirm Canada's duty to repatriate nationals

"Canada has an obligation to intervene in favour of its nationals abroad, particularly if there are reasonable grounds to believe that their non-derogable human rights have been violated," stated [UN experts on 20 May 2020](#). This statement confirms one of the recommendations made by LRWC to the government of Canada in a March 2018 submission on to the Standing Committee on Foreign Affairs and International Development on [consular protection and diplomatic intervention](#).

Call for human rights oversight of government responses to the COVID-19 pandemic

LRWC was among 157 organizations and 144 individuals from across Canada who signed a 15 April [2020 letter](#) calling for strengthened human rights oversight of Canadian government responses to the COVID-19 pandemic. On 9 June 2020, LRWC wrote a follow-up letter to Canada's Minister of Justice David Lametti requesting information on what steps were being taken to engage a broad group of stakeholders, including First Nations, Métis and Inuit representatives to identify and monitor human rights gaps and violations during the pandemic and to plan for coordinated implementation of Canada's international human rights obligations.

Time to take action on systemic racism in Canada

See the article above on ["Now is the Time to Move from Words to Deeds."](#)

CHINA

Lawyer Wang Quanzhang Released and Reunited with Family



Chinese human rights lawyer Wang Quanzhang was released from detention on 5 April 2020. He was arrested during the "[709 Crackdown](#)" (which started on July 9th in 2015). After being detained in a secret location for more than 1200 days, Wang Quanzhang was tried behind closed doors on 26 December 2018 and in January 2019 was sentenced to four years and six months in prison and to deprivation of his political rights for five years. Following his release, Wang Quanzhang was taken by police to the city of Jinan in eastern China, instead of to his family in Beijing. In Jinan, he was forced to quarantine for fourteen days away from his family, and his communication with the outside world was restricted. On 20 April 2020, Lawyers' Rights Watch Canada signed a [joint letter](#) calling for Wang Quanzhang to be reunited with his family and for freedom for him and his family from Chinese state harassment, surveillance, and persecution. On 27 April 2020, Wang Quanzhang was finally reunited with his family in Beijing.

In early May, [he announced](#) that he plans to challenge Chinese courts over his convictions, noting that his prolonged arbitrary detention and denial of legal defence during the hearing were illegal under the Chinese Criminal Procedure Law.

People’s tribunal on Forced Organ Harvesting of Prisoners of Conscience in China: Final Judgement released



In June 2020, Lawyers’ Rights Watch Canada joined six organizations, led by the International Coalition to End Transplant Abuse in China (ETAC), in sending letters to several UN Human Rights Council Special Procedures mandate holders to discuss the work and findings of a 2018-2019 people’s tribunal on forced organ harvesting in China. The Independent Tribunal into Forced Organ Harvesting of Prisoners of Conscience in China (China Tribunal) was established in London, UK, in 2018 and chaired by Sir Geoffrey Nice QC, who from 2001-2006 served as lead prosecutor of Slobodan Milosevic at the UN International Criminal Tribunal for the Former Yugoslavia. The Final Judgement of the China Tribunal was delivered on 17

June 2019 and found, beyond reasonable doubt, that forced organ harvesting from prisoners of conscience in China has occurred. Following the China Tribunal’s judgement, in August 2019 ETAC led a [joint letter](#) to the UN High Commissioner for Human Rights seeking a UN Human Rights Council Commission of Inquiry (COI) into forced organ harvesting in China. The letter was signed by several organizations including LRWC. In September 2019, the organizations wrote a joint letter to member States of the UN Human Rights Council requesting that States support an urgent resolution for a COI into Forced Organ Harvesting in China. The full [final judgement](#) of the China Tribunal was published in March 2020. See an [eight-minute video](#) summarizing the findings of the China Tribunal (several languages available). For background, see Clive Ansley’s article on the [Landmark Decision from London People’s Tribunal](#).

UN experts call for decisive measures to protect fundamental freedoms in China

On 26 June 2020, 50 independent experts appointed by the UN Human Rights Council joined together in a blistering summary of China’s massive and egregious human rights abuses. The Special Procedures Mandate holders [called on all States to take decisive collective measures](#) to insist on protection of people’s fundamental rights in and by China. The UN independent experts letter stated they believed “it is time for renewed attention on the human rights situation in the country, particularly in light of the moves against the people of the Hong Kong SAR, minorities of the Xinjiang Autonomous Region, the Tibet Autonomous Region, and human rights defenders across the country.”

Hong Kong: LRWC calls on Hong Kong to drop charges against pro-democracy leaders



In a [letter dated 12 May 2020](#), LRWC called on the Hong Kong Special Administrative Region (HKSAR) to immediately drop all charges against 15 pro-democracy leaders wrongfully arrested in violation of Hong Kong’s international human rights law obligations. On 18 April 2020, Hong Kong police arrested the high-profile pro-democracy activists, including Democratic Party founder and barrister Martin Lee; former lawmaker and barrister Margaret Ng; and media owner Jimmy Lai. Previous and current legislative council members were also arrested.

The 15 were all arrested on suspicion of organizing and participating in unauthorized protests against the HKSAR government’s proposed extradition bills. The protests had occurred on 18 August, 1 October, and 20 October 2019. All those arrested were released on bail after being charged with unlawful assembly. LRWC’s letter states that charges against the community activists under the Public Order Ordinance contravene Hong Kong’s international law obligations to respect and protect rights

and to ensure freedom from arbitrary detention and prosecution as reprisals for exercising protected rights and therefore must be withdrawn without conditions.

Hong Kong: Independent investigation needed after IPCC whitewashes police violence



In a [letter dated 26 May 2020](#), LRWC urged Hong Kong to ensure that independent experts investigate the many credible reports and widely available evidence of excessive or unlawful use of force by police against protesters and journalists. The letter followed up LRWC's [19 December 2019 letter](#) urging an independent investigation to determine whether use of force by police complied with or contravened international human rights laws and standards and to recommend the remedies and reform required to redress any violations, ensure accountability, and prevent recurrence. Despite calls from LRWC and other human rights groups, as well as the UN High Commissioner of Human Rights, the Hong Kong government had ignored these requests and directed the Independent Police Complaints Council (IPCC) to prepare a report. The UN Human Rights Committee, Committee against Torture and a body of independent experts hired to assist the IPCC had concluded that the IPCC lacked the independence and capacity necessary to conduct the required investigation.

China's National Security Law erodes rule of law in Hong Kong

On 30 June 2020 China bypassed the Hong Kong legislature and approved a national security law that erodes Hong Kong's autonomy and the [rule of law](#). See more at ["China's "national security legislation" violates international human rights"](#).

COLOMBIA

Nomination for the Václav Havel Human Rights Prize

LRWC join the Dutch group Lawyers for Lawyers in nominating Colombian lawyer, Adil Méendez Marquez, for the [Václav Havel Human Rights Prize](#). [☞](#) Mr. Meléndez is a specialist in the protection of human rights, transitional justice, administration law, environmental law, and labour law.

As part of his commitment to redressing egregious human rights violations by State and other actors, including paramilitary groups, Mr. Meléndez handles highly sensitive land restitution cases for rural families and communities whose lands were seized illegally during Colombia's decades long history of violence and conflict. He represents victims of displacement before the Special Jurisdiction for Peace (JEP) unit that was created further to the 1996 Peace Accord and the establishment of the Land Restitution Unit. Mr. Meléndez's work has exposed him to serious threats to his life, for example: appearing on a published assassination list in 2016, surviving a kidnapping attempt in his car in 2017, and phone threats in December 2019 believed to be linked to his representation of alleged perpetrators who wish to testify before the JEP about the truth of violations during the conflict. Mr. Meléndez receives inadequate special protection measures from the State and the level of risks affects not only his security and ability to discharge his mandate as a lawyer but also the rights of victims to obtain the core transitional just peace rights of truth, justice, reparation and measures of non-repetition.

IRAN

UN urges immediate release in Iran of prisoners of conscience, dual and foreign nationals



On 17 April 2020, a group of [UN human rights experts](#) called on Iran to expand its temporary release of thousands of detainees to include prisoners of conscience as well as dual and foreign nationals held despite serious risk of COVID-19 infection. While the experts commended the reported temporary release of 100,000 prisoners since 26 February 2020, most prisoners of conscience, human rights defenders, conservationists and dual and foreign nationals remain imprisoned, including human rights lawyer [Nasrin Sotoudeh](#).

PHILIPPINES

Acceleration of extra-judicial killings of jurists in the Philippines

On 25 June 2020, 40 independent UN experts reiterated last June's [call by 11 UN experts](#) for an "on-the-ground international investigation into the human rights situation in the Philippines." The experts cited a 4 June 2020 [report](#) of the UN High Commissioner for Human Rights mandated by Human Rights Council Resolution 41/L.20 of June 2019. The High Commissioner's report, dated 4 June 2020, notes that "[p]ersistent impunity for human rights violations is stark and the practical obstacles to accessing justice within the country are almost insurmountable. Human rights advocacy is routinely equated with insurgency and the focus diverted to



discrediting the messengers rather than examining the substance of the message." In anticipation of the High Commissioner's report, LRWC and the Asian Legal Resource Centre (ALRC) submitted a [joint written statement](#) to the Council for its 30 June to 17 July 2020 session. The joint statement is based on research by the International Association of People's Lawyers (IAPL) and notes that despite HRC resolution 41/L.20, extra judicial killing and murderous attacks on jurists have been accelerating. It lists 74 names of jurists and legal workers who were murdered or survived murderous attacks from July 2016 to February 2020. The joint statement is an update of data provided to the HRC's 42nd session in [September 2019](#) by LRWC, ALRC, and several other organizations. See more on the [2020 written statement below under UN Participation](#).

SAUDI ARABIA

UN Working Group writes to Saudi Arabia on arbitrary detention of Waleed Abu al-Khair



The Secretariat of the UN Working Group on Arbitrary Detention (WGAD) wrote to LRWC in June 2020 to confirm it had sent a follow-up letter to the government of Saudi Arabia in January 2020 regarding the case of Mr. Waleed Abu al-Khair, a human rights lawyer. Mr. Abu al-Khair remains in prison despite WGAD Opinions in [2015](#) and [2018](#) recommending immediate release and other remedies. LRWC was the lead organization in a petition that resulted in the WGAD's 2018 Opinion. On 11 March 2019 [LRWC provided an update to the WGAD](#) outlining particulars of Saudi Arabia's harsh treatment of Mr. Abu al-Khair in violation of international standards on conditions of detention.

Since July 2018, Mr. Abu al-Khair's wife, [Samar Badawi](#), a women's human rights defender has been unlawfully detained in Saudi Arabia. Ms. Badawi campaigns for women's suffrage and an end to Saudi Arabia's guardianship system under which women cannot marry, work, or travel without permission

from a male relative. The imprisonment of Mr. Abu al-Khair and Ms. Samar Badawi leaves their daughter, born in June 2014, growing up without either parent.

THAILAND

LRWC and ICJ file amicus brief in criminal defamation proceedings against Thai journalist



On 27 April 2020, LRWC and the International Commission of Jurists (ICJ) submitted a joint [amicus curiae brief](#) to Thailand’s Court of Appeal in the appeal from conviction for criminal defamation of journalist, Ms. Suchanee (Cloitre) Rungmuanporn. On 24 December 2019, Ms. Suchanee had been convicted and sentenced to two years’ imprisonment on the basis of a Twitter post commenting on the dismissal of an appeal by the Thai poultry company Thammakaset Co. Ltd, a lower court decision ordering the company to pay compensation to 14 migrant workers. The company responded to Ms. Suchanee’s Twitter post by filing criminal defamation charges against her.

The Twitter post used the word “slavery.” The joint amicus brief set out the relevant international law and standards and emphasizes that criminal sanctions, including imprisonment, are never appropriate penalties in defamation cases. The amicus brief argues that Thailand’s criminal defamation law fails to comply with Thailand’s international human rights obligations and that the “threat of incarceration has a far greater chilling effect on freedom of expression than monetary damages.” The case against Ms. Suchanee is one of 36 cases brought by Thammakaset against human rights defenders and others in Thailand who have commented on Thammakaset’s alleged labour rights violations.

Dismissal of criminal defamation cases against Sutharee Wannasiri and Nan Win

On 8 June 2020, the Bangkok Criminal Court in Thailand dismissed charges of criminal defamation brought by Thai poultry company Thammakaset Co. Ltd, against human rights defenders [Ms. Sutharee Wannasiri and Mr. Nan Win](#). Ms.

Sutharee and Mr. Nan Win are among dozens of human rights defenders subjected to judicial harassment by Thammakaset in cases of Strategic Litigation Against Public Participation (SLAPP) after the defenders brought to light allegations of labour rights violations by the company against migrant workers. Numerous other human rights defenders in Thailand continue to be subjected to judicial harassment including Ms. Angkhana Neelapaijit, Ms. Puttanee Kangkun, Ms.

Thanaporn Saleephol, [Ms. Suchanee \(Cloitre\) Rungmuanpon](#) (journalist), Ms. Suthasinee Kaewleklai (Unionist), Ms. Ngamsuk Ruttanasatian (lecturer) and other [women and men human rights defenders](#).



TURKEY

International law obligations to release lawyers and others illegally imprisoned

LRWC by letter dated [13 May 2020](#) called on Turkey to immediately and permanently release from detention all lawyers, human rights defenders, journalists, academics, politicians and others detained, convicted or sentenced in respect of overbroad terrorism-related charges, unless an independent international tribunal determines that the detention of each one of them is lawful. On 13 April 2020, Turkey passed an enactment allowing the temporary release of 45,000 prisoners and the permanent release of an additional 45,000 and excluding from release political prisoners and those (wrongfully) convicted of terrorism related charges. More than 50,000 prisoners, including lawyers, convicted or charged with alleged “terrorism” offences are excluded from release.

Since the 2016 attempted coup in Turkey, overbroad anti-terrorism offences such as Articles 220 and 314 of Turkey’s Penal Code have been used to arbitrarily arrest, detain and convict thousands of people

who peacefully exercise their internationally protected rights including the right to freedom of expression. Unlawfully imprisoned people who were denied fair trials or otherwise unlawfully convicted and arbitrarily detained now face serious risk of infection by COVID-19. On 6 April 2020, the Parliamentary Assembly of the Council of Europe (PACE) co-rapporteurs for the monitoring of Turkey, Thomas Hammarberg (Sweden, SOC) and John Howell (United Kingdom, EC/DA), [urged](#) the Turkish authorities to ensure that any early or conditional release of prisoners is non-discriminatory and does not exclude prisoners detained on political grounds.

Release from unlawful imprisonment for 4 year of lawyer Turan Canpolat



LRWC and 11 other NGOs endorsed a [letter dated 15 May 2020](#) calling on Turkish authorities to release lawyer Turan Canpolat, who has been detained without trial for more than four years in violation of international human rights law binding on Turkey. Mr. Canpolat was arrested, charged and convicted for representing a client in a criminal case. He was charged on the basis of a statement from another client who later claimed being forced by police to endorse untrue allegations against Canpolat. Mr. Canpolat was eventually convicted for representing companies that had been shut down by emergency decrees and for downloading and using a messaging app called “ByLock.” The use of Bylock, which was available only until February 2016, was retroactively criminalized in violation of Turkey’s obligations under several articles of the *International Covenant on Civil and Political Rights*.

Two bar associations under criminal investigation for raising concerns about human rights

On 29 May 2020, LRWC was among 10 lawyers’ organizations that signed a [letter](#) expressing concern about joint criminal investigations of the Ankara Bar Association and the Diyarbakir Bar Association for “openly disrespect[ing] the religious belief of a group” (article 126(3) of the Penal Code of Turkey) after the bar associations criticized a government official for making public remarks that provoked hostility against LGBT people.

Newspaper advertisements on the deteriorating situation of lawyers in Turkey



On 24 June, LRWC joined 34 lawyers’ associations from around the world in signing a [full-page advertisement](#) in two Turkish newspapers, pointing out that lawyers in Turkey “are being prosecuted and convicted in large numbers for simply doing their job and defending their clients.” The advertisement calls on the Turkish government “to respect the independence of lawyers and judges in performing their professional duties, as international human rights law requires.” There are grave concern about the deteriorating health of two lawyers, Ms. Ebru Timtik and Mr. Aytaç Ünsal, who have been on a hunger strike for more than 150 days to protest their unfair trials and lengthy prison sentences. Turkey’s release of prisoners during the COVID-19 crisis failed to include lawyers, journalists, human rights defenders and other political prisoners.

Draft legislation undermines independence of lawyers’ associations in Turkey

LRWC has received reports of draft legislation that is being rushed through Turkey’s parliament with the aim of changing the role of bar associations in Turkey, including their mandate, operations and elections. Few details are known, as the government has not consulted lawyers or bar associations during the drafting process. Most of Turkey’s 80 local bar associations have declared their disagreement with the proposed legislative changes. On 19 June, presidents of dozens of bar associations from across the country [marched to Ankara](#), Turkey’s capital, to draw attention to their

concerns. Police arrested the bar presidents before the Defense March entered Ankara and confined the lawyers for about 24 hours.

UNITED STATES

Lift sanctions against Iran and Venezuela say human rights specialists

More than 200 human rights groups and individuals, including LRWC, endorsed a [letter dated 9 April 2020](#) calling on the United States to immediately lift sanctions against Iran and Venezuela and to keep sanctions suspended at least until the World Health Organization declares each country free of COVID-19.

Black Lives Matter



During the month of June, LRWC joined a campaign led by the American Civil Liberties Union (ACLU) seeking a resolution on the situation of systemic racism against Black people and on violent suppression of peaceful protests in the US. See more in the above article, [“Now is the Time to Move from Words to Deeds.”](#)

YEMEN

Overturn death sentence of four journalists say 150 NGOs

More than 150 NGOs, including LRWC, signed a letter on [12 May 2020](#) calling on UN mechanisms and member states to help save the lives of four Yemeni journalists [sentenced to death](#) in April 2020 on charges of “spying” and “spreading false news.” Of the six other journalists in the same case whom the judge ordered to be freed, after five years in detention, only one has been released so far.



UN HUMAN RIGHTS COUNCIL

Continuation of the 43rd Session of the Human Rights Council

Originally scheduled from 24 February to 22 March 2020, the COVID-19 pandemic led to suspension of the 43rd session of the Human Rights Council on 12 March. The 43rd session was resumed from 15 to 23 June 2020. While no LRWC volunteers could be present in Geneva for the resumed session, on 18 June LRWC joined the oral statement of the American Civil Liberties Union (ACLU) at the urgent debate on Racially Inspired Human Rights Violations (see above article, [“Now is the Time to Move from Words to Deeds”](#)).

LRWC participation in the 44th session of the Council

The 44th session of the Council is scheduled to take place 30 June to 17 July 2020. Due to the COVID-19 pandemic, LRWC has no volunteers present in Geneva for the 44th session. Plans are underway for remote participation in those sessions. LRWC has submitted to the 44th session a [joint written statement](#) on the situation of human rights in the Philippines, raising continued concern about the murders and attempted murders of jurists and legal workers. See more under [Philippines](#) above.

INTERNATIONAL CRIMINAL COURT

US attacks against ICC threaten judicial independence



On 11 June, the United States President signed an [executive order](#) authorizing sanctions and visa restrictions and other reprisals against personnel of the International Criminal Court (ICC) involved in the <https://www.icc-cpi.int/afghanistan>.

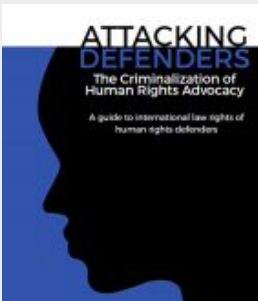
The US government began making threats against the ICC in 2018, following the November 2017 decision of the ICC prosecutor to seek authorization from the Pre-Trial Chamber (PTC) to open a formal investigation into war crimes in Afghanistan committed since 2003. On 4 April 2019, the US revoked the entry visa of the ICC's Chief Prosecutor.

On 11 April 2019, the PTC denied the prosecutor's application. In April 2019, LRWC wrote a series of [letters](#) expressing grave concern about the US threats and reprisals.

The ICC prosecutor successfully appealed to the Appeals Chamber which authorized the investigation on 5 March 2020.

After the 11 June US executive order, the ICC issued an immediate statement of [profound regret](#) that the “attacks constitute an escalation and an unacceptable attempt to interfere with the rule of law and the Court's judicial proceedings.” On 25 June, 32 independent experts of the UN Human Rights Council made a [joint statement](#) warning that the “unprecedented decision by the United States Government to target and sanction individual staff of the International Criminal Court (ICC)” is “a direct attack to the institution's judicial independence and could undermine victims' access to justice.”

LRWC PUBLICATIONS



[***ATTACKING DEFENDERS: The Criminalization of Human Rights Advocacy. A guide to international law rights of human rights defenders.***](#)

Written by Lois Leslie. Foreword by Michel Forst, UN Special Rapporteur (2014 to April 2020) on the situation of human rights defenders.

“[A]ll over the world, human rights defenders are facing unprecedented attacks.” The criminalization of human rights advocacy has become “a tool for the powerful to muzzle the powerless and...attack rather than to protect,” writes Michel Forst in the foreword to [***Attacking Defenders***](#). LRWC's newly

released book identifies the international human rights law and jurisprudence developed by the United Nations (UN), Organization of American States (OAS), African Union (AU) and European Union (EU) to protect human rights advocacy and the diminishing rights of human rights defenders. Production of this unique guide was inspired by the alarming increase around the globe in attacks on human rights defenders and the use of national laws to criminalize human rights advocacy and the exercise of protected rights. *Attacking Defenders* explains how such actions masquerading as “legal,” contravene international human rights law and the binding legal obligations of member states of the UN, OAS, AU, and EU. *Attacking Defenders* is intended to support the efforts of human rights defenders and others against the growing trend to replace rights-based governance with systems of control that use laws to suppress rather than support human rights. The book is [free to download](#) as a pdf.

LRWC IN THE NEWS

Malaysia: “Be careful it’s not opinions killed in order to bring order and peace for the powerful.”

On 21 April 2020, a columnist for Malaysia’s [Malay News](#), writing about freedom of expression in Malaysia, noted that “Amnesty International and Lawyers’ Rights Watch Canada felt in 2012 regarding the treatment of the late JB Jeyaretnam that the Singaporean government may be using libel laws in a manner that amounts to a violation of the fundamental rights to freely hold and peacefully express one’s opinions.” The columnist warned that Malaysia’s Communications and Multimedia’s Quick Response Team may be curtailing free speech.

Cameroon: “Lawyers’ Rights Watch Canada petitions Biya over sacking of Agbor Balla...”

On 11 June 2020 the Cameroon *Guardian Post* newspaper printed an [article](#) detailing LRWC’s joint letter seeking reinstatement of Felix Agbor Nkongho after his arbitrary dismissal from his position as instructor in the Faculty of Law, University of Buea. See [story on Cameroon](#) above.

LRWC MEMBERS’ CORNER

Annual General Meeting May 2020

The Annual General Meeting of LRWC and LRW(LR)C Canada was held online on Friday, 8 May 2020. Formal business included election of directors to serve until the May 2021 AGM meeting. The meeting also featured presentations about LRWC past and future work: by Gail Davidson, Catherine Morris and Temisan Boyo. Elected to the Board of Directors of LRWC were Clive Ansley, Marjorie Cohn, Gail Davidson, Joshua Lam. Leo McGrady QC, Heather Neun, Brian Samuels QC, David F. Sutherland QC, and Maureen Webb. Elected to the Board of Directors of LRW(LR)C were Joey Doyle, Rob Lapper QC, Gavin Magrath, Robert Morales, Renée Mulligan, Harini Sivalingam, Margaret (Peggy) Stanier, Melissa Tessler, and Grace Woo. LRWC is grateful to outgoing Directors Sebastian Ennis and Catherine Morris for their valuable support and input to the Boards of Directors of LRWC and LRW(LR)C.

LRWC's 2019 Annual Report released

LRWC's [2019 annual report](#) was released in May 2020 with summaries of LRWC work during 2019.

Gail Davidson moves to new role as LRWC research director



Lawyers’ Rights Watch Canada’s (LRWC) founding Executive Director is on sabbatical from 1 June to 1 September 2020 when she plans to take up the role of Research Director of LRWC. Under Gail Davidson’s direction for the past 20 years, LRWC volunteers have advocated for lawyers and human rights defenders at risk in numerous countries. Her leadership has also resulted in LRWC’s publication of several guidebooks on topics relevant to defenders around the world, including the [right to legal aid](#), [the right to presumption of innocence and pre-trial release](#), and [the right to dissent](#). In May 2020, LRWC published a guide to international law rights of human rights defenders entitled [Attacking Defenders: The Criminalization of Human Rights Advocacy](#) by Lois Leslie with a forward by Michel Forst (see [article above](#)). Gail Davidson has herself researched, authored, co-authored, or edited hundreds of communications about international human rights and humanitarian law including amicus briefs to international, regional and domestic tribunals and reports to UN bodies.

Catherine Morris appointed Executive Director of LRWC



On 1 June 2020, [Catherine Morris](#) assumed the role of Executive Director at LRWC. A member of the Law Society of BC, Ms. Morris has been an international human rights researcher, educator and advocate since 2004. In addition to her work in Canada, she has been involved in projects in several countries in Asia, Africa, South America, Central America, and Europe. She is an Adjunct Professor in the Faculty of Law at the University of Victoria (UVic), an Associate of UVic’s Centre for Asia-Pacific Initiatives, and a former Executive Director of the UVic Institute for Dispute Resolution. She is a director of Peacemakers Trust, a Canadian charity for research and education on conflict transformation and peacebuilding. Catherine Morris has authored publications and papers on human rights, dispute resolution, and the role of religion in peacebuilding.

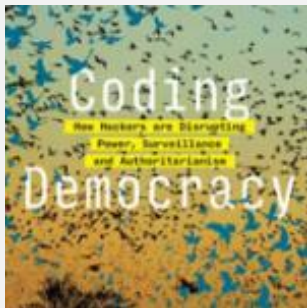
Justice for the Rohingya: The Role of Canada: Roundtable convened by Catherine Morris

In her role at UVic’s Faculty of Law and the Centre for Asia Pacific Initiatives, Catherine Morris convened a 21 May 2020 invitational expert online roundtable on “Justice for the Rohingya: The Role of Canada.” The event was co-hosted by Canadian Senator Marilou McPhedran, the Faculty of Law and Centre for Asia-Pacific Initiatives (CAPI) at the University of Victoria, and the Human Rights Research and Education Centre (HRREC), University of Ottawa. The event featured expert participants including Hon. Bob Rae, Prof. Payam Akhavan, Prof. Yanghee Lee (UN Special Rapporteur on Myanmar 2014 to 30 April 2020), Prof. Susan Breau, Prof. Christine Chinkin, Prof. Victor V. Ramraj, Prof. John Packer, Ms. Razia Sultana, and Wai Wai Nu. Catherine Morris edited the report of the roundtable which was released 29 June 2020.

LRWC Executive Director on Jury for Moore Prize 2020 Writing on Human Rights

LRWC’s Executive Director, Catherine Morris, is one of three people selected to serve as jury members for the fourth annual [Moore Prize](#),³ which honours books featuring human rights themes. Sponsored by the Christopher G. Moore Foundation, the Moore Prize provides funds to authors who, through their work, contribute to the understanding and universality of human rights. The 2020 Moore Prize will recognize books first published between 1 January 2019 and 20 June 2020. Joining Catherine Morris as jury members for the 2020 price are BBC journalist Jonathan Head, author and human rights defender Djamila Ribeiro.

LRWC board member, Maureen Webb: New book Coding Democracy



Maureen Webb, a board director of LRWC, has a new book, *Coding Democracy: How Hackers Are Disrupting Power, Surveillance, and Authoritarianism*, published by MIT Press. Released in spring 2020, the [book](#) explores the role of hackers as “vital disruptors,” inspiring a new wave of activism “in which ordinary citizens take back democracy.” See a [video interview](#) about the book with Maureen Webb, who is a labour lawyer and human rights activist, and has taught national security law as an Adjunct Professor at the University of British Columbia. She is the author of the 2006 book, *Illusions of Security: Global Surveillance and Democracy in the Post-9/11 World*. LRWC is slated to co-sponsor a launch of the book in the fall of 2020.

Working Pro Bono for LRWC April to June 2020

A big thank you to all our volunteers, including Clive Ansley, Temisan Boyo, Gail Davidson, Joey Doyle, Pearl Eliadis, Tamara Friedman, Andrea Ho, Joshua Lam, Rob Lapper QC, Helen Lau, Gavin Magrath, Robert Morales, Catherine Morris, Renee Mulligan, Paria Sameni, Brian Samuels QC, Paul

Scambler QC, David F. Sutherland QC, Melissa Tessler, Rhiannon Vader-Rikhof, Maureen Webb, and Garrett Zehr.

Working in Cooperation with Others

Through joint advocacy, LRWC worked in cooperation with an estimated 300 NGOs during this reporting period.

Newsletter Editorial Team

LRWC Executive Director (to 31 May 2020): Gail Davidson

LRWC Executive Director (from 1 June 2020): Catherine Morris

LRWC Administrator: Diane Rodgers

Layout and web: Lauren Sutherland

Please contact us if you would like to join LRWC and donate your time.

Fees and donations can be made by cheque or [Canada Helps](#).

[JOIN LRWC AS A MEMBER](#)

LRWC needs your donations to carry on and expand its work.

Monthly donations increase LRWC's ability both to respond quickly and plan ahead.

Follow LRWC



Contact LRWC at:
info@lrwc.org
126-1644 Hillside Avenue
PO Box 35115 Hillside
Victoria, BC, Canada, V8T 5G2
Telephone: +1 604 736 1175

Lawyers' Rights Watch Canada
is an NGO in Special Consultative
Status with the Economic and Social
Council of the United Nations.

Copyright © 2016-2020 Lawyers' Rights Watch Canada, All rights reserved.