

NEWS FROM

LAWYERS' RIGHTS WATCH CANADA

By Catherine Morris*

The 2020 annual report of Lawyers' Rights Watch Canada ("LRWC")¹ was released in April 2021 and reported on LRWC volunteers' interventions in 21 countries during 2020 to address threats to human rights defenders, independence of the legal profession and the rule of law. This column draws largely on the executive director's message in that annual report and briefly summarizes LRWC actions during the first several months of 2021.

2020–21: A PANDEMIC OF RIGHTS VIOLATIONS HAS MET WITH DRAMATIC CIVIL RESISTANCE TO INJUSTICE

The year 2020 and the first half of 2021 have tested the resolve and mettle of human rights advocates around the world. Public health measures to suppress the spread of COVID-19 led to globalized donning of masks, physical distancing and other restrictions. However, there was far less effort to protect human rights.

Events in 2020 exposed a parallel pandemic of severe international human rights violations along with revelations of grave impacts of historic, systemic injustices and inequalities faced by marginalized peoples and individuals around the world. Since the beginning of the COVID-19 pandemic, the gap between international human rights law and practices on the ground has seemed wider than ever, with fewer resources to address violations.

While positive developments in human rights protection by governments and corporations were few and far between, popular resistance to injustice has been dramatic. In 2020, civil resistance movements were seen in Hong

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Kong protests against China's violations, protests against Canadian government crackdowns against Indigenous land defenders, protests against racist police violence throughout the United States and protests against electoral fraud in Belarus.

Human rights advocates, including LRWC volunteers, have continued to intervene to address these breaches and defend the right of peaceful dissent and protest through documentation, legal research, educational seminars, letters and statements seeking compliance with international human rights law and standards.

A SUMMARY OF LRWC INTERVENTIONS IN 2020 AND THE FIRST HALF OF 2021²

LRWC intervened to address violations against those upholding Indigenous peoples' rights, land rights or environmental rights (e.g., in Canada, Colombia and Thailand). LRWC volunteers resisted the continued shrinkage of space for dissent as governments created or abused laws to delegitimize or criminalize human rights advocacy and to threaten freedoms or even the lives of those who engage in peaceful dissent (in Cambodia, Canada, Hong Kong SAR, Saudi Arabia, Thailand, Turkey and the United States). LRWC has also spoken out about violations by corporations (e.g., in Malaysia, in Thailand and by Zoom Inc.).

LRWC joined global advocacy against draconian COVID-19 emergency laws or discriminatory application or neglect of public health measures (e.g., in Cambodia, Canada, China and Colombia). In some cases, COVID-19 prisoner releases excluded human rights advocates (e.g., in Iran and Turkey). LRWC also worked to address situations where powerful states and corporations either engaged in or remained silent in the face of atrocity crimes against religious minorities and human rights advocates (e.g., in China and Myanmar). LRWC also noted active attempts to subvert or weaken international human rights law and bodies (e.g., in China).

During the first half of 2021, LRWC volunteers have been monitoring situations in more than a dozen countries, including the countries named above. LRWC's work has included interventions, including joint letters or statements with other human rights organizations, concerning the following countries:

- Azerbaijan, where lawyers are routinely disbarred or denied admission to the bar as a result of their human rights advocacy;
- Cambodia, where the COVID-19 pandemic has been used as an excuse to limit human rights advocacy and to justify draconian and

discriminatory lockdowns that prohibit people from leaving their homes even to obtain food or go to work, and even to curb humanitarian interventions into areas afflicted by COVID-19;

- Iran, where human rights lawyers and other defenders, particularly women human rights defenders, continue to experience judicial harassment and arbitrary detention;
- Malaysia, where LRWC welcomed news that global advocacy by dozens of human rights organizations, including LRWC, resulted in the withdrawal of contempt of court charges against a Malaysian human rights lawyer and eight environmental rights defenders in a case involving villagers' protests against negative impacts of logging on community livelihoods and on the environment;
- Myanmar (discussed in the May 2021 edition of the *Advocate*), where the military junta has since its coup on February 1, 2021 extrajudicially killed hundreds of people and arbitrarily detained thousands, including numerous human rights advocates;
- the Philippines, where dozens of lawyers and other human rights defenders have been murdered with impunity since the Duterte government took power in 2016;
- Russia, where lawyer Ivan Pavlov, who represents Aleksei Navalny's Anti-Corruption Foundation and others wrongly accused in "extremism" cases, was arbitrarily detained in April 2021;
- Thailand, where human rights advocates regularly experience judicial harassment and arbitrary detention, and where the government has proposed a new law on non-profit associations with vague and overbroad provisions that could dramatically shrink the space for dissent and human rights advocacy; and
- the United States, where LRWC interventions focused on U.S. harassment of personnel of the International Criminal Court,³ as well as issues of grave human rights violations within the U.S. justice system, including systemic racist police violence.⁴

In addition, LRWC issued a new publication on the international law and standards pertaining to the right to counsel. This 156-page publication is available free of charge on LRWC's website.⁵

The year 2020 and the first half of 2021 have posed an urgent challenge to human rights advocates and to all those who uphold the rule of law. LRWC expresses appreciation for its members and donors for their support of LRWC, without which LRWC volunteers could not continue to do their work.

ENDNOTES

1. Online: <www.lrwc.org/wp-content/uploads/2021/04/LRWC-Annual-Report2020.F.pdf>.
2. See LRWC's interventions online: <www.lrwc.org/category/publications/campaigns/countries/>.
3. Catherine Morris, "USA vs. the International Criminal Court: A Fraught History in the Quest for International Accountability for Atrocity Crimes", *Slaw* (19 May 2021), online: <www.slaw.ca/2021/05/19/usa-vs-the-international-criminal-court-a-fraught-history-in-the-quest-for-international-accountability-for-atrocity-crimes/>.
4. See LRWC's interventions on the United States online: <www.lrwc.org/category/publications/campaigns/countries/usa-letters/>.
5. Luiza Teixeira, *The Right to Counsel: A Guide to International Law Rights to Legal Assistance and Representation* (Vancouver: LRWC, February 2021), online: <www.lrwc.org/the-right-to-counsel-a-guide-to-international-law-rights-to-legal-assistance-and-representation-lrwc-publication/>.



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