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icj

International
Commission
of Jurists

Organization: Lawyers' Rights Watch Canada
Item: Item 6: General debate the Universal Periodic Review
Date: 1 October 2021
Speaker: Catherine Morris

Oral Statement to the 48th Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), Lawyers for Lawyers, the International Bar Association's Human Rights Institute, and the Law Society of England and Wales, International Service for Human Rights, and the International Commission of Jurists, NGOs in special consultative status

Myanmar, Colombia, China: Effective engagement with Universal Periodic Review is critical to effectiveness

Mme. President,

This is a joint statement of several NGOs.

We regret that the military coup in **Myanmar** has precluded an Interactive Dialogue on its UPR outcome for two consecutive Council sessions. Meanwhile, lawyers and defenders continue to be at risk,¹ and a number have been arbitrarily detained, disappeared, and ill-treated by the junta.

Mid-term assessment after **Colombia's** 2018 UPR shows lack of progress in implementing the recommendations it accepted on protection of lawyers.² Lawyers and defenders continue to be in danger in Colombia, and protection measures remain inadequate.

China has not implemented recommendations accepted during its 2018 UPR. Mid-term assessment³ demonstrates that China continues to persecute lawyers and defenders without improvement in freedom of expression or fair trial rights. Lawyer Chang Weiping recently reported torture and ill-treatment during months of arbitrary detention without access to a lawyer.⁴ China is not fulfilling its responsibilities as a member of this Council to "uphold the highest standards of human rights" pursuant to GA resolution 60/251.⁵

The UPR is a peer review. Meaningful, genuine engagement with the UPR process is critical to its effectiveness. We urge all States under Review, Troikas⁶ and Recommending States, to monitor and ensure implementation of all accepted recommendations, and comply with resolution 60/251.

Thank you.

References

¹ Lawyers for Lawyers and Lawyers' Rights Watch Canada, Joint Submission to the United Nations Universal Periodic Review, June 2020, available at: <https://lawyersforlawyers.org/wp-content/uploads/2020/07/Joint-UPR-submission-Myanmar-L4L-LRWC-July-2020.pdf>.

² Lawyers for Lawyers, Lawyers' Rights Watch Canada, and The Colombian Caravana, Colombia: Mid-term Report - Review of the implementation of recommendations with respect to the rule of law and the role of human rights defenders accepted by Colombia during the UPR in 2018, September 2021, available at: <https://lawyersforlawyers.org/wp-content/uploads/2021/09/Midterm-report-Colombia-L4L-LRWC-Caravana-sept-2021.pdf>.

³ Lawyers for Lawyers, Lawyers' Rights Watch Canada, China: Mid-term Report - Review of the implementation of recommendations with respect to the rule of law and the role of human rights defenders accepted by China during the UPR in 2018, August 2021, available at: <https://lawyersforlawyers.org/wp-content/uploads/2021/08/Final-mid-term-review-China-L4L-LRWC.pdf>.

⁴ Front Line Defenders, "Chang Weiping allowed first meeting with lawyers, recounts ill-treatment," 16 September 2021, available at:

<https://www.frontlinedefenders.org/en/case/chang-weiping-allowed-first-meeting-lawyers-recounts-ill-treatment>.

⁵ UN General Assembly, Human Rights Council : resolution / adopted by the General Assembly, 3 April 2006, A/RES/60/251, available at: <https://undocs.org/en/A/RES/60/251>.

⁶ Universal Rights Group, "Towards the Third Cycle of the UPR: Stick or Twist? Lessons learnt from the first ten years of the Universal Periodic Review." Policy Report, July 2016, available at: https://www.universal-rights.org/wp-content/uploads/2016/07/URG_UPR_stick_or_twist_page_by_page.pdf