INTERNATIONAL HUMAN RIGHTS

ACTION NEWS

Lawyers' Rights Watch Canada

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

Promoting human rights by protecting those who defend them

LRWC AGM - 7 MAY

Register to attend the online AGM, 7 May 2021: Keynote speaker Marjorie Cohn to speak on systemic racism and police violence in the USA

Attend the AGM, 7 May 2021, 1 pm Pacific time

Lawyers' Rights Watch Canada

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

Defending defenders around the world

LRWC is holding its <u>Annual General Meeting on 7</u> <u>May 2021</u> at 1:00-3:00 pm Pacific time (4:00 - 6:00 pm Eastern). All are welcome to attend the AGM. Those who <u>join LRWC or renew their membership for 2021</u> may vote. Please <u>register to attend</u> the online AGM.



AGM Keynote Speaker: Prof. Marjorie Cohn

This year, LRWC's AGM will feature keynote speaker Marjorie Cohn, Professor Emerita at Thomas Jefferson School of Law in California and a former president of the National Lawyers Guild in the US.

NEWS AND UPDATES SPRING 2021 JAN. - MAR. 2021

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Prof. Cohn will discuss the work of the International Commission of Inquiry on Systemic Racist Police Violence Against People of African Descent in the United States held 18 January to 6 February 2021 under the auspices of three lawyers' organizations in the US, the National Conference of Black Lawyers, the International Association of Democratic Lawyers, the NLG. The online hearings involved Commissioners from 12 countries who heard evidence from the victims' lawyers and family members. Prof. Cohn is one of four rapporteurs of the Inquiry. The report of the Inquiry, to be released 27 April 2021, is to be submitted to the UN High Commissioner on Human Rights to inform her June 2021 report to the UN Human Rights Council. See more below under USA.

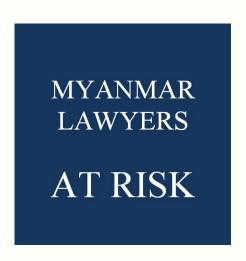
ANNUAL REPORT 2020 FEATURES LRWC INTERVENTIONS ON SITUATIONS IN 21 COUNTRIES



On 15 April 2020, LRWC released its <u>2020 Annual</u> <u>Report</u> with highlights of volunteers' 2020 interventions regarding situations in 21 countries.

Interventions addressed threats to human rights defenders, independence of the legal profession, integrity of legal systems, and the rule of law, including concerns about impunity for atrocity crimes. The report also lists LRWC publications and educational events in 2020. See the <u>full 2020 Annual Report (pdf)</u>.

HUMAN RIGHTS DEFENDERS IN DANGER AFTER MYANMAR'S MILITARY COUP



Since Myanmar's military coup on 1 February 2021, LRWC has made several <u>interventions</u>, including an oral video statement at the UN Human Rights Council, seeking restoration of the deposed civilian authorities elected in November 2020 and an end to mounting extrajudicial killings and arbitrary detentions of dissidents, peaceful protesters, human rights defenders, and lawyers. See more under Myanmar below.

JOIN LRWC - OR RENEW YOUR MEMBERSHIP

LRWC is a committee of lawyers and other human rights defenders who promote human rights, the rule of law, and protection of human rights defenders through advocacy, research and education. Please consider becoming a member of LRWC for \$50/year (\$15 students), and help support our work.

Visit https://www.lrwc.org/join/

COUNTRIES OF CONCERN

AZERBAIJAN

The struggle to protect Azerbaijani lawyers: Update



LRWC was among the co-sponsors of a <u>petition</u> to highlight risks faced by lawyers in Azerbaijan for representing victims of rights violations or speaking up about torture and ill-treatment in custody. The petition was released to mark the Day of the Endangered Lawyer on 24 January 2021, launching a year of enhanced international advocacy to address the situation of the legal profession in Azerbaijan.

Azerbaijan enacted a law in 2018 that has been used to prevent human rights lawyers from entering the legal profession and to disbar lawyers on spurious political grounds. The Azerbaijan Bar Association (ABA) lacks independence from the government and prevents lawyers from being admitted to the bar if they are critical of human rights violations or the ABA.

A member of LRWC attended an <u>online event</u> on 21 January 2021 featuring Azerbaijani human rights lawyers and the legal director of the European Human Rights Advocacy Centre and moderated by Dr. Marina Brilman, international human rights adviser of the Law Society of England and Wales.

Independent Lawyers Network in Azerbaijan formed in January 2021

On 15 January 2021 an Independent Lawyers Network (ILN) in Azerbaijan was formed to promote and support the independence of the legal profession in Azerbaijan. On 5 March 2021, the ILN published the first edition of a bi-monthly report entitled *The Legal Profession Observer* (LPO). The report aims to uncover information about systematic harassment, intimidation, and other interferences with lawyers' professional activities. Events reported in the first edition of the LPO include:

- 28 January 2021: The court banned human rights lawyer Nemat Karimli from participating in the trial of his client Mustafa Hajibeyli, a member of the opposition Musavat party.
- **29 January 2021:** The State Security Service refused to allow human rights lawyer Elchin Sadigov to meet with his client.
- *5th March 2021:* The Baku Administrative Court upheld the ABA's request to disbar Shahla Humbatova based on ABA allegations of the failure to pay membership fees for six months and deliberate submission of the fake document to the Court. Shahla Humbatova has rejected all the allegations.



Shahla Humbatova

The International Bar Association's Human Rights Institute issued a 26 March 2021 <u>press release condemning the disbarment of Shahla Humbatova</u>. LRWC continues to monitor the situation of lawyers in Azerbaijan.

CAMBODIA

Sub-decree for a single national internet gateway threatens expression and privacy



LRWC joined 49 Cambodian and international civil society organizations in a statement released 18 February 2021 calling on the government of Cambodia to revoke a Sub-Decree it had passed to establish a National Internet Gateway (NIG). The NIG would require all internet and data traffic in and out of Cambodia to pass through a single gateway. The joint statement points out that the Sub-Decree facilitates "monitoring surveillance of internet activity, empowers the censorship interception and digital communications, and enables the collection. retention and sharing of personal data, thus fundamentally threatening the rights to privacy, freedom of expression and information."

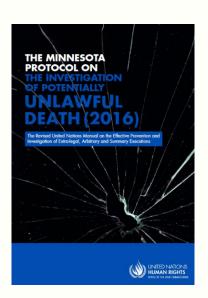
CANADA

Call for timely legislation to implement UN Declaration on the Rights of Indigenous Peoples

LRWC was among 37 Indigenous Nations, governments and other organizations, and 125 human rights advocates, calling for the timely passage of Bill C-15, the proposed federal legislation to implement the UN *Declaration on the Rights of Indigenous Peoples*. The open letter was published in *The Hill Times* on 9 March 2021.

The letter was timed to coincide with the beginning of Parliamentary hearings on Bill C-15, which was tabled by the Liberal government in December 2020. Signatories included the Assembly of First Nations, the Inuit Circumpolar Council, the Métis National Council, a former Attorney General of Canada, a former Minister of Foreign Affairs, a former Premier of the Northwest Territories, the Chair of the United Nations Expert Mechanism on the Right to Development, and a number of human rights advocates, grassroots leaders and philanthropists.

The 2016 Killing of Colten Boushie: Failure of 2018-2021 RCMP Civilian Review and Complaints Commission



LRWC has been examining the failure of the Royal Canadian Mounted Police (RCMP) Civilian Review and Complaints Commission (CRCC) to apply domestic and International Human Rights standards to its review of the RCMP handling of the Colten Boushie case.

On 9 August 2016, 22-year-old Colten Boushie was asleep in a disabled vehicle when it pulled into a farm yard near the Red Pheasant First Nation in Saskatchewan, Canada. A few minutes later he was dead from a gunshot to the back of his head. The man who shot him, Gerald Stanley, was acquitted at trial.

The CRCC's <u>report</u> was not released until 22 March 2021, more than four years after receiving complaints about RCMP misconduct. LRWC welcomes the report's validation of the allegations of racism and abuse directed at Mr. Boushie's mother and family. However, the CRCC failed to address the impact of systemic racism on the overall RCMP handling of this case.

The RCMP failed to provide the prompt, independent, competent and impartial investigation required by treaties Canada has agreed to uphold and by the 2016 Minnesota <u>Protocol</u> on the Investigation of Potentially *Unlawful Death.* The failure of the RCMP to protect and preserve the vehicle in which Mr. Boushie was killed and the subsequent destruction of the investigative record is particularly disturbing, especially in the context of endemic overrepresentation of Indigenous people as victims of homicide and other violent crimes. In 2018, LRWC called for a public inquiry into the RCMP investigation and the conduct of the trial of Gerald Stanley.

LRWC calls for an Indigenous-led public commission of inquiry to determine how the killing of Colten Boushie occurred and why it was excused.

CHINA

China's lawyers continue under threat



Chang Weiping

LRWC continues to monitor the situation of human rights lawyers and defenders in China.

LRWC joins UN human rights experts in their 26 June 2020 call to establish UN Human Rights Council mechanisms for monitoring international human rights in China, particularly its violations in Hong Kong Special Administrative Region (HKSAR), Tibet Autonomous Region, and Xinjiang Uyghur Autonomous Region (XUAR). It is reported that in XUAR, lawyers face dismissal if they raise clients' rights.

LRWC remains deeply concerned about the situation of arbitrarily detained lawyers, including Chang Weiping, who remains in incommunicado detention in an unknown location without access to lawyers. Four lawyers have withdrawn from his case after receiving pressure from authorities. He is being detained for "inciting subversion of state power" under Article 105(1) of China's Criminal Law. It is believed he is being punished for revealing that he had been subjected to torture while detained in January 2020.

Pro-democracy leaders given jail sentences in Hong Kong SAR

China continues to violate international human rights law and standards guaranteed by law in the Hong Kong Special Administrative Region (HKSAR). The International Covenant on Civil and Political Rights is incorporated into HKSAR's Basic Law and Bill of Rights Ordinance. LRWC is monitoring the situation of a number of human rights defenders in HKSAR.

On <u>28 February 2021</u>, authorities charged 47 prodemocracy figures under a vague and overbroad National Security Law adopted by the HKSAR on 20 June 2020 in violation of international law and standards.

On 16 April 2021, a HKSAR court sentenced 15 high-profile pro-democracy leaders to prison terms ranging from eight to 18 months on charges of unauthorized assembly. The 15 had been arrested on 18 April 2020 after participating in an entirely peaceful protest in 2019.

Suspended sentences were given to only four of the defendants, including senior barristers and former lawmakers. On 12 May 2020 LRWC had called on HKSAR to drop all charges against the 15 prodemocracy leaders, highlighting contraventions of HKSAR's international law obligations.

IRAN

Arbitrary imprisonment Evin Prison of Iranian-Canadian legal academic Reza Eslami

On 17 February 2021, LRWC joined an open letter to authorities in Iran seeking the release of legal academic Dr Reza Eslami from Tehran's Evin Prison. On 7 February 2021, Dr. Eslami, an Iranian-Canadian human rights and environmental law professor in Tehran, was sentenced to seven years imprisonment by Iran's Revolutionary Court after being charged with "cooperating with a hostile state." The spurious against Dr Eslami stem from his participation in a training course on the rule of law in the Czech Republic in 2020. The course was funded by a **US-based** non-governmental organisation (NGO).

Dr. Eslami has a doctorate in law from McGill University in Montreal. He has taught human rights and the rule of law at Shahid Beheshti University in Tehran for nearly two decades. Dr Eslami joins numerous lawyers, academics and human rights defenders who are targeted and imprisoned on vague charges. They face increased risks of contracting COVID-19 due to deplorable conditions of detention that fail to meet UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules). The February 2021 open letter mentioned other human rights lawyers imprisoned in Iran, including Nasrin Sotoudeh and Amirsalar Davoudi (see below).

Iran: Arbitrary detention of lawyers carrying out legitimate work of their profession





Nasrin Sotoudeh and Amirsalar Davoodi

LRWC joined several other human rights organizations in an oral statement to the UN Human Rights Council on 9 March 2021 raising serious concern about arbitrary arrests and detention of lawyers and others sentenced to "exorbitant prison terms for legitimately carrying out their professional activities." The joint statement drew particular attention to the cases of arbitrarily detained lawyers, Nasrin Sotoudeh and Amirsalar Davoodi, who have been excluded from Iran's COVID-19 prisoner release program. The joint statement was sponsored by the International Bar Association's Human Rights Institute (IBAHRI), the International Commission of Jurists, Lawyers for Lawyers, LRWC, and The Law Society of England and Wales. Nasrin Sotoudeh has been subjected to arbitrary detention a number of times, and LRWC has issued letters and statements on her behalf since 2010. LRWC has engaged in joint advocacy regarding Amirsalar Davoodi since 2020.

Iran: Imprisonment of Hoda Amid and the harassment of lawyers

On 16 March 2021, LRWC joined Lawyers for Lawyers in a joint letter to authorities in Iran seeking release of arbitrarily detained women's rights lawyer and human rights educator Ms. Hoda Amid. On 31 October 2020, Hoda Amid was sentenced to 8 years in prison, a two year ban on practicing law, and a two year ban on participating in political parties and groups, and activities in cyberspace or media.

The conviction and sentence were based on fabricated charges of "collaborating with the hostile American government against the Islamic Republic on women and family issues." Lawyers for Lawyers and LRWC expressed concern that the arbitrary detention of Hoda Amid is aimed at curbing her legitimate activities as a lawyer in violation of the UN Basic Principles on the Role of Lawyers and Iran's obligations under the International Covenant on Civil and Political Rights (ICCPR), which Iran ratified in 1975.

MALAYSIA

Malaysia: Plaintiff withdraws contempt proceedings against lawyer Charles Hector



Charles Hector

On 14 April 2021, LRWC welcomed news that two corporations withdrew contempt of court charges they had filed against Malaysian human rights lawyer Charles Hector and eight environmental rights defenders represented by Mr. Hector. Two logging contractors, Beijing Million SDN BHD and Rosah Timber Trading SDN BHD, had brought an application to begin contempt of court proceedings against Mr. Hector and his clients, the eight defendants in the case.

For years the environmental defenders have been protesting plans to log a Forest Reserve in the vicinity of their community. They were concerned about negative impacts of logging on community livelihoods and on the environment.

In November 2020 the logging corporations obtained an ex parte interlocutory injunction to prevent the defendants from accessing a contested 202.61-hectare area in the Forest Reserve.

Mr. Charles Hector has been preparing for a full trial of the injunction application. In preparation for the trial, Mr. Hector wrote a letter to a Forestry Officer to seek clarification of relevant correspondence. The corporations learned about the letter and claimed that, by writing to the official, Mr. Hector and the eight defendants had violated the injunction. The wording of the injunction prohibited the defendants, agents, representatives, servants and/or any party connected with them" from "1.4 Interfering with department or approval given to the Plaintiffs on 15 September 2019 by the District Forest Office... 1.5 Cause nuisance to the work of the Plaintiffs in any manner whatsoever including physically, online or by communication with the authorities..." (emphasis added).

On 24 March 2021, LRWC wrote a <u>letter</u> to authorities in Malaysia expressing concern that the contempt proceedings appeared to be a spurious attempt by the corporations to obstruct the court's determination of the defendants' rights, including their right to legal representation by Mr. Hector. LRWC was among dozens of human rights organizations advocating for Mr. Hector in this matter.

MYANMAR

On 1 February 2021, Myanmar's military (known as the Tatmadaw) took the world by surprise with a military coup against the elected government of Myanmar. LRWC has been monitoring the situation closely. So far, the coup leaders have ignored statements by the Special Rapporteur on human rights in Myanmar, the UN Human Rights Council, the Association of Southeast Asian Nations (ASEAN), numerous States, and the UN Security Council. The veto power of China and Russia has precluded UN Security Council action for a binding arms embargo or other effective measures.

Advocacy Charter for Myanmar's Universal Periodic Review by the UN Human Rights Council



Days before the February 1st military coup, Myanmar's elected government had participated in its third Universal Periodic Review (UPR) by the UN Human Rights Council. On 28 January 2021, members of the UN Human Rights Council gathered to review Myanmar's human rights performance since 2016. Prior to the UPR, LRWC joined Lawyers for Lawyers in submitting an "Advocacy Charter" to a number of States with suggested recommendations to make during the Review. Recommendations included measures to ensure independence of the legal profession and protection of lawyers from reprisals against them for conducting their professional duties. In preparation for the UPR Lawyers for Lawyers and LRWC had submitted a July 2020 written report to the UPR Working Group.

Myanmar Coup: Restore elected authorities, release detainees, and protect freedoms of information, expression, and assembly



Within days of the military coup in Myanmar on 1 February 2021, the UN Human Right Council decided to hold a Special Session on 12 February 2021. On 8 February 2021, LWRC issued a statement seeking immediate and firm measures by the Council to prevent human rights violations by the Tatmadaw. At that time, public protests against the coup had begun, including nightly banging of pots and pans. Approximately 160 people had been arbitrarily detained. A number were being detained incommunicado without access to lawyers. Social media platforms had been shut down, and there were intermittent shutdowns of internet communications. Under a spurious "state of emergency, gatherings of more than five persons were prohibited. Water cannons were being used against peaceful protestors with concern about escalation to live fire.

LRWC called on the Human Rights Council for enhanced measures to monitor and report on human rights violations and to prevent further human rights violations in Myanmar. LRWC's statement also called for immediate release of all those detained since the coup, restoration of internet access and social media, humanitarian access, restoration of elected authorities, respect and protection of rights to freedoms of expression and assembly, protection of human rights defenders and access by all detained persons to lawyers of their choice.

The Council responded to the concerns of many States and non-governmental organizations (NGOs) by adopting a <u>resolution</u> that deplored the coup and called for restoration of authorities and respect for human rights. However, the resolution failed to establish concrete measures for enhanced monitoring by the Council's Special Procedures. Drafts of the resolution were <u>weakened</u> by Council members China and Russia. The Tatmadaw ignored the Council resolution.

Mounting evidence of atrocity crimes during Myanmar's military coup crackdown: LRWC oral video statement to the UN Human Rights Council



On 12 March 2021, LRWC delivered an <u>oral video</u> <u>statement</u> to the UN Human Rights Council's 46th regular session, noting mounting evidence of crimes against humanity by the Myanmar military in the face of peaceful protests against the coup by millions of people.

At the time of the statement, more than 2,000 people had been arbitrarily detained or charged including "elected members of parliament, civil society members, civil servants, journalists, teachers, medics, students, and lawyers." There were numerous reports of torture and enforced disappearance.

LRWC's statement called on the Council for global arms embargo and referral of the situation to the International Criminal Court. At that session, the Council adopted another resolution that called on corporations to avoid doing business with the Tatmadaw and provided additional resources for the Special Rapporteur on human rights in Myanmar, the Office of the High Commissioner for Human Rights, and the work of the Independent Investigative Mechanism for Myanmar. The Tatmadaw continued to ignore the Council.

Amid crimes against humanity Myanmar lawyers are detained, charged, and threatened

On 24 March 2021, LRWC issued another statement expressing alarm about grave, widespread systematic, and human rights violations taking place in Myanmar. The statement noted that there had been hundreds of extrajudicial killings and at least 2,800 arbitrary detentions. Numerous detainees are being held in unknown locations without access to lawyers or family members. There have been several deaths in custody from suspected torture.

LRWC's statement expressed particular concern about "widespread arbitrary detention and judicial harassment of lawyers and the systematic prevention of lawyers from providing legal assistance to arbitrarily detained persons." The statement listed the names of lawyers known to be arbitrarily detained or subject to judicial harassment or threats. A number of law students are also reported to be arbitrarily detained.

LRWC's statement emphasised that the mounting evidence of crimes against humanity gives rise to the responsibility of all States to take action to accountability of perpetrators. ensure The statement called upon all States to halt and impose sanctions against all arms transfers to the Myanmar military, impose effective targeted against Tatmadaw business sanctions all interests, join the case against Myanmar under the Genocide Convention at the International Court of Justice, and seek a Security Council global arms embargo and referral of the situation to the International Criminal Court. LRWC emailed this statement to all Geneva-based diplomatic missions of UN member States.

Since this LRWC statement was issued, the UN Security Council has continued to be unable to take concrete measures due to the continued recalcitrance of two Permanent Members, China and Russia, to hold the Tatmadaw accountable.

A number of States have applied targeted sanctions against Tatmadaw leaders and corporations associated with the Tatmadaw. At the time of publication on 16 April 2021, more than 3,000 people were arbitrarily detained and many tortured. The Tatmadaw have summarily executed more than 700 people including dozens of children.

PHILIPPINES

Philippines: Attacks against jurists denounced by Philippines Supreme Court and Senate: Welcome Developments



On 23 and 24 March 2021, Lawyers' Rights Watch Canada welcomed the statement of the Philippines Supreme Court and a Senate resolution denouncing the alarming number of attacks and killings of jurists in the Philippines since President Rodrigo Duterte took office in July 2016. On 15 March 2021 the news site Rappler reported that 61 lawyers have been killed since President Rodrigo Duterte took office in 2016 compared with 49 lawyers killed under the previous six Presidents from 1972 to 2016. In only seven cases have investigations of murders of lawyers led to prosecutions.

The Supreme Court asked the lower courts and related agencies to provide data by the end of April 2021 "on the number and context of each and every threat or killing of a lawyer or judge within the past 10 years," after which Court will "decide on the next courses of action, including the amendment of the relevant rules, or if necessary, the creation of new ones."

Lawyers groups, including the National Union of People's Lawyers (NUPL) in the Philippines, and numerous international lawyers organizations, including LRWC, have been <u>raising the alarm</u> for the past five years about the escalation of attacks and extrajudicial killings of human rights defenders.

SAUDI ARABIA

Saudi Arabia: Women's rights defender Loujain Al-Hathloul released after three years in prison



Loujain Al-Hathloul

LRWC welcomed the <u>release</u> on 10 February 2021 of women's rights defender, Loujain Al-Hathloul, after 1001 days of imprisonment on spurious charges. She was released after persistent international pressure, including interventions by LRWC. Ms Al-Hathloul was arrested in May 2018 after advocating advocacy for women's rights to drive in Saudi Arabia. She also called for the end of male guardianship that has limited women's international protected rights.

In December 2020, LRWC had written to Saudi Arabia authorities to express grave concern about Ms. Al-Hathloul's safety and well-being after reports that she had been subjected to sexual harassment, torture and other ill-treatment during interrogation and detention. LRWC's letter outlined Saudi Arabia's violations of the *Universal Declaration of Human Rights*, the Convention against Torture and other human rights law binding on Saudi Arabia.

LRWC remains concerned that Ms. Al-Hathloul continues to be subject to restrictive conditions, including a five-year travel ban. LRWC also calls for the immediate release of other arbitrarily detained human rights defenders imprisoned in Saudi Arabia including <u>Samar Badawi</u>, her brother, <u>Raif Badawi</u>, and Raif Badawi's lawyer, Waleed Abu al-Khair.

SOUTH SUDAN

LRWC joins international call to extend the mandate of the UN Commission on Human Rights in South Sudan

On 5 February 2021, LRWC was among <u>38 human</u> rights NGOs signing a letter to UN Human Rights Council members and observer States urging their support for the extension of the mandate of the UN Commission on Human Rights in South Sudan at the Human Rights Council's 46th session from 22 February-23 March 2021. The letter pointed out that many human rights concerns remain unaddressed by South Sudan, including war crimes and crimes against humanity and attacks on civil society including pressure on human rights defenders and journalists.

SRI LANKA

Persistent impunity for atrocity crimes and human rights violations in Sri Lanka: Statement to the UN Human Rights Council

On 25 February 2021, LRWC made an oral video statement to the UN Human Rights Council expressing concern about the prevalence of impunity in Sri Lanka and failure to implement Council recommendations address to past violations Tamil peoples against including extrajudicial killings, enforced disappearances, arbitrary detention, torture and sexual violence. The statement noted surveillance, harassment, and intimidation of human rights defenders, lawyers, and victims of human rights violations and their families in attempt to silence them.

The Statement called on the Council to strengthen its monitoring in Sri Lanka and to set out an effective plan to advance accountability. LRWC called on the Council to take necessary steps towards referral of the situation in Sri Lanka to the International Criminal Court, and urged individual States to impose targeted sanctions and utilize the principle of universal jurisdiction to prosecute in national courts perpetrators of international crimes committee in Sri Lanka.

THAILAND

Thailand: Land rights defenders of the Southern Peasants' Federation win court case



LRWC welcomed news that on 19 March 2021, after thirteen years, the land rights defenders of the Southern Peasants' Federation of Thailand verdict from (SPFT) won a the Administrative Court ordering the Department of Land and its affiliated authorities to revoke title deeds for 23 plots that had been unlawfully issued to palm oil plantations. This decision is the first of its kind for the SPFT. Land defenders from the SPFT have been among numerous human rights defenders in Thailand who have been subjected to judicial harassment. In June 2020, LRWC was among 53 groups and 23 individuals urging the UN Forum on Business and Human Rights and the UN Working Group on Business and Human Rights and other agencies to intervene and highlight the ongoing situation of judicial harassment against women and men human rights defenders in Thailand.

TURKEY

Turkey: International law obligations to release arbitrarily detained lawyer Aytaç Ünsal



Aytaç Ünsal

On 8 February 2021, LRWC wrote a letter to authorities in Turkey expressing alarm about the unlawful rearrest, arbitrary detention, torture and ill-treatment, and refusal of adequate health care in the case of Mr. Aytaç Ünsal. The rearrest appeared to be in violation of a 3 September 2020 order of Turkey's Supreme Court of Cassation for Mr. Ünsal's provisional release from prison on grounds of his fragile health after a lengthy hunger strike. LRWC and other human rights organizations have previously expressed grave concern about Mr. Ünsal's arbitrary detention after a conviction based on an unfair trial on charges that are illegitimate at international law. The 8 February 2021 letter urged Turkey to "immediately and unconditionally to release Mr. Ünsal and all other arbitrarily detained human rights lawyers and defenders, including journalists imprisoned for reporting on human rights issues." Mr. Ünsal's situation is part of an ongoing pattern of systemic, arbitrary detention of defenders in Turkey that has escalated since an attempted coup on 15 July 2016.

Turkey: Continued Deterioration of the Rule of Law and Persecution of Lawyers and Human Rights Defenders: Written statement to UN Human Rights Council

On 24 February 2021 LRWC submitted a joint written statement with Lawyers for Lawyers to the UN Human Rights Council for its 46th Session in February-March 2021.

The statement emphasized the dramatic destruction of Turkey's legal system since the attempted coup of 2016 and pointed out that "Turkey has imprisoned more lawyers than any other country in the world... since July 2016 more than 1,600 lawyers have been prosecuted, more than 615 remanded to pretrial detention, and more than 450 sentenced to prison."

Despite Turkey's ratification of UN human rights treaties including the International Covenant on Civil and Political Rights, Turkey deploys overbroad, vague anti-terrorism legislation in illegitimate prosecutions of human rights lawyers and defenders. The statement points out that lawyers in Turkey "are frequently subjected to harassment, including mass arrests, criminal prosecutions, threats, surveillance, and lack of fair trials for their clients and themselves" and that "some lawyers are charged with the same terrorism-related offences with which their clients are accused" in violation of the UN Basic Principles on the Role of Lawyers. The statement cited UN experts' expressed dismay and a call for an investigation into the "preventable" death of lawyer Ebru Timtik who died while on hunger strike demanding fair trial rights in Turkey. Despite the fact that Turkey has also ratified the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, there are documented cases of torture and illtreatment by authorities. The written statement made a number of recommendations, including repeal of all legislation that unlawfully restricts internationally protected rights, release of all arbitrarily detained lawyers, and termination of all forms of torture or ill-treatment of prisoners.

Turkey: Five years and no justice for Tahir Elçi: Joint letter to UN Special Rapporteurs



Tahir Elçi

On 2 March 2021, LRWC joined a group of dozens of lawyers' and human rights organizations from around the world in a <u>letter</u> to six UN Special Rapporteurs seeking their intervention to call on Turkey to ensure "an independent, impartial, and competent court trial" of police officers accused of the 2015 murder of human rights lawyer, Mr. Tahir Elçi. The 47 signatories to the letter also sought an effective, impartial, and independent investigation into his death. After five years, Turkish authorities have failed to ensure an independent investigation in accordance with UN standards despite years of international advocacy by NGOs.

The joint letter details concerns about a previous hearing in the trial of the suspects in October 2020 and follows a joint statement issued in November 2020 expressing concerns about the October hearing. Police carried out an investigation themselves only after international pressure and the February 2019 publication of a forensic report of video evidence of the shooting of Mr. Elçi.

LRWC has been advocating for an effective, independent investigation into Mr. Elci's death since 2015. Prior to his death, LRWC had joined advocacy regarding judicial harassment of Mr. Elci. He was a prominent figure within the international and domestic lawyers' community. At the time of his death, Mr. Elçi was the President of the Diyarbakir Bar Association.

He was well known for having acted for victims in a number of leading cases brought before the European Court of Human Rights including cases of forced evictions of Kurdish villages, enforced disappearances, summary executions, and torture and ill-treatment by the State-affiliated persons.

Turkey: Overbroad anti-terrorism laws used to persecute human rights lawyers: Oral video statement to the UN Human Rights Council

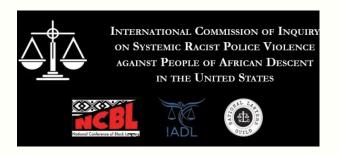
On 5 March 2021, LRWC, joined by Lawyers' for Lawyers, delivered an oral video statement to the UN Human Rights Council citing the joint written statement dated 24 February 2021 (above). The oral statement raised concern about Turkey's disturbing "ongoing failure to heed recommendations of Special Procedures and treaty bodies is disturbing" and called upon the Council to urge Turkey to "immediately implement all recommendations of Special Procedures and Treaty Bodies and to immediately accept the requests for country visits by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, and other UN Special Procedures. The statement also called on the Human Rights Council to undertake measures "for enhanced monitoring of human rights in Turkey."

Ahmet Altan, human rights book prize winner released from prison in Turkey

On 14 April 2021, writer and human rights defender, Ahmet Altan was released from prison in Turkey after the highest Court overturned a verdict against him. The verdict came a day after the European Court of Human Rights ruled against Turkey, saying that Mr. Altan's right to liberty and security had been violated after he was accused without reasonable suspicion. Ahmet Altan's book, I Will Never See the World Again: The Memoir of an Imprisoned Writer, was shortlisted for the 2020 Moore Prize for books on human rights themes. See more about the Moore Prize Awards below.

USA

Three lawyers' organizations convene public inquiry into systemic racist police violence in the US



Three lawyers' organizations based in the United States (US) assembled a group of <u>experts from twelve countries</u> to conduct public hearings into racist police violence against people of African descent in the US from 18 January to 6 February 2021.

The inquiry follows the UN Human Rights Council's 19 June 2020 Resolution requesting the UN High Commissioner on Human Rights (UNHCHR) 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 people of African descent." Due to reported diplomatic pressure by the US, the Council's June 2020 resolution diluted the request of hundreds of NGOs, led by the American Civil Liberties Union (ACLU), for a full Commission of Inquiry focusing on the US.

In an attempt to ensure that the UNHCHR's report adequately addresses systemic, racist violence in the US, the National Conference of Black Lawyers, the International Association of Democratic Lawyers, and the National Lawyers Guild (NLG) convened International an Commission on Systemic Racial Police Violence against People of African Descent in the United States.

During three weeks of online hearings, 12 <u>Commissioners</u>, jurists from Kenya, Nigeria, Pakistan, South Africa, and the United Kingdom, considered <u>cases of the killing of people of African</u> <u>descent in the US</u>. The Commission heard evidence from victims' lawyers and family members. The Report of the Commissioners will be sent to the UNHCHR to inform her June 2021 report.

LRWC director, Marjorie Cohn, a law professor emerita and a former president of the NLG, was one of four rapporteurs assisting with the hearings and preparation of the High Commissioners' report to be released 27 April 2021. Prof. Cohn will make a presentation on the Commission of Inquiry at LRWC's Annual General Meeting on 7 May 2021 (see above page 1).

USA: LRWC welcomes revocation of sanctions against International Criminal Court



ICC Chief Prosecutor Fatou Bensouda

LRWC <u>welcomed</u> the US government's revocation of sanctions against personnel of the International Criminal Court (ICC) on 2 April 2021. The US Department of State also terminated its 2019 policy to restrict visas for other ICC officials involved in investigating the actions of US troops in Afghanistan and other countries.

On 29 March 2021 LRWC had issued a <u>statement</u> urging an immediate end to sanctions imposed by former President Donald J. Trump against the ICC Chief Prosecutor, Fatou Bensouda, and Phakiso Mochochoko, the ICC's Head of the Jurisdiction, Complementarity and Cooperation Division of the Office of the Prosecutor.

LRWC's statement emphasized that the sanctions were a direct attack on the judicial independence of the ICC, undermined access to justice for victims of atrocity crimes, and contributed to impunity for the perpetrators. LRWC's statement was sent to US President Joe Biden and US Secretary of State Antony J. Blinken. Since 2019, LRWC had <u>repeatedly urged the US</u> to end its threats against the ICC, and continues to advocate that the US ensure future respect for the independence of the Office of the Prosecutor of the ICC and establish a cooperative relationship with the ICC and its personnel that respects the international rule of law and the duty of all States to uphold its international obligations to prosecute international crimes.

VIETNAM



LRWC is monitoring ongoing violations of fair trial rights of citizens of Dong Tam, Vietnam. Several Dong Tam residents have been sentenced to the death penalty or lengthy prison terms in an unfair trial in September 2020 and a March 2021 appeal that upheld the sentences. Lawyers were obstructed during their advocacy for the defendants at both the trial and the appeal.

LRWC participated in a video interview about the case produced by a civil society organization, <u>Viet Tan</u>. "People have been sentenced to the death penalty in an obviously unfair trial and appeal in a case where the facts are far from clear," noted LRWC's representative. "There appears to have been no investigation of allegations of police violence and misconduct in this case. The trial and appeal courts appear to have failed to elicit reliable information about what happened in the raid in Dong Tam in January 2020."

The case against the Dong Tam villagers arose after a violent police raid on the village of Dong Tam. The villagers had been protesting a proposed military construction site where there is a risk of dispossession of their farm land. Three police officers were killed during the raid, and one 84-year old villager, Le Dinh Kinh, was shot dead by police.

LRWC signed a joint letter on 8 October 2020 to the government of Vietnam to express grave concern about the trial held from September 7 to 14, 2020. The rights of the defense lawyers and the Dong Tam citizens were violated throughout the trial

YEMEN

LRWC statement underlines failure by Canada, France, Iran, and the UK to heed UN Experts' pleas to halt arms sales to parties to the Yemen conflict

In an oral video statement to the UN Human Rights Council on 25 February 2021, LRWC called attention to the role of several countries in supplying arms to parties to the worsening Yemen conflict. The statement noted that as of October 2020, there were "an estimated 233,000 warcaused deaths, including thousands of children, millions facing lack of food and necessaries." The UN Experts report includes findings that the parties to the conflict have committed violations of international humanitarian law through "air strikes, shellings, and indiscriminate attacks: interference with humanitarian aid and access to food; murder; and arbitrary detentions." LRWC underlined findings of the UN Group of Experts that some parties to the conflict have targeted journalists, human rights defenders and jurists.

Third party States including Canada, France, Iran, and the UK have failed to heed the UN Experts' pleas to halt arms sales to Saudi Arabia or other parties to the conflict.

LRWC called on the Council to take steps to encourage a Security Council referral of the situation to the International Criminal Court as requested by the Experts, and to call on all States to halt arms transfers to all parties to the conflict.

Since then, LRWC has been <u>troubled</u> that despite the US announcement in February 2021 that it planned to terminate arms sales used for the war in Yemen, it has announced US resumption of arms sales to the United Arab Emirates, one of the parties to the Yemen conflict.

UNITED NATIONS

46rd Session of the UN Human Rights Council (22 February to 24 March 2021)

Preparatory letter to member States prior to the 46th session

South Sudan: Extend the mandate of the UN Commission on Human Rights in South Sudan, <u>Joint letter</u> to HRC member States and observer States, 5 February 2021.

Written statement

Turkey: Continued Deterioration of the Rule of Law and Persecution of Lawyers and Human Rights Defenders, <u>Joint written statement</u>, LRWC and Lawyers for Lawyers, 46th session of the UN Human Rights Council, 24 Feb 2021.

Oral statements

Sri Lanka: Prevailing Impunity and Lack of Accountability for Human Rights Violations in Sri Lanka, Oral Video Statement, Interactive Dialogue on the Report of the UN High Commissioner for Human Rights, 46th Session of the UN Human Rights Council, 24 February 21.

Yemen: UN Security Council should refer Yemen situation to the ICC: Oral Video Statement, Oral Update of the Group of Eminent Experts on Yemen, 46th Session, UN Human Rights Council, 25 February 2021, | Oral Statement

Turkey: Overbroad anti-terrorism laws used to persecute human rights lawyers, Joint Oral Video Statement, Interactive Dialogue with the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, 46th Session of the UN Human Rights Council, 5 March 2021

Iran: Arbitrary detention of lawyers carrying out legitimate work of their profession, <u>Joint oral video statement</u>, Interactive dialogue with the Special Rapporteur on the Islamic Republic of Iran, 46th Session of the UN Human Rights Council, 9 March 2021

Myanmar: Mounting evidence of crimes against humanity during military coup crackdown, Oral video statement, Interactive Dialogue with the Special Rapporteur on human rights in Myanmar, 46th Session of the UN Human Rights Council, 12 March 2021.

INTERNATIONAL CRIMINAL COURT

Welcome news: US lifts sanctions against ICC Prosecutor



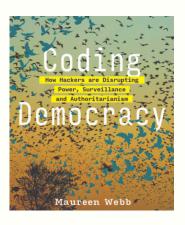
Lawyers' Rights Watch Canada <u>welcomed</u> the US government's revocation of sanctions against personnel of the International Criminal Court (ICC) on 2 April 2021. Just days before the sanctions were lifted, LRWC had issued a 29 March 2021 <u>statement</u> urging an immediate end to sanctions imposed by former President Donald J. Trump in 2020. See more under USA above.

EDUCATIONAL EVENTS

21 January 2021: Day of the Endangered Lawyer: The struggle to protect Azerbaijani lawyers.

A volunteer from LRWC attended an <u>online</u> <u>seminar</u> on 21 January 2021 featuring Azerbaijani human rights lawyers and the legal director of the European Human Rights Advocacy Centre and moderated by Dr. Marina Brilman, international human rights adviser of the Law Society of England and Wales. See more about Azerbaijan under Countries of Concern above.

31 March 2021: Book launch: Maureen Webb, Coding Democracy: How Hackers Are Disrupting Power, Surveillance and Authoritarianism.



Maureen Webb's acclaimed book was launched by Institute for the Humanities at Simon Fraser University, British Columbia. The event was cosponsored by SFU's Vancity Office for Community Engagement and LRWC. Maureen Webb is a labour, human rights and constitutional lawyer. Her book, Coding Democracy, was published in 2020 by The MIT Press and made Wired magazine's "Thirteen Must Read Books for Spring 2020" list. Ms. Webb has been invited to speak in many venues, including Chatham House, Virtual Futures, the Oxford Literary Festival, the London Front Line club, the Chicago Council on Global Affairs, the World Affairs Council of California. and the Toronto International Festival of Authors. Ms. Webb has served on the boards of LRWC and the BC Civil Liberties Association and has taught public interest law at UBC law school. A video of the lecture is forthcoming on the SFU website.

18 March 2021: Panel in support of International Women's Day on March 8.

Amnesty International Canada's Gender Rights team and Amnesty Windsor Law hosted an event to mark International Women's Day, co-organized by LRWC volunteer, Rai Friedman. Guest speakers were Gail Davidson, LRWC; Safa al-Ahmad, an award-winning Saudi Arabian journalist and filmmaker; and Maryam Shafipour, an Iranian Woman Human Rights activists and defender. Moderated by Jaqueline Hansen. Amnesty International Canada's Gender Rights Campaigner, the event raised awareness about Saudi Arabia women's rights defenders Loujain al-Hathloul. Nassima al-Sada, and Samar Badawi, and Iranian human rights lawyer Nasrin Sotoudeh. Read more about the event.

AWARDS

On 11 January 2021, the 2020 <u>Moore Prize</u> for books featuring human rights themes was awarded to Raja Shehadeh for his 2019 book, <u>Going Home: A walk through fifty years of occupation</u> (Profile books, 2019).

The author is the founder of the human rights organization Al Haq, established in 1979 by a group of Palestinian lawyers to address human rights in the Occupied Palestinian Territory. A short-list of books was announced on 10 December 2020 and includes:

- Monique Villa. Slaves among Us: The Hidden World of Human Trafficking. Rowman & Littlefield Publishers (2019);
- Ahmet Altan, trans. Yasemin Congar. I Will Never See the World Again: The Memoir of an Imprisoned Writer (Other Press, 2019);
- Carlos Sardiña Galache. The Burmese Labyrinth: A History of the Rohingya Tragedy (Verso Books, 2020);
- Kai Strittmatter, trans. Ruth Martin. We Have Been Harmonized: Life in China's Surveillance State (Old Street Publishing, 2019).

The Moore Prize is organized annually by the Christopher G. Moore Foundation. Mr. Moore is a Canadian author residing in Thailand. The Moore Prize 2020 jury included LRWC's Executive Director, Catherine Morris, BBC journalist Jonathan Head, and Brazilian author and human rights defender Djamila Ribeiro.

LRWC IN THE NEWS

'Localized harassment': RCMP patrol Wet'suwet'en territory despite UN calls for withdrawal, <u>The Narwhal</u>, February 2021.

Watchdog report on RCMP's investigation of Colten Boushie shooting due next month, *CBC News*, 25 February 2021.

'Tamil lives depend on it' – NGOs call for international action on Sri Lanka, <u>Tamil Guardian</u>, 26 February 2021.

61 legal practitioners killed since 2016, zero convictions – lawyers' group, <u>CNN Philippines</u>, 10 March 2021.

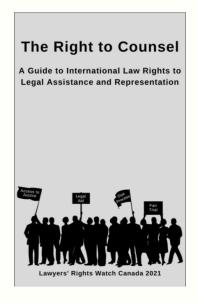
PUBLICATIONS

The following were written by LRWC directors and volunteers and published between January and 15 April 2021.

NEW GUIDEBOOK

Luiza Teixeira, The Right to Counsel: A Guide to International Law Rights to Legal Assistance and Representation (LRWC, February 2021)

LRWC is pleased to announce the publication of a new international human rights law guidebook, *The Right to Counsel: A Guide to International Law Rights to Legal Assistance and Representation*, published in February 2021. The book is authored by Luiza Teixeira, a lawyer from Brazil with 13 years of experience in human rights.



The author has been a monitor and researcher with LRWC since 2014. Ms. Teixeira works in Brazil on promotion of the right of children and adolescents to be protected from all forms of violence. The book is available for <u>download free</u> of charge in .pdf format.

PERIODICAL ARTICLES

Marjorie Cohn, "George Floyd 'Narrated his Death' says attorney at International Inquiry," <u>Common Dreams</u>, 28 January 2021.

Catherine Morris, "Myanmar Coup: 'A Crisis Born of Impunity'," *Slaw.ca*, 25 February 2021.

Catherine Morris, "First They Ignore You': Attempts to Thwart Human Rights Advocacy." <u>The Advocate</u> 79(1)(March 2021).

Marjorie Cohn, "Calling Chauvin a "Bad Apple" Denies Systemic Nature of Racist Police Violence," *Truthout*, 3 April 2021.

WORKING PRO BONO WITH LRWC

LRWC acknowledges with gratitude the ongoing dedication of volunteers, donors, and part time staff who faithfully work to uphold international human rights law and standards. During the first quarter of 2021, dozens of LRWC members worked pro bono conducting research, education and advocacy for LRWC events, reports, publications, letters and statements. Human rights organizations increasingly face the need to ensure their security. In 2020 LRWC implemented new privacy and security measures; thus names of volunteers and donors are not listed here with the exception of LRWC Executive Director and those named in publications or public events.

WORKING IN COOPERATION WITH OTHERS

Through joint advocacy between January and March 2021, LRWC worked in cooperation with hundreds of other organizations around the world.

JOIN LRWC

LRWC needs your donations to carry on and expand its work. Monthly donations increase LRWC's ability both to respond quickly and plan ahead. Fees and donations can be made by cheque or Canada Helps.

> Follow LRWC on Facebook, Twitter and Instagram Contribute to LRWC's advocacy by sharing our social media posts







Thank you for supporting LRWC.

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