

Lawyers' Rights Watch Canada

NGO in Special Consultative Status with the Economic and Social Council of the United Nations

Video Intervention: Check against delivery

Organization: Lawyers' Rights Watch Canada

Item: Item 3: Interactive Dialogue, Special Rapporteur on judges lawyers

Date: 13 July 2020

Speaker: Catherine Morris

Oral Statement to the 44th Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), NGO in special consultative status

Mme. President,

Lawyers' Rights Watch Canada thanks the Special Rapporteur for his reports.

This year is the 30th anniversary of the UN *Basic Principles on the Role of Lawyers*, which promote the integrity and independence of the legal profession worldwide. Lack of legal representation impedes access to remedies for rights violations. There is a saying: "Without lawyers there is no justice."¹

The Basic Principles emphasise the duty of States to ensure that lawyers can work without hindrance, intimidation, or prosecution.² Some States fail to safeguard lawyers from attacks, and some actively persecute lawyers.

July 9th marked five years since **China's** "709" crackdown in which hundreds of human rights lawyers were arbitrarily detained.³ China's repression of lawyers continues.⁴

On July 8th, a prosecutor was murdered in the **Philippines**, adding to the dozens of jurists murdered with impunity since 2016.⁵

On July 3rd, Amnesty International's Taner Kılıç joined the hundreds of lawyers in **Turkey** arbitrarily convicted and imprisoned for defending rights.⁶

In **Saudi Arabia**, lawyer Waleed Abu al-Khair is one of hundreds of defenders arbitrarily convicted and jailed.⁷

In **Colombia**, the practice of law remains perilous as lawyers are inadequately protected from attacks.⁸

The list goes on and on.⁹

The need for the Special Rapporteur's mandate is obvious and compelling. We urge that the mandate be renewed with sufficient resources for its effective fulfilment.

Thank you Mme. President.

¹ The expression is drawn from the Spanish: “*Sin abogados no hay justicia.*”

² The Basic Principles state in Article 16: “Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics. Article 17 states. “Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.”

³ China: Joint Statement Concerning the Personal Freedom of Wang Quanzhang After His Release. Joint statement of 7 organizations. Available at: <https://www.lrwc.org/china-joint-statement-concerning-the-personal-freedom-of-wang-quanzhang-after-his-release-letter/>; China: Human rights advocates suffer detention, ill treatment and trials in violation of international law. Written Statement by Lawyers’ Rights Watch Canada an NGO in Special Consultative Status to the 38th Session of the United Nations Human Rights Council, available at: <https://www.lrwc.org/china-mass-arrest-detention-and-disappearance-of-lawyers-and-other-rights-advocates-in-china-report/>.

⁴ Repression continues through laws and regulations restricting civic space and internet freedom, denial of access to legal counsel of choice, secret trials, harassment of detained lawyers’ family and supporters, and denial of access to adequate medical care in detention facilities. See Front Line Defenders statement of 9 July, available at: https://www.frontlinedefenders.org/sites/default/files/statement_china_709_c_5_years_090720_eng.pdf.

⁵ Lawyers’ Rights Watch Canada (LRWC) and Asian Legal Resource Centre (ALRC), endorsed by the International Association of People’s Lawyers (IAPL), “Acceleration of extra-judicial killings of jurists in the Philippines.” Joint written statement submitted by Asian Legal Resource Centre, non-governmental organization in general consultative status, and Lawyers’ Rights Watch Canada, non-governmental organization in special consultative status, A/HRC/44/NGO/8, 16/06/2020, available at: <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/44/NGO/8&Lang=E>.

⁶ Amnesty International, Turkey: Amnesty Chair convicted in ‘travesty of justice’, available at: <https://www.amnesty.org.uk/press-releases/turkey-amnesty-chair-convicted-travesty-justice>.

⁷ Lawyers’ Rights Watch Canada and Raoul Wallenberg Centre for Human Rights, Saudi Arabia: Unconditionally Free Waleed Abu al-Khair Immediately, 14 January 2020, available at: <https://www.lrwc.org/saudi-arabia-unconditionally-free-waleed-abu-al-khair-immediately-letter/>.

⁸ Colombia: Seeking justice, building peace and post-conflict illusion – Report of the Sixth International Caravana of Jurists, March 2019, available at: https://www.uanet.org/sites/default/files/report_colombian_caravana_6th_delegation.pdf

⁹ For example:

- **Azerbaijan:** Human Rights Watch, World Report: Azerbaijan Events of 2019, available at: <https://www.hrw.org/world-report/2020/country-chapters/azerbaijan>; Commissioner Mijatović urges the Azerbaijani authorities to respect freedom of expression, improve access to lawyers and uphold the rights of internally displaced persons, Council of Europe, December 2019, available at: <https://www.coe.int/en/web/commissioner/-/commissioner-mijatovic-urges-the-azerbaijani-authorities-to-respect-freedom-of-expression-improve-access-to-lawyers-and-uphold-the-rights-of-internall>.
- **Cameroon:** Lewis Mudge, Cameroonian Lawyers Say ‘Enough is Enough’: Bar Association Denounces Rights Violations, Human Rights Watch, 18 September 2019, available at: <https://www.hrw.org/news/2019/09/18/cameroonian-lawyers-say-enough-enough>; Arbitrary Detention of Lawyers and Defenders in China, Saudi Arabia, Turkey, and Cameroon, Oral Statement to the 42nd Session of the UN Human Rights Council, 13 September 2019, available at: <https://www.lrwc.org/arbitrary-detention-of-lawyers-and-defenders-in-china-saudi-arabia-turkey-and-cameroon-oral-statement-to-the-42nd-session-of-the-un-human-rights-council/>
- **Pakistan:** Day of the Endangered Lawyer, Endangered Lawyers in Pakistan, Basic Report, January 2020, available at: <http://dayoftheendangeredlawyer.eu/wp-content/uploads/2020/01/Basic-Report-2020.pdf>.
- **Viet Nam:** Lawyers’ Rights Watch Canada, Viet Nam: Viet Nam and the Exile of Nguyễn Văn Đài and Lê Thu Hà. Working Paper, September 2019, available at: <https://www.lrwc.org/viet-nam-viet-nam-and-the-exile-of-nguyen-van-dai-and-le-thu-ha-working-paper/>.