

# 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

## ANNUAL REPORT 2021

*1 January to 31 December 2021*

### OUR MISSION

Lawyers' Rights Watch Canada (LRWC) is a committee of lawyers and other human rights defenders dedicated to promoting the rule of law and human rights internationally by:

- Providing support to lawyers and other human rights defenders whose rights, freedoms, or independence are threatened as a result of their human rights advocacy.
- Conducting legal research and producing legal analyses of national and international laws and standards relevant to advocacy rights, the integrity of legal systems, fair trial rights and the rule of law.
- Working in cooperation with other human rights organizations.
- Engaging in legal education.

LRWC and Lawyers' Rights Watch (Legal Research) Canada are non-profit societies incorporated under the Canada Not-for-profit Corporations Act. Lawyers' Rights Watch (Legal Research) Canada is a charitable organization in Canada, No 86056 3139 RR0001.

LRWC's work is supported by [memberships and donations](#) from individuals and private foundations. To ensure independence and to avoid conflicts of interest, LRWC does not accept donations from governments or corporations.

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Since 2005, LRWC has been a non-governmental organization (NGO) in consultative status with the United Nations (UN) Economic and Social Council (ECOSOC).

## **LRWC CONSTITUTIONS**

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### **LAWYERS' RIGHTS WATCH CANADA**

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- To provide support internationally to lawyers and other human rights defenders whose rights, freedoms, or independence are threatened as a result of their human rights advocacy,
- To promote and protect the rights of lawyers and other human rights defenders to engage in independent advocacy.
- To preserve and enhance the rule of law.
- To encourage governments and other institutions to respect fair trial rights including the right of lawyers to engage in independent advocacy.
- To encourage ratification, implementation and enforcement of international human rights treaties that impact legal advocacy rights, the integrity of legal systems and fair trial rights.
- To encourage the constitutional and legislative amendments necessary for conformity with international human rights standards relevant to lawyers, judges and human rights defenders; the integrity of legal systems; and fair trial rights.
- To provide research, education and public analyses with respect to the above.
- To work with other human rights organizations to achieve these purposes.

### **LAWYERS' RIGHTS WATCH (LEGAL RESEARCH) CANADA**

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- To do legal research on jurisprudence, national laws and international laws and standards related to the integrity of legal systems and the right of lawyers and other human rights defenders to engage in independent advocacy.
- To make such research available to the public.
- To provide public legal education on the above topics.

## **DIRECTORS**

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#### **LRWC Board of Directors 2021-2022**

Clive Ansley  
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 Brian Samuels, Q.C.  
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 Margaret (Peggy) Stanier  
 Melissa Tessler  
 Grace Woo

## LRWC TRANSITIONAL EXECUTIVE DIRECTOR IN 2021

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Catherine Morris, BA, JD, LLM, served as LRWC's transitional Executive Director in a pro bono capacity from 1 June 2020 to 25 January 2022. She has been a volunteer with LRWC over two decades. She also serves as LRWC's Main Representative at the UN Human Rights Council. She has taught graduate level courses in international human rights and conflict studies at universities in Canada, Southeast Asia and Europe. She has conducted field missions in countries in Asia, Africa, and Central and South America. She is internationally recognized for her work and publications in the fields of international human rights, peacebuilding, and dispute resolution.

## LRWC VOLUNTEERS, DONORS, AND STAFF

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As a volunteer-run organization, LRWC treasures the contributions of volunteers and donors. In 2021, dozens of LRWC members spent countless pro bono hours conducting research, education and advocacy for LRWC events, reports, publications, letters and statements. Human rights organizations increasingly face the need to ensure security and privacy, and accordingly names of volunteers, donors, and staff members are not listed here with the exception of board members, the transitional Executive Director, and those named in publications or public events.

## LRWC COOPERATION WITH OTHER ORGANIZATIONS

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Through joint initiatives and co-sponsorship of letters and statements, LRWC cooperated with hundreds of domestic, regional, and international non-government organizations (NGOs) around the world working to promote and implement internationally protected rights. Working in cooperation with other organizations serves to increase the quantity, extend the scope, improve the quality, and enhance the effectiveness of letters, written and oral statements, amicus briefs, petitions, and reports to monitoring bodies and education initiatives. Particular acknowledgement is due to LRWC's colleagues at the International Bar Association's Human Rights Institute, Lawyers for Lawyers, the International Service for Human Rights, the Law Society of England and Wales, and informal networks of advocates in several regions of the world.

**IMPRISONED, ATTACKED, MURDERED, TORTURED, DISAPPEARED**

**Lawyers around the world are under attack for their work  
representing victims of human rights violations**

**Lawyers' Rights Watch Canada**

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

**Visit [LRWC.org](https://LRWC.org) to learn more and donate**

LRWC is a Canadian organization that advocates for human rights defenders and lawyers under attack for their work.

## LRWC ADVOCACY IN 2021

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In many countries those who stand up for human rights, including legal professionals, are stigmatized, defamed, subjected to surveillance, criminalized, arbitrarily detained, attacked, murdered, or disappeared. Legal professionals are among the 1,300 or more human rights defenders who have been killed since 2015 in at least [64](#) countries. In 2021, [358](#) human rights defenders in 35 countries lost their lives as a result of their advocacy. Persons advocating for environmental and land rights or rights of Indigenous Peoples, minorities, and women, are the most frequently persecuted.

In 2021, LRWC volunteers monitored human rights concerns in 25 countries, listed below starting at page 6. LRWC wrote, contributed to, or endorsed dozens of letters and statements in 2021 as well as more than two dozen interventions in United Nations (UN) bodies. The letters and statements are available on LRWC's website in relevant [country sections](#). LRWC is reliant on knowledgeable and experienced volunteers for drafting, editing and dissemination of letters, statements, reports and research publications. Volunteers self-fund country visits for research, trial monitoring, and visits to the UN Human Rights Council to advocate in person with diplomats, UN officials and members of other NGOs for improved rights protection for human rights defenders. Also self-funded, are volunteers' in-person visits to the Assembly of States Parties of the International Criminal Court.

## WELCOME DEVELOPMENTS IN 2021

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LRWC welcomed several happenings in 2021 including:

- **Canada:** Law adopted to implement the UN Declaration on the Rights of Indigenous peoples
- **Iran:** Temporary release of women's rights lawyer Nasrin Sotoudeh from prison on medical grounds.
- **Malaysia:** Withdrawal of spurious contempt proceedings against lawyer Charles Hector.
- **Saudi Arabia:** Release from prison of women's rights defenders Loujain Al-Hathloul and Samar Badawi.
- **Thailand:** Dismissal of defamation suits against labour rights defenders.
- **United States:** Withdrawal of sanctions against the International Criminal Court Prosecutor.

## LRWC INTERVENTIONS IN 2021

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Countries of particular concern in 2021 were:

- **Afghanistan,** where women jurists and human rights defenders are at particular risk under Taliban rule;
- **China,** where lawyers and other human rights defenders continued to be routinely arbitrarily imprisoned and tortured and where alleged crimes against humanity continue in the Uyghur region; and
- **Colombia,** where human rights defenders and lawyers experienced escalating threats of violence;
- **Iran,** where human rights defenders, including women's rights lawyers, continued to be subjected to lengthy arbitrary detention and ill-treatment because of their advocacy;
- **Myanmar,** where the February 2021 military coup resulted in more than a thousand extrajudicial killings and thousands of arbitrary detentions of parliamentarians, peaceful protestors, journalists, human rights defenders, and lawyers;

- **The Philippines**, where extrajudicially killings and attacks on lawyers and human rights defenders continued with impunity;
- **Saudi Arabia**, where human rights defenders, including women's rights defenders, continued to be arbitrarily imprisoned, tortured, and ill-treated; and
- **Turkey**, where more human rights lawyers are imprisoned than in any other country.

Numerous other countries are of also major concern. LRWC needs volunteers with knowledge of international human rights law to increase its global advocacy and ensure follow up of country situations. LRWC also needs substantially increased funding to facilitate and coordinate its [advocacy](#), [research](#), and education, including dissemination and updates of LRWC guidebooks, manuals, and briefing papers including:

- *The Right to Counsel: A Guide to International Law Rights to Legal Assistance and Representation* by Luiza Teixeira ([LRWC](#), February 2021);
- *The Right to Dissent: International law obligations to respect, protect and fulfill the right to participate in public affairs by engaging in criticism, opposition and dissent*, by Lois Leslie, LRWC, [2017](#));
- *The Right to Legal Aid: A Guide to International Law Rights to Legal Aid*, by Lois Leslie (LRWC, [2014](#));
- *Pre-trial release and the right to be presumed innocent: A handbook on international law rights to pre-trial release*, by Lois Leslie (LRWC, [2013](#)); and
- Many other reports pertaining to issues, all of which are [available free of charge](#) on the LRWC website.

#### ***INTERVENTIONS SERVE LRWC'S MANDATES FOR ADVOCACY, RESEARCH, AND EDUCATION***

LRWC advocacy begins with research of the facts and applicable international human rights law, and identification of violations and required remedies. LRWC communications provide legal analyses of facts and law and make recommendations to halt or remedy violations.

Carefully researched letters and statements create the foundation for further reports, legal briefs, amicus briefs, and written or oral statements to the UN Human Rights Council or UN Treaty Bodies. LRWC guidebooks, manuals, and briefing papers, such as those listed above, have been developed to guide LRWC volunteers and other advocates around the world.

LRWC interventions build solidarity among human rights defenders around the world through information sharing, joint advocacy, and contributions to global campaigns. Letters and statements serve LRWC's educational mandate by engaging volunteers in research and providing well-referenced summaries of relevant international law obligations for lawyers, human right defenders, other human rights NGOs, public officials, and international bodies.

## COUNTRIES OF CONCERN

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In 2021, LRWC intervened in situations in the countries discussed below (in alphabetical order).

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### **AFGHANISTAN: WOMEN JURISTS AND DEFENDERS IN DANGER UNDER TALIBAN RULE**

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After the Taliban took control of Afghanistan by force on 15 August 2021, there were reports of dramatically increased human rights violations, including threats against women judges, lawyers, and human rights defenders.



Ms. Shaharзад Akbar, Chair of the  
Afghanistan Independent Human Rights Commission,  
addresses the UN Security Council, August 2021.

In a 17 August 2021 [press statement](#), LRWC noted that early announcements by Taliban leaders that they intended to uphold Afghanistan’s international human rights obligations were unconvincing given their provisos that women’s rights would be subject to Islamic law and that the right of media to freedom of expression would be subordinated to “national values.”

On 24 August 2021, LRWC was among 33 NGOs to be given speaking slots at the UN Human Rights Council’s emergency Special Session on Afghanistan. LRWC’s [statement](#) called for the establishment of an international fact-finding mechanism to monitor of violations of international human rights and humanitarian law, and “to collect, preserve, and prepare evidence of violations for use in fair and independent prosecutions.” LRWC’s statement was joined by the International Bar Association and The Law Society of England and Wales. On 24 September 2021, LRWC delivered another [statement](#) to the UN Human Rights Council reiterating the urgency of international action to prevent further deterioration of human rights in Afghanistan and reiterating the need for an international investigative mechanism.

LRWC welcomed the 27 September 2021 announcement by the Prosecutor of the International Criminal Court (ICC), Karim Khan, of resumption of the investigation into international crimes in Afghanistan. On 26 March 2020, the now-deposed government of Afghanistan had asked the previous Prosecutor, Ms. Fatou Bensouda, to [defer her investigation](#) on the grounds that the Afghan government intended to pursue its own prosecutions (invoking the “principle of complementarity”). Article [18\(2\) of the Rome Statute](#) provides that the ICC takes action only if States Parties cannot or will not, so the prosecutor acceded to Afghanistan’s request.



However, LRWC was concerned about Prosecutor Karim Khan’s decision to focus the resumed investigation on alleged crimes by the Taliban and the Islamic State, while giving lower priority to “other aspects of this investigation.” This decision potentially deprives victims of international crimes of their right to a remedy for international crimes allegedly perpetrated by actors from the United States (US), Canada, Australia, the UK, and others. Since 2001, LRWC has been engaged in advocacy calling for accountability for States [unlawfully](#) engaged in the lengthy armed conflict in Afghanistan, including alleged war crimes.

On 7 October 2021, LRWC welcomed the UN Human Rights Council’s adoption of a [resolution](#) to appoint a Special Rapporteur to “examine and act on information from all relevant stakeholders pertaining to the situation of human rights in Afghanistan, but did not establish an investigative mechanism. At the end of 2021, jurists and human rights defenders continued living in a “[climate of fear](#)” in Afghanistan. At the end of 2021, the Taliban de facto authorities showed no signs that they intended to respect Afghanistan’s human rights obligations.

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### **ALGERIA: LAWYER IMPRISONED FOR REPRESENTING PRO-DEMOCRACY ACTIVISTS**

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There are hundreds of prisoners of conscience in Algeria. Human rights defenders, peaceful protesters and journalists have been charged with and convicted of unfounded and overly vague terrorism charges for participating in the nonviolent pro-democracy movement, Hirak. *Hirak* is the Arabic word for “movement.”

LRWC joined with Lawyers for Lawyers and other NGOs in joint [statement](#) on 9 July 2021 raising concern about use of the court system to silence, punish and/or intimidate human rights defenders engaged in lawful advocacy, including Algerian lawyers Mr. Abderraouf Arslane, who has represented the Collective for the Defence of Hirak Detainees. Mr. Arslane was arrested on 26 May 2021 while he was in court representing a Hirak activist Aziz Bekakria.



Abderraouf Arslane

On 9 November, LRWC participated in a [letter](#) by eight human rights organizations to Algerian authorities seeking the release and withdrawal of charges against Mr. Arslane, as well as guarantees for Algeria’s lawyers pursuant to the UN Basic Principles on the Role of Lawyers which requires States to ensure that members of the legal profession are able to carry out their legitimate professional activities freely and without fear of reprisals. At the end of 2021, Mr. Arslane remained in pre-trial detention. His trial commenced in November 2021 with the next hearings in the trial expected in 2022.

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## **AZERBAIJAN: THE DAY OF THE ENDANGERED LAWYER 2021**

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The plight of lawyers in Azerbaijan was highlighted on the [Day of the Endangered Lawyer](#) on 24 January 2021. Lawyers, including Shahla Humbatova have been disbarred 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 bar association.



Shahla Humbatova

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## **BELARUS: HARASSMENT AND ATTACKS ON INDEPENDENCE OF LAWYERS**

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Harassment of lawyers in Belarus increased dramatically in 2020 during the crackdown on protestors in the aftermath of the August 2020 election. Lawyers were among the many people arbitrarily arrested during peaceful protests after President Alexander Lukashenko refused to accept his [election](#) defeat.

Judicial and administrative harassment of lawyers continued in 2021. LRWC joined Lawyers for Lawyers in a [joint statement](#) to the UN Human Rights Council on 5 July 2021 expressing alarm about arrests during the 2020 protests and the disbarments of lawyers representing opposition figures and protestors or speaking about the need to maintain the rule of law, the administration of justice, and human rights. The statement also sought the repeal of amendments to the *Law on the Bar and Advocacy* in Belarus which restricts independence of the legal profession. LRWC also co-sponsored a [joint statement](#) to the UN Human Rights Council in June raising concern about the abuse of COVID-19 measures to intimidate dissenters.

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## **BURUNDI: IMPUNITY FOR HUMAN RIGHTS VIOLATIONS CONTINUES**

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UN Human Rights Council's independent Commission of Inquiry on Burundi was established in 2016 to investigate human rights violations since 2015. LRWC was among 43 NGOs signing a [letter](#) dated 19 August to member and observer states of the UN Human Rights Council urging renewal of the mandate of the Commission of Inquiry on Burundi for a further year, because of continuing violations and impunity. The letter noted that some human rights defenders have been released but that "national and international human rights organisations are still unable to operate in the country." However, instead of extending the mandate of the Commission of Inquiry, the Council adopted a [resolution](#) in October 2021 to appoint a Special Rapporteur to monitor and report on human rights in Burundi.



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**CAMBODIA: DE FACTO ONE-PARTY STATE WITH NO INDEPENDENT JUDICIARY**


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Cambodia has a long history of harassing persons who dissent from the long-ruling Cambodian People's Party (CPP) or who report violations, inequalities, or gaps in rights protection. In 2021, Cambodia continued its judicial harassment of defenders, political opposition, and dissenters contrary to the recommendations and advice of UN bodies.



Over decades, the CPP government of Prime Minister Hun Sen has steadily consolidated political and economic power, including through abuses of laws courts to criminalize dissent. While Cambodia has ratified numerous human rights treaties, the country's judiciary has no functional independence from the CPP. Since 2018, Cambodia has been a de facto one-party State. The CPP captured all parliamentary seats in the 2018 national election after orchestrating the 2017 Supreme Court dissolution of Cambodia's only viable opposition party.

**Planned internet restrictions**

In early 2021, Cambodia set the stage for increased restrictions on privacy and freedom of expression by adopting a Sub-Decree to establish a National Internet Gateway that would require all internet and data traffic in and out of Cambodia to pass through a single gateway. On 18 February 2021, LRWC joined 49 Cambodian and international civil society organizations in [statement](#) on calling on the government of Cambodia to revoke the Sub-Decree. While Cambodia did not revoke the Sub-Decree, as of the end of 2021, the single gateway had not been put in place.

**Abuse of COVID-19 restrictions to suppress dissent**

Cambodia's recognized success in curbing the spread and impact of COVID-19 was marred by regulations and measures that violated the country's international human rights obligations. In April 2021, Cambodia applied harsh lockdown measures in COVID-19 "red zones." This precipitated a humanitarian and human rights crisis that included hunger and financial hardships. Civil society groups and UN agencies were denied access to red zones, and authorities used threats, arrests, and violence to suppress peaceful dissent and to block the dissemination of information about the dire needs of residents in red zones. After international pressure, lockdowns were eased on 20 May 2021. LRWC issued a [statement](#) on 7 June 2021 urging Cambodia to review its COVID-19 regulations to ensure compliance with international human rights law requirements of lawfulness, necessity, and proportionality.

**Continued impunity for murder of Kem Ley**

July 2021 marked the fifth anniversary of the murder of human rights defender Kem Ley. A suspected contract killer, was quickly arrested, convicted, and imprisoned, but no thorough, independent, impartial or effective investigation into the murder has ever been conducted as required by international law and standards, including the [Minnesota Protocol](#) on the Investigation of Potentially Unlawful Death. On 10 July 2021, LRWC joined 45 organizations in a [statement](#) calling on the Cambodian government to create an independent Commission of Inquiry to investigate the murder. At the end of 2021, no further progress was noted.

### **LRWC emphasises the continued importance of a UN Special Rapporteur on Cambodia**

In October 2021, LRWC was joined by the International Commission of Jurists in an oral video [statement](#) to the UN Human Rights Council raising concern about regression of human rights in Cambodia and urging an increase in frequency of reports to the Council by the UN Special Rapporteur on Cambodia. In response to international concern, the Council adopted a resolution that provides for an update in March 2022 in addition to the Special Rapporteur's annual report in September 2022.

### **Increased judicial harassment of defenders and dissidents**

In November 2021, 15 human rights defenders and opposition political activists were subjected to unfair trials and sentenced to 20 months in prison for advocating for human rights or environmental protection. In addition, more than 130 persons faced mass trials on illegitimate charges of “conspiracy to commit treason” and “incitement to create social disorder” because of their peaceful advocacy for the right to political participation. Most of those being tried in mass trials are members of the former Cambodia National Rescue Party (CNRP), which the Cambodian government arbitrarily dissolved prior to the 2018 national election. One of those charged in the mass trials is a Cambodian-American human rights lawyer, Ms. Theary Seng. On 22 December 2021, LRWC published a [statement](#) expressing alarm about the mass trials.

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### **CAMEROON: CONTINUED THREATS AGAINST HUMAN RIGHTS LAWYER**

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LRWC continued to monitor the situation of Cameroon human rights lawyer, Felix Agbor Nkongho. In October and November 2021, during a visit to Canada, he was subjected to multiple death threats and calls for violence against him on social media. It is believed the threats originated in Cameroon. LRWC wrote a letter to the government of Cameroon on [12 November 2021](#) calling for protection of Mr. Nkongho. The letter pointed out that the threats are part of a history of harassment and retaliation against Mr. Nkongho as a result of his advocacy for protection of human rights in the Anglophone areas of Cameroon.



Felix Agbor Nkongho

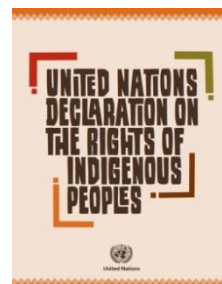
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### **CANADA: REMEDY HISTORIC AND ONGOING VIOLATIONS AGAINST INDIGENOUS PEOPLES**

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#### **Federal law adopted to implement UN Declaration on the Rights of Indigenous Peoples**

In March 2021, 37 Indigenous Nations, other organizations including LRWC, and 125 individual human rights advocates, [called](#) for the timely passage of federal legislation to implement the *UN Declaration on the Rights of Indigenous Peoples*. On 21 June 2021, LRWC welcomed final assent of the la adoption of Bill C-15 and called for [swift implementation](#) of the UN Declaration.



#### **Investigate deaths and disappearances of Indigenous children and women**

In 2021 the remains of more than a thousand children were discovered in unmarked graves near former institutions for Indigenous children in Canada. In 2015 The Truth and Reconciliation Commission of Canada (TRC) had [determined](#) that there were thousands of undocumented deaths and unmarked graves of children at residential schools. Death rates for Indigenous children forcibly taken from their families and detained in the institutions were “scandalously” higher than the death rate for children in Canada’s general

population. Of the estimated 150,000 Indigenous children confined in the institutions from approximately 1883 to their closing in 1996, thousands disappeared. However, the TRC's investigations were "hampered by limited and late access to relevant documents from the government and churches..."

LRWC joined the [calls](#) to Canadian authorities to ensure a prompt, thorough, independent and impartial investigation of the circumstances of all undocumented residential school deaths with full respect for the families and communities of the victims as required by international human rights law and standards, such as the UN [Minnesota Protocol](#). LRWC also called on Canadian authorities to "ensure immediate and complete production of all relevant documentation in the possession of all relevant governmental, religious, or other entities that can shed light on undocumented deaths and missing persons."

LRWC's statement also called on Canadian authorities and institutions to fully cooperate with all international human rights bodies, including UN human rights mechanisms and the [Inter-American Commission on Human Rights](#) (IACHR). As of the end of 2021, Canada had not fulfilled the 2019 requests by the [UN High Commissioner for Human Rights](#) and the [IACHR](#) to implement recommendations of the June 2019 report of the National Inquiry into Missing and Murdered Indigenous Women and Girls, which found that the failure to investigate and ensure remedies for the deaths and disappearances of thousands of Indigenous women, girls, and Two Spirit, lesbian, gay, bisexual, transgender, queer, questioning, intersex and asexual persons is part of a pattern leading the National Inquiry to make a finding of [the crime of genocide](#).

### **British Columbia: "Serious backsliding" in amended legislation on freedom of information and privacy**

On 26 October 2021, LRWC joined a coalition of civil society organizations in British Columbia (BC), Canada, in an urgent letter to BC's Premier expressing concern about Bill 22, which proposed amendments to the *Freedom of Information and Protection of Privacy Act* (FIPPA). Led by the BC Freedom of Information and Privacy Association ([FIPA](#)), the joint letter called for withdrawal of Bill 22 and an open consultation process towards comprehensive legislation that reflects recommendations of past and current special legislative committees responsible for reviewing the FIPPA. Despite this and [other](#) advocacy, on 24 November 2021, the BC government passed Bill 22 as the [FIPPA Amendment Act](#).

### **Canada: Unlawful attacks on Indigenous land rights defenders in Wet'suwet'en Territory**

LRWC [wrote](#) to Canadian and BC authorities on 15 December 2021 expressing concern about "allegations of unlawful use of force by the Royal Canadian Mounted Police (RCMP) against Wet'suwet'en people and their invitees during the enforcement of a court injunction in Wet'suwet'en territory in November 2021." Police arrested a number of peaceful Indigenous land rights defenders and clearly-identified journalists.

LRWC's letter also called on authorities to comply with the 2019 Decision of the UN Committee on the Elimination of Racial Discrimination to "halt construction...of the Coastal Gas Link pipeline in the traditional and unceded lands of the Wet'suwet'en people;" "immediately cease forced eviction of...Wet'suwet'en peoples," "guarantee that no force will be used against...Wet'suwet'en," and, ensure that "the Royal Canadian Mounted Police and associated security and policing services will be withdrawn from their traditional lands." The letter referred to LRWC's 17 March 2020 [legal brief](#), entitled "Canada's international human rights law obligations to suspend construction of the Coastal GasLink Pipeline and stop use of force against the Wet'suwet'en."

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**CHINA: ARBITRARY DETENTION OF LAWYERS AND CRIMES AGAINST HUMANITY**

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China's failure to abide by fundamental norms of international human rights law continues to pose grave concerns as the Chinese Communist Party (CCP) continues grave violations with impunity.

China continued its systematic crackdown against human rights lawyers, defenders, and dissenters. China has no independent judiciary and therefore all trials fail to meet even minimum fair trial requirements. Torture and ill-treatment are common, including the use of extorted confessions.

In 2021, LRWC continued to monitor the situation of human rights lawyers and defenders in China who are frequently subjected to prolonged arbitrary detention, incommunicado detention with no access to family members or lawyers, and to torture and other ill-treatment prohibited by international human rights law. Among the arbitrarily detained lawyers in China in 2021 were Mr. Chang Weiping, Mr. Yu Wensheng, Ms. Zhang Zhan, Mr. Ding Jiayi, and Mr. Xu Zhiyong (photos below). China also arbitrarily suspended or revoked lawyers' licences to practise law, including those of Mr. Qin Yongpei and Ms. Li Yuhan.

**China failed to fulfil its promises to uphold rights**

During 2021, China failed to fulfil promises it made during its third Universal Periodic Review (UPR) by the UN Human Rights Council in 2018. During this UPR, China voluntarily [accepted](#) recommendations from other States to ensure detainees' access to lawyers, effective protection of lawyers against harassment, and the right of freedom of expression.



Left to Right: Lawyers Chang Weiping, Yu Wensheng, Zhang Zhan, Ding Jiayi, and Xu Zhiyong.

In August 2021 LRWC joined Lawyers for Lawyers in a [report](#) examining implementation of the UPR recommendations accepted by China. The report concluded that China has failed to take substantive steps to implement the accepted recommendations and called on China to fulfill its commitments to enable lawyers to perform their professional functions without intimidation, hindrance, harassment or improper interference; uphold fair trial rights; guarantee the equal right of everyone to timely, confidential and effective access to counsel of choice; and, to allow lawyers to exercise their right to freedom of expression, opinion, belief, association and peaceful assembly. The report highlighted the cases of arbitrarily detained lawyers, including Mr. Qin Yongpei, Mr. Chang Weiping, Ms. Li Yuhan, Mr. Ding Jiayi, and Mr. Yu Wensheng.

On 1 October 2021, LRWC took the lead in a joint oral [statement](#) to the UN Human Rights Council exposing China's failure to implement the UPR recommendations. The statement also pointed out that China is not fulfilling its responsibilities as a member of the Council. All Council members are required to uphold the "highest standards of human rights" pursuant to UN General Assembly resolution 60/251 adopted in 2006.

In December 2021, LRWC joined several statements concerning arbitrarily detained lawyers:

- **8 December 2021:** joint [statement](#) raising concern about the suspension of the license of lawyer Lin Qilei and the revocation of the license of lawyer Liang Xiaojun. Lin and Liang were the third and fourth lawyers, respectively, to have been stripped of practising licenses after representing one of the 12 Hong Kong human rights activists, who were arrested at sea while allegedly fleeing to Taiwan.
- **9 December 2021:** A joint [statement](#) calling on China to grant medical parole to Ms. Zhang Zhan, who was sentenced to four years in prison in December 2020 after documenting the government's response to COVID-19 in Wuhan, China. In December 2021, Ms. Zhang's health was deteriorating, and her family feared she would not survive the winter if not released. Zhang Zhan had been suspended from law practice after she spoke up on human rights issues in 2018.
- **23 December 2021:** LRWC joined a [statement](#) calling for fair trials and release of human rights lawyer Ding Jiayi and legal scholar/ lawyer Dr. Xu Zhiyong, arbitrarily detained for approximately two years while awaiting trials on charges of "subverting state power." They have reportedly been subjected to incommunicado detention, denial of access to family and lawyers, and torture and ill-treatment.

### **China: crimes against humanity**

In 2021, China continued to resist calls for official visits by independent UN human rights experts and the UN High Commissioner for Human Rights, to investigate allegations of widespread and systematic human rights violations, including the forced detention of up to a million Uyghur people in the Xinjiang Uyghur Autonomous Region (XUAR). According to several States and human rights organizations, the situation in XUAR has risen to the level of crimes against humanity, and some have suggested genocide. In addition, years of persistent concerns about [forced organ harvesting](#) were raised in June 2021 by UN human rights experts. China [denied](#) the allegations of organ harvesting as groundless "lies."

On 21 June 2021, LRWC was among numerous international, regional and national organizations and networks co-sponsoring a [joint oral statement](#) to the UN Human Rights Council, led by the International Service for Human Rights, calling attention to China's systematic use of arbitrary criminal charges, detention and unfair trials of lawyers, journalists, human rights defenders and peaceful protestors in Hong Kong and to alleged crimes against humanity against China's Uyghur Muslim population. The statement called for urgent measures "to strengthen remote monitoring and initiate public reporting on the human rights situation across China, focusing especially on Uyghur and Tibetan regions and Hong Kong."

### **China: Statement to UN Human Rights Council calling for prevention of genocide**

On 28 June 2021, LRWC made an [oral video statement](#) to the UN Human Rights Council calling attention to alleged atrocity crimes in China. (The term "[atrocity crimes](#)" is used to refer collectively to genocide, crimes against humanity, and war crimes.) The statement pointed out that the "international law *duty to prevent* arises as soon as a State learns of a serious risk of genocide," and that "States – and UN bodies – must not wait until genocide is in progress to take action." Referencing the UN framework for analysis of risk factors for genocide, the statement also pointed out the necessity that States ensure an independent judiciary, a legal profession free to advocate clients' rights without harassment, and a strong civil society. LRWC urged the Council to prevent genocide by taking concrete measures to halt atrocities.



## HONG KONG SPECIAL ADMINISTRATIVE REGION

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In 2021, China continued 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*. Independent UN human rights experts raised serious concerns in 2021 about the situation of human rights lawyers and defenders in Hong Kong SAR as the overbroad National Security Law, imposed in June 2020, was used to unlawfully detain lawyers and defenders on sedition and terrorism charges and to stifle the exercise of internationally protected rights to freedom of expression and opinion, association, peaceful assembly, and participation in public affairs.

### Hong Kong SAR: Lawyer Chow Hang-Tung sentenced to prison for organizing Tiananmen vigil

On 18 December, LRWC published a [statement](#) deploring the convictions and prison sentences imposed on human rights defenders, including Hong Kong lawyer and human rights defender Ms. Chow Hang-Tung who was convicted and sentenced to 12 months in prison on 13 December 2021 for participating in a peaceful candlelight vigil for victims of China's 1989 Tiananmen Square crackdown on the anniversary of the massacre, 4 June 2020. Ms. Chow is one of eight Hong Kong pro-democracy activists who received [prison sentences](#) for participating in the vigil. Other pro-democracy activists sentenced to jail terms in relation to the vigil include Mr. Jimmy Lai, Ms. Gwyneth Ho and Ms. Lee Cheuk-yan.



Chow Hang-Tung, photo Iris Tong - VOA Chinese (Wikipedia)

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## COLOMBIA: FAILURE TO ENSURE PROTECTION OF LAWYERS AND DEFENDERS

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Lawyers and other human rights defenders in Colombia were at increased risk during 2021's widespread citizen protests triggered initially by a proposed tax reform that disadvantaged lower- and middle-class people. The State's use of lethal force in response to the social protests was brutal and excessive. Lawyers have been subjected to illegal surveillance while representing victims of rights violations and are at risk of being accused of being part of criminal and terrorist groups simply for conducting their lawful professional work representing clients. Lawyers are also subjected to threatened and attempted assassinations.



Yessika Hoyos Morales  
(Photo Courtesy of CCAJAR)

### Colombia: Mid-term report on lack of implementation of UPR recommendations

In 2021, LRWC joined Lawyers for Lawyers in a [mid-term report](#) on Colombia's commitments made during its 2018 UPR by the UN Human Rights Council. The report concluded that Colombia has not taken adequate measures for the effective protection of human rights defenders and has failed to conduct timely and impartial investigations into threats and attacks against defenders. LRWC took the lead in a 1 October 2021 statement to the UN Human Rights Council with Lawyers for Lawyers and other NGOs emphasizing Colombia's failure to



make progress in implementing the 2018 UPR recommendations it accepted and that lawyers and defenders continue to be in danger without adequate protection measures.

### **Death threats against lawyers of the José Alvear Restrepo Lawyers' Collective**

In December 2021, human rights lawyers from the José Alvear Restrepo Lawyers' Collective (CCAJAR), including Ms. Yessika Hoyos Morales (photo above), received death threats. In a [joint letter](#) issued on 22 December 2021, LRWC, Lawyers for Lawyers, the Colombian Caravana, the International Bar Association's Human Rights Institute, the International Observatory for Lawyers in Danger, and the Law Society of England and Wales expressed concern about the safety of members CCAJAR.

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### **EGYPT: LAWYER IMPRISONED ON BASELESS CHARGES**

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Lawyer Mohamed el-Baquer (Photo: Hossam el-Hamalawy)

On 17 December 2021, LRWC joined a global coalition of 31 lawyers' organizations and 134 individual lawyers and law students in a [joint statement](#) calling for the unconditional release of Egyptian human rights lawyer, Mohamed el-Baquer, arbitrarily detained since 19 September 2019. He was charged with baseless criminal offences including "membership in a terrorist organisation with knowledge of aims and intent", "membership in an organisation founded contrary to the provisions of law", "defamation", "misuse of social media" and "publishing false news that harms the country's interests." The charges were linked to his legitimate work as a lawyer. The statement was led by the Tahrir Institute for Middle East Policy. However, on 21 December, the final appeal of his four-year sentence was denied.

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## **IRAN: CRIMINALIZATION OF LAWYERS AS A STRATEGY TO DENY ACCESS TO JUSTICE**

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In 2021, LRWC called attention to Iran's pattern of widespread and systematic criminalization and long-term detention of lawyers and human rights defenders. Specific groups of defenders included lawyers advocating for protection of women's rights - including those speaking against compulsory veiling laws - as well as those speaking to the rights of ethnic and religious minorities. LRWC has advocated for lawyers at risk in Iran since 2003.

### **Iranian-Canadian legal academic Reza Eslami imprisoned for teaching on the rule of law**

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 for nearly two decades, was sentenced to seven years imprisonment after being convicted in unfair proceedings on charges of "cooperating with a hostile state." The charges stem from Dr. Eslami's participation in a training course on the rule of law in the Czech Republic in 2020. The course was funded by a US-based NGO.

### **Prolonged arbitrary detention of lawyers carrying out their legitimate professional activities**



L-R: lawyers Nasrin Sotoudeh, Amir Salar Davoudi, Hoda Amin

On 9 March 2021, LRWC [joined](#) other NGOs directing the UN Human Rights Council's attention to "exorbitant prison terms" meted out to lawyers and defenders for "legitimately carrying out their professional activities." The statement cited the examples of arbitrarily detained human rights lawyers Nasrin Sotoudeh, Amir Salar Davoudi, and Hoda Amin. Ms. Sotoudeh has been detained since June 2018 and is currently serving a sentence of 38 year imprisonment and 148 lashes. Ms. Amid was sentenced by the Tehran Court of Appeal on February 13 2021 to an 8-year prison sentence. Mr. Davoudi's has been sentenced to 29 years imprisonment and 111 lashes.

### **Imprisonment of women's rights lawyer Hoda Amid**

On 16 March 2021, LRWC joined Lawyers for Lawyers in a [letter](#) to authorities in Iran seeking the release of arbitrarily detained women's rights lawyer and human rights educator Ms. Hoda Amid, who on 31 October 2020 was sentenced to eight years in prison after unfair proceedings on fabricated charges of "collaborating with the hostile American government against the Islamic Republic on women and family issues".

### **Amir Salar Davoudi released on bail pending appeal: Revolutionary Court upholds sentence**

On 13 June 2021, LRWC [welcomed news](#) that human rights lawyer Mr. Amir Salar Davoudi had been granted pre-trial release from prison on bail equivalent to approximately US \$475,000. His work includes representation

of many detained human rights defenders and political prisoners. However, on 13 July 2021, the Tehran Revolutionary Court upheld the sentence which had been previously quashed by the Iranian Supreme Court.

### **Nasrin Sotoudeh granted temporary medical leave**

LRWC welcomed news that on 21 July 2021 Nasrin Sotoudeh was granted a temporary medical leave, and at the end of 2021, she remained on furlough from prison.

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## **MALAYSIA: LAWSUIT AGAINST HUMAN RIGHTS LAWYER WITHDRAWN**

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Since 2013, villagers in Jerantut, Pahang State, Malaysia, have been protesting logging in a forest reserve area because of concerns about negative impacts of logging on community livelihoods and the environment. Authorities allegedly failed to conduct required environment and social impact assessments.

In November 2020 the logging corporations, Beijing Million SDN BHD and Rosah Timber Trading SDN BHD, obtained an ex parte interlocutory injunction to prevent protestors from accessing a contested area in the Forest Reserve. Their lawyer, Charles Hector and eight villagers (defendants) were accused of contempt when Mr. Hector allegedly violated the injunction while preparing for trial when he wrote to a government Forestry Officer to seek clarification of relevant correspondence.



Charles Hector

On 24 March 2021, LRWC wrote a [letter](#) to authorities in Malaysia expressing concern that the contempt proceedings appeared to be an attempt by the logging 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. On 14 April 2021, LRWC welcomed news that the corporations withdrew contempt of court charges they had filed.

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## **MYANMAR: 2021 MILITARY COUP CREATES CATASTROPHIC HUMAN RIGHTS CRISIS**

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On 1 February 2021, Myanmar's military (the Tatmadaw) took the world by surprise with a military coup against the elected government of Myanmar. During 2021, the coup leaders ignored recommendations 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 precluded action by the UN Security Council action for a binding arms embargo or other effective measures to restore the elected government and halt the gross, systematic and widespread human rights violations and crimes against humanity.

### **Advocacy Charter for Myanmar's UPR by the UN Human Rights Council**

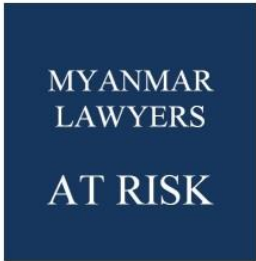
Days before the coup, Myanmar's elected government had participated in its third UPR by the UN Human Rights Council. Prior to the UPR, LRWC joined Lawyers for Lawyers presenting an "[Advocacy Charter](#)" with suggested recommendations for UN member States to make during the UPR, including measures to ensure the independence of the legal profession and protection of lawyers from reprisals against them for conducting their professional duties.

### **LRWC statement demanding restoration of elected authorities and rights protection**

Within days of the coup the UN Human Rights Council decided to hold a Special Session on 12 February 2021. On 8 February 2021, LRWC issued a press statement welcoming the Council's decision and seeking immediate Council measures to prevent human rights violations by the Tatmadaw. The Council responded to the concerns of many States and NGOs by adopting a [resolution](#) that called for restoration of authorities and respect for human rights.

### **March to September 2021: Mounting evidence of atrocity crimes; lawyers detained, threatened**

On 12 March 2021, LRWC delivered an [oral video statement](#) to the UN Human Rights Council, noting mounting evidence of crimes against humanity by the Tatmadaw in response to peaceful protests against the coup by millions of people. At that time, more than 2,000 people had been arbitrarily detained or charged including elected members of parliament, civil servants, journalists, teachers, medics, students, and lawyers. There were numerous reports of torture and enforced disappearance. The statement called on the Council for a global arms embargo and referral of the situation to the International Criminal Court.



MYANMAR  
LAWYERS  
AT RISK

On 24 March 2021, LRWC issued another [statement](#) expressing alarm about grave, systematic, and widespread human rights violations in Myanmar. The statement noted reports of hundreds of extrajudicial killings and at least 2,800 arbitrary detentions and several deaths in custody from suspected torture. Numerous detainees were being held incommunicado at unknown locations without access to lawyers or family. LRWC's statement listed the names of lawyers known to be arbitrarily detained or subject to judicial harassment or threats. LRWC again called for 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.

On 28 June 2021, LRWC made another oral video statement at the UN Human Rights Council about the disturbing lack of international political will to prevent genocide, calling for concrete international measures to halt atrocities in Myanmar. On 7 July 2021, LRWC was joined by the Law Society of England and Wales in an oral video [statement](#) to the Human Rights Council. The statement deplored the Tatmadaw's "continuing assault on the rule of law," noting that the junta "has extrajudicially killed hundreds of civilians and arbitrarily detained more than 5,000, including numerous lawyers, journalists, defenders, peaceful protestors, politicians, dissidents, and even children." The statement again called for a UN Security Council arms embargo and other measures "to prevent the junta from continuing its grave, systematic, and widespread violations of international human rights and humanitarian law."

At the September 2021 session of the Human Rights Council, LRWC persisted in seeking a UN Security Council referral of the situation in Myanmar to the ICC. By that time, the junta's extrajudicial killings of civilians, including children, have increased to more than 1,100. [Arbitrary detentions](#) had increased to more than 7,300, and 65 people including two children had been sentenced to death in unfair proceedings. There were frequent reports of torture, ill-treatment, and enforced disappearance, and routine denial of access to lawyers and incommunicado detention.

### September 2021: Deposed elected government declares defensive war against the junta

On 7 September 2021, the elected government (deposed in the coup) declared a “defensive war” against the junta, which accelerated violations of human rights and humanitarian law by the Tatmadaw. LRWC continued to advocate for a referral to the ICC by the UN Security Council. On 24 September 2021, LRWC [joined](#) other human rights organizations in a statement to the Human Rights Council condemning gross human rights violations in Myanmar and urging investigation and remediation.

On 1 October, LRWC led a [joint statement](#) noting that the coup has resulted in the delay of an Interactive Dialogue on Myanmar’s 2021 UPR for two consecutive Council sessions. On 20 December 2021, LRWC joined more than 600 human rights and women’s rights organizations around the world in an [open letter](#) calling on the UN Security Council to hold the Tatmadaw accountable through a referral to the ICC, impose sanctions and an arms embargo. The letter was led by the Women’s Peace Network, which is composed of lawyers, community leaders, and peace activists from Myanmar and around the world who peacefully promote and protect human rights.

At the end of 2021, the human rights situation was continuing to deteriorate with arbitrary detentions, torture, and extrajudicial killings mounting daily and continual pleas from people in Myanmar for effective international intervention. The UN Security Council, of which China and Russia hold veto power as Permanent Members, took no action towards an arms embargo or a referral to the ICC. Both China and Russia provide arms to Myanmar’s military junta. Myanmar is not a State Party to the Rome Statute of the ICC. However, the ICC Prosecutor is currently investigating alleged crimes of deportation and persecution taking place, in part, in Bangladesh, which is a State Party to the Rome Statute, and therefore crimes occurring within its territory are subject to ICC jurisdiction.

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### PAKISTAN: LAWYERS AT RISK WHEN DEFENDING CLIENTS AGAINST BLASPHEMY LAWS

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Lawyers in Pakistan are at particular risk when they represent people charged under Pakistan’s blasphemy laws which carry a potential death sentence for anyone convicted. The blasphemy laws do not comply with international human rights law and are applied in a discriminatory manner against those alleged to have insulted Islam. People accused of blasphemy and their lawyers risk assassination and other retributive violence directed against themselves and family members. Judges issuing acquittals have been threatened with death by angry mobs. Legal representation and fair trials are therefore compromised.



Saif Ul Malook

Pakistan lawyer Mr. Saif Ul Malook has successfully represented several persons accused of blasphemy. In August 2021, LRWC wrote a [letter](#) to the government of Pakistan expressing alarm about death threats he received after the acquittal of his clients who had been sentenced to death on blasphemy charges. The letter called for an independent and impartial investigation of the threats against Mr. Malook and urged Pakistan to repeal criminal blasphemy laws, and to “bring criminal laws that unlawfully curtail freedom of thought, conscience and religion into compliance with Pakistan’s international human rights obligations.” LRWC previously advocated for Mr. Malook in 2018 when he received death threats after the acquittal of his client, [Asia Bibi](#), who had also been sentenced to death for blasphemy.



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## THE PHILIPPINES: *CONTINUED IMPUNITY FOR EXTRAJUDICIAL KILLINGS OF LAWYERS*

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For more than two decades, LRWC has been [advocating](#) for lawyers subjected to human rights violations in the Philippines. After July 2016, murders and attacks against lawyers escalated dramatically as a result of the so-called “war on drugs” commenced by President Duterte. Since then there have been thousands of extrajudicial killings with impunity, including dozens of attacks and murders of lawyers, judges, prosecutors and others. Few investigations have been conducted. LRWC’s advocacy included written reports to the UN Human Rights Council in [2019](#) and [2020](#). The year 2021 saw no cessation in the murders of jurists in the Philippines. Attacks against jurists and others are often preceded by public vilification and “red tagging.”



### **Joint interventions seeking a halt to the killings and accountability for perpetrators**

In 2021, LRWC worked in cooperation with other human rights organizations urging the UN Human Rights Council to establish an adequately-resourced international investigative mechanism to collect and preserve evidence of extrajudicial killings and other serious human rights violations in the Philippines. A [joint letter](#) was issued on 7 June 2021 with 103 organizations, seeking “thorough, independent and impartial investigations into the killings, arrests, detentions, searches and other forms of persecution of human rights defenders” and other measures to ensure accountability for those responsible and halt the killings. LRWC worked with the National Union of Peoples’ Lawyers in the Philippines to develop two joint statements to the UN Human Rights Council, one statement on [28 June 2021](#), and the other on [7 October 2021](#).

### **ICC Prosecutor defers Philippines investigation**

On 15 September 2021, the ICC Pre-Trial Chamber [authorized](#) the ICC Prosecutor, Karim Khan, “to commence an investigation of crimes within the jurisdiction of the Court allegedly committed on the territory of the Philippines between 1 November 2011 and 16 March 2019 in the context of the so-called ‘war on drugs’ campaign.” However, on 21 December 2021, the Prosecutor put the investigation [on hold](#) after the Philippines sought a deferral in November 2021 on the grounds that it was investigating the matter itself. Under the Rome Statute of the ICC, the Court can exercise jurisdiction only when the national legal system is unable or unwilling to do so. The Prosecutor stated that the investigation would be suspended pending prompt provision of information by the Philippines “substantiating information regarding the investigations and proceedings referenced in its Deferral Request.”

### **Another lawyer shot to death on the last day of 2021**

On 31 December 2021, a [prosecutor](#), Mr. Edilberto Mendoza was shot to death in front of his home. He was reported to be the 66th lawyer killed since the beginning of the Duterte administration in July 2016. Others, such as the International Association of People’s Lawyers, have [calculated](#) that 70 judges, lawyers and prosecutors have been killed since July 2016 (including Mr. Mendoza) and another 17 have survived murderous attacks.



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## **RUSSIA: MISUSE OF LAWS TO PERSECUTE HUMAN RIGHTS LAWYERS AND DEFENDERS**

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Authorities in the Russian Federation misuse security laws and courts to harass anti-corruption advocates and human rights defenders, including lawyers.

### **Judicial harassment of Ivan Pavlov and Team 29**

In 2021, LRWC worked with Lawyers for Lawyers and other NGOs to advocate for an end of judicial harassment of Russian human rights lawyers, including Mr. Ivan Pavlov, who represented Ivan Safronov and Aleksei Navalny's Anti-Corruption Foundation in a case launched by prosecutors to designate the Foundation as an "extremist" group. Mr. Pavlov was at that time part of Team 29," a consortium of lawyers and journalists who advocate for the right to freedom of information and expression.



Ivan Pavlov  
Photo, [Taisia Suvorova](#)  
(Wikipedia)

LRWC joined Lawyers for Lawyers and other NGOs in a statement on [6 May](#) raising concern about judicial harassment of Mr. Pavlov. On 30 April, Russian Federal Security Service officers raided Mr. Pavlov's hotel room, seizing confidential client information. Law enforcement officers also searched the office of Team 29. Mr. Pavlov was charged with "disclosure of materials of the preliminary investigation" and subjected to restrictive measures forbidding him to speak with witnesses in the criminal case against his client, Mr. Safronov. Mr. Pavlov was also forbidden to use any postal, telegraphic or internet communications except to call emergency services or communicate with the investigator in the case.

On 20 September 2021, authorities filed a motion to initiate politically motivated disciplinary proceedings against Mr. Pavlov seeking his disbarment. On 21 September, he left Russia because of fear of prosecution on political grounds. On 8 November 2021, Russia's Ministry of Justice declared Mr. Pavlov and four of his former colleagues from Team 29 as "foreign agents," which designation paves the way for disbarment or other disciplinary proceedings. On [2 December](#) 2021, LRWC joined a statement by six international human rights organizations denouncing ongoing judicial and administrative harassment of Mr. Pavlov.

### **Russia's Supreme Court closes down Memorial International**

At the end of 2021, there was increased alarm about the situation of human rights lawyers and defenders in Russia as the Russian Supreme Court ordered the liquidation of one of the country's most respected human rights organizations, Memorial International. Founded in 1989, Memorial International monitored and documents human rights violations and provided legal assistance to political prisoners. The Ministry of Justice had designated Memorial International as a foreign agent in 2016 for receiving foreign funding. On 28 December 2021 the Supreme Court found that the organization had not complied with the requirement that it mark all its publications with a "foreign agent" warning.

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## SAUDI ARABIA: TWO DEFENDERS RELEASED – OTHERS REMAIN IMPRISONED

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In 2021, LRWC welcomed the release from arbitrary detention of two women's rights defenders, Loujain Al-Hathloul, and Samar Badawi.

### **Release of Loujain Al-Hathloul after 1,001 days of imprisonment for promoting women's rights**

After persistent international advocacy, including letters and statements from [LRWC](#), Loujain Al-Hathloul was released from prison on 10 February 2021 after 1,001 days of imprisonment on spurious charges. She was arrested in May 2018 after advocating for women's right to drive in Saudi Arabia and calling for the end of the male guardianship system which limits women's international protected rights. Ms. Al-Hathloul continues to be subjected to restrictions after the end of her prison sentence, including a five-year travel ban.



Loujain  
Al-Hathloul

### **Release of women's rights defender Samar Badawi after three years in prison**

On 27 June 2021, LRWC welcomed the release of women's rights defender [Samar Badawi](#) who had been arbitrarily detained for nearly three years. She was released following the expiry of her sentence.



Samar Badawi

### **Lawyer Waleed Abu al-Khair and rights defender Raif Badawi remain imprisoned**

LRWC continued to call for the release of other arbitrarily detained human rights defenders including Samar Badawi's brother, [Raif Badawi](#), and Raif Badawi's lawyer, [Waleed Abu al-Khair](#).

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## SOUTH SUDAN: ATROCITY CRIMES REMAIN UNADDRESSED

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LRWC was among [38 human rights NGOs](#) signing a 5 February 2021 letter to UN Human Rights Council members and observer States urging support for the extension of the mandate of the UN Commission on Human Rights in South Sudan. The letter pointed out that many human rights concerns remain unaddressed by South Sudan, including allegations of war crimes and crimes against humanity and documented attacks on civil society including pressure on human rights defenders and journalists.

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## SRI LANKA: PERSISTENT IMPUNITY FOR PAST VIOLATIONS CONTINUES

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On [25 February 2021](#) and again on [15 September 2021](#), LRWC made oral video statements to the UN Human Rights Council expressing concern about the prevalence of impunity in Sri Lanka and failure by the government of Sri Lanka's to implement Council recommendations to address past violations against Tamil peoples, which included extrajudicial killings, enforced disappearances, arbitrary detention, torture and sexual violence. The statement noted ongoing surveillance, harassment, and intimidation of human rights defenders, lawyers, and victims of human rights violations and their families in attempt to silence them. LRWC called on the Human Rights Council to strengthen its monitoring of Sri Lanka and to set out an effective plan to advance accountability. LRWC also sought the Council's intervention to seek a 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.

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## THAILAND: INCREASED THREATS AGAINST DISSENT

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Human rights defenders and other civil society actors are under increasing threat in Thailand. Thailand's lèse-majesté law, criminal defamation laws, and other laws continue to be used to curb lawful dissent. Since November 2020 and throughout 2021, there was a sharp increase in the use of Thailand's lèse-majesté law to prosecute peaceful political activists seeking legal reform of Thailand's monarchy. COVID-19 laws were also used to suppress dissent. A draft law on non-profit organizations introduced in 2021 has been criticized in Thailand and internationally, on the basis that it threatens potentially ruinous limitations on civil society.



*civil society at risk*

Corporations continue to use strategic litigation against public participation (SLAPPs) to try to silence those who report or criticize violations of labour rights or land rights or environmental issues. In 2021, there were some welcome court defeats of criminal defamation SLAPPs against defenders.

In September 2021, Thailand approved in principle a draft law to criminalize torture and enforced disappearances after years of [delay](#). While this progress was welcomed, at the end of 2021 it remained to be seen whether the law would be further developed to ensure compliance with international human rights law and standards.

### 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 (SPFT) won a verdict from Thailand's Administrative Court ordering the Department of Land and other authorities to revoke title deeds for 23 plots that had been unlawfully issued to palm oil plantations. In June 2020, LRWC was among dozens of groups and individuals seeking intervention from the UN Working Group on Business and Human Rights highlight the situation of judicial harassment of women and men human rights defenders in Thailand.

### Thailand Supreme Court dismisses defamation lawsuit against Andy Hall

In another welcome development, on 10 May 2021 Thailand's Supreme Court dismiss the last remaining criminal defamation SLAPP cases against UK human rights defender Andy Hall pursued since 2013 by the Natural Fruit corporation in Thailand in which LRWC had conducted advocacy since 2013.

### Emergency regulation threatens online freedoms

LRWC joined 17 international human rights organizations in a [statement](#) on 3 August 2021 denouncing a new Regulation that purported to respond to the COVID-19 pandemic by empowering authorities to censor online expression and investigate and prosecute individuals responsible for communications that may "instigate fear." The regulation is among several laws and regulations that curtail freedom of expression in violation of Thailand's international human rights obligations.

### Migrant workers arrested after seeking rights protection

On 1 November 2021, 100 civil society organizations [wrote](#) to the government of Thailand to raise concern about the arrest and detention of seven migrant workers who submitted a petition to the Minister of Labour

demanding better welfare and rights of migrant workers working in Thailand affected by the COVID-19 pandemic. Led by Protection International in Thailand, LRWC was among the signatories.

### **Serious concern about a draft law on not-for-profit organizations**

In 2021, Thailand launched a draft law on non-profit organizations that, if adopted would pose serious threats to the functioning of Thai civil society organizations and would negatively impact international NGOs working in Thailand. In [May](#), [June](#) and [December](#) 2021, LRWC engaged with numerous other international and Thai organizations in seeking withdrawal of the draft law. At the end of 2021, the government of Thailand had announced a consultation period about the law in early 2022.

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## **TURKEY: ARBITRARILY DETENTION OF MORE LAWYERS THAN ANY OTHER COUNTRY**

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Turkey has ratified most of the core UN human rights treaties, including the *International Covenant on Civil and Political Rights*, as well as the *European Convention on Human Right*. Despite these commitments, human rights are under assault under the Erdoğan administration. Corrosion of the rule of law escalated dramatically after an attempted coup on 15 July 2016. Since then the independence of Turkey's legal system has been destroyed by means of thousands of summary dismissals and arbitrary arrests of judges, prosecutors, and defence lawyers.

Turkey deploys overbroad, vague anti-terrorism legislation in illegitimate prosecutions of lawyers and defenders. Lawyers in Turkey are frequently subjected to judicial harassment that includes threats, surveillance, mass arrests, illegitimate criminal prosecutions, denial of fair trial rights for their clients and themselves, and prolonged arbitrary detention. 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*. Turkey imprisons more lawyers than any other country in the world, with more than 1,600 lawyers prosecuted, more than 615 remanded to pretrial detention, and more than 450 sentenced to prison since July 2016.

LRWC raised these issues in [written](#) and [oral](#) statements to the UN Human Rights Council in February-March 2021. LRWC also made oral statements about Turkey's human rights violations at the [June](#) and [September](#) 2021 sessions, and wrote or participated in several other statements and letters.

### **Failure to investigate the death of Ebru Timtik**

LRWC's joint oral statement to the UN Human Rights Council on 4 March highlighted the death in custody of lawyer [Ebru Timtik](#) who died in September 2020 while on a hunger strike to demand fair trial rights in Turkey. By the end of 2021, LRWC had received no indication of Turkey's intention to conduct an effective investigation into the circumstances of her death, despite requests by more than a dozen UN Special Procedures mandate holders.



Ebru Timtik,  
1978-2020

### **Continued persecution of 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.



Aytaç Ünsal

### Failure to adequately investigate the extrajudicial killing of Tahir Elçi

On 2 March 2021, LRWC joined a group of 47 lawyers' and human rights organizations from around the world in a [letter](#) 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. After more than five years, Turkish authorities had not ensured an independent investigation in accordance with UN standards despite years of international advocacy by NGOs. Tahir Elçi was assassinated on 28 November 2015 while delivering a speech calling for peaceful resolution of conflict. Since 29 November 2015 LRWC, in cooperation with other NGOs, has advocated for an effective, independent investigation into Mr. Elçi's death.



### Concerns about lack of fair access to the legal profession and increasing disbarments

On 19 July 2021, seven organizations, including LRWC, released a [joint statement](#) expressing concern about the "increasingly challenging and hostile environment in which lawyers in Turkey have had to operate since a state of emergency was declared following the attempted coup in July 2016." Violations have included "mass arrests, raids, violent attacks, threats, surveillance, illegitimate criminal charges, unfair trials and harsh sentences in disregard of the most basic principles of the rule of law." The statement identified increasing disbarments, and some persons are being denied admission to the Bar on the basis of their advocacy for victims of alleged human rights abuses or for speaking publicly about cases viewed by authorities as politically sensitive.

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## UNITED STATES: SYSTEMIC RACISM IN THE US LEGAL SYSTEM

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### US lawyers convene public inquiry into systemic racist police violence in the US

LRWC board member, Marjorie Cohn, was among four US lawyers serving as rapporteurs for an International Commission of Inquiry convened by three US lawyers' organizations to conduct an inquiry into racist police violence against people of African descent in the US from 18 January to 6 February 2021.



The Commission was convened by the National Conference of Black Lawyers, the International Association of Democratic Lawyers, and the National Lawyers Guild (NLG). The Commissioners were 12 jurists from Kenya, Nigeria, Pakistan, South Africa, and the United Kingdom. The Commissioners heard evidence from victims' lawyers and family members.

The International Commission of Inquiry was convened after the UN Human Rights Council adopted [Resolution A/HRC/43/1](#) on 19 June 2020 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), that the UN Human Rights Council create a commission of inquiry focused on the US.



The US lawyers' International Commission of Inquiry was convened to ensure that the UNHCHR's June 2021 report adequately addressed concerns about systemic, racist police violence against people of African descent in the US. The [report](#) of the International Commission of Inquiry was released in March 2021 and was sent to the UNHCHR to inform her June 2021 report to the Human Rights Council. LRWC board member Gail Davidson attended the inquiry and assisted with preparation of the international human rights law sections of the report. Marjorie Cohn presented the findings of the report to the LRWC Annual General Meeting on 7 May 2021.

### **NGOs continue to call for UN inquiry into racist US police violence**

On 10 May 2021, a coalition composed of families of victims of US police violence and civil society organizations from around the world, including LRWC, signed a [letter](#) to the UNHCHR regarding implementation of the June 2020 resolution A/HRC/43/1. The ACLU-led letter reported that US police “kill nearly 1,000 people every year,” and that “Indigenous People and people of African descent experience the highest rates of fatal police shootings...” The letter reminded the High Commissioner that in 2020, UN Special Procedures had “strongly urged the Council to establish a commission of inquiry to investigate systemic racism in law enforcement in the United States,” and a “thematic commission of inquiry or other mechanism empowered to investigate systemic racism in law enforcement globally.”

### **UN Human Rights Council creates expert mechanism on police violence against people of African descent**

On 13 July 2021, LRWC welcomed a consensus [resolution](#) of the UN Human Rights Council to create an independent expert mechanism for a period of three years “to further the agenda towards transformative change for racial justice and equality in the context of law enforcement globally, especially where relating to the legacies of colonialism and the Transatlantic slave trade in enslaved Africans, and to contribute to accountability and redress for victims...” While the resolution has a global focus, it specifically mentions the murder of George Floyd in the US on 25 May 2020. The Expert Mechanism is to present its first annual report to the Human Rights Council in September 2022.

### **US revokes sanctions against International Criminal Court personnel**

LRWC [welcomed](#) the US government's 2 April 2021 revocation of sanctions against personnel of the ICC including Prosecutor Fatou Bensouda, who served as ICC Chief Prosecutor from June 2012 to June 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 issued a [statement](#) urging an immediate end to sanctions imposed by former President Donald J. Trump against Ms. Bensouda, and the ICC Head of the Jurisdiction, Complementarity and Cooperation Division Phakiso Mochochoko. LRWC's statement emphasised that the US 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. LRWC's statement was sent to US President Joe Biden and US Secretary of State Antony J. Blinken. LRWC had [previously urged](#) the US 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 ICC Prosecutor.



Fatou Bensouda,  
Photo, Max Boot  
Studio, [Wikipedia](#)



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**VIET NAM: PATTERN OF REPRISALS AGAINST HUMAN RIGHTS DEFENDERS**


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In 2021, Viet Nam continued a campaign of judicial harassment of human rights defenders. Viet Nam was named in the UN's 2021 "[reprisals report](#)" as a country that exhibits a "[possible pattern](#)" of detention as a form of intimidation or reprisal against those seeking to cooperate with the UN, its representatives, or its mechanisms in the field of human rights. Multiple incidents of reprisals by Viet Nam were also reported in the UN's reprisals report in [2019](#) and [2020](#).

**Viet Nam: Justice for the People of Dong Tam**

LRWC continued to monitor the violation of fair trial rights of 27 residents of the village of Dong Tam, convicted following resistance to the take-over of village lands by state authorities. Two defendants were sentenced to death; others received sentences of life imprisonment, 12 to 15 years in prison and lesser penalties. An appeal in March 2021 upheld the sentences. There is evidence that the trial was unfair and non-compliant with international law and standards due in part to denial of sufficient time to present full defences and the admission of evidence and confessions allegedly obtained by torture. Lawyers for the defendants were obstructed during advocacy for their clients at both the trial and appeal. To follow up [2020 advocacy](#) on the Don Tam case, LRWC participated in a [video documentary](#) about the case produced by Viet Tan in March 2021 which noted that people "have been sentenced to the death penalty in an obviously unfair trial and appeal..."

**Viet Nam: Release human rights defender Nguyen Thuy Hanh**

In a [letter](#) dated 8 July 2021, LRWC called for the immediate release of human rights defender Ms. Nguyen Thuy Hanh, charged in reprisal for her human rights advocacy with the illegitimate charge of, "making, storing, or spreading information, materials or items for the purpose of opposing the State of the Socialist Republic of Viet Nam."



Nguyen Thuy Hanh

Nguyen Thuy Hanh created the "50K Fund" in 2017 to raise funds for humanitarian assistance to defenders at risk and prisoners of conscience, including the Dong Tam villagers (see above). If convicted, she faces between five and 20 years in prison. The letter urges authorities to ensure her physical and psychological well-being, as well as immediate access to lawyers of her choice and to communications and visits with family members and friends. At the end of 2021, she remained in incommunicado pre-trial detention without access to a lawyer or her family.

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**YEMEN: THE WORLD'S WORST CIVILIAN CRISIS, BUT UN EXPERTS' PLEAS IGNORED**

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In an oral video [statement](#) to the UN Human Rights Council on 25 February 2021, LRWC called attention to the role of several countries including Canada in supplying arms to parties to the worsening armed conflict in Yemen, which by then had resulted in at least 233,000 war-caused deaths, including thousands of children, and millions facing lack of food and other necessities. By the end of 2021, the death toll exceeded 300,000. LRWC underlined findings of the UN Group of Experts that some parties to the conflict have targeted journalists, human rights defenders and jurists.

The UN Experts report concluded 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 urged the Council to support the Security Council referral to the ICC requested by the Experts, and to call on all States to immediately halt arms transfers to all parties to the conflict.

Third party States, including Canada, France, Iran, and the United Kingdom, have failed to heed the UN Experts’ pleas to halt arms sales to Saudi Arabia or other parties to the conflict. While the US imposed a temporary freeze on arms sales to Saudi Arabia in early 2021, US President Biden approved an arms sale in November 2021, and in December 2021 the US Senate blocked a resolution that would have banned a sale of missiles and missile launchers to Saudi Arabia.

In a set-back in October 2021, the UN Human Rights Council narrowly voted down a resolution to renew the mandate for the Group of Eminent Experts on Yemen. China, Russia, were among the 21 countries to vote against the resolution.

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**LRWC JOINS CALL FOR GLOBAL BAN ON BIOMETRIC RECOGNITION  
TECHNOLOGIES FOR MASS SURVEILLANCE**

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On 7 June 2021, LRWC joined an [open letter](#) with 179 signatories from 55 countries calling for a global ban on the uses of facial biometric recognition technologies. The letter calls on international organizations, such as the UNHCHR, private entities, technology workers and their unions, investors and financial institutions and donor organizations to take specific steps to condemn, halt, or prevent the development, sale and use of facial recognition remote biometric recognition technologies that enable mass surveillance and discriminatory targeted surveillance.

## LRWC AND THE UNITED NATIONS

LRWC has held Special Consultative Status with the UN Economic and Social Council (ECOSOC) since 2005. This means LRWC may send delegates to participate in sessions of several UN bodies. In 2021, LRWC participated in all three regular sessions of the UN Human Rights Council as well the Council's Special Session on Afghanistan on 24 August 2021.

### UN ECONOMIC AND SOCIAL COUNCIL (ECOSOC)

#### LRWC submits 4<sup>th</sup> quadrennial report to the UN Economic and Social Council

Every four years, NGOs in consultative status with ECOSOC are required to submit a report of their activities. LRWC was granted consultative status in 2005 and submitted its 4th [quadrennial report](#) on 25 May 2021. The report noted, among other things, that since the last quadrennial report submitted in 2017, LRWC participated in all sessions of the UN Human Rights Council either in person or through written or oral submissions during the reporting period for a total of “62 individual or joint oral statements on situations in more than 21 countries on topics such as independence of judges and lawyers, access to remedies or accountability for human rights violations, and on prevention and remediation of attacks against human rights defenders.” LRWC's work with the UN Human Rights Council remains critically important to support human rights advocacy, the rule of law and the integrity of legal systems.

### UN HUMAN RIGHTS COUNCIL



Human Rights  
Council Chamber,  
Geneva

In 2021, the ongoing COVID-19 pandemic precluded in-person attendance in Geneva. However, LRWC volunteers made or participated in several pre-session letters to UN Human Rights Council member States. LRWC also submitted one written statement, and 21 oral statements to the Council. LRWC remains concerned about the election to the Council of States with human rights records that do not meet the standards of UN General Assembly [Resolution 60/251](#). The resolution requires all Council members to “uphold the highest standards in the promotion and protection of human rights.” In 2021, LRWC was concerned by the human rights records of [Council member States](#), including Cameroon, China, Pakistan, Russia, and Sudan.

#### 46<sup>TH</sup> SESSION OF THE UN HUMAN RIGHTS COUNCIL (22 FEBRUARY TO 24 MARCH 2021)

##### *Preparatory letter to member States prior to the 46<sup>th</sup> session*

- **South Sudan:** Extend the mandate of the UN Commission on Human Rights in South Sudan | [Joint letter](#) 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,** [Joint written statement](#), LRWC and Lawyers for Lawyers, 46<sup>th</sup> 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.
- **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**, [Joint oral video statement](#), 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.

### **47<sup>TH</sup> SESSION OF THE UN HUMAN RIGHTS COUNCIL (21 JUNE TO 12 JULY 2021)**

#### *Oral video statements*

- **China: Situation of human rights in China, especially in the Xinjiang Uyghur Autonomous Region**. Oral video statement by ISHR, joined by a number of other NGOs including LRWC, [21 June 2021](#).
- **Myanmar and China: Duty to prevent genocide**, Oral video statement by LRWC, [28 June 2021](#).
- **Philippines, Turkey, Iran: Ongoing plight of lawyers**. Oral video statement by LRWC, joined by the International Association of Democratic Lawyers (IADL), the International Commission of Jurists (ICJ), the International Bar Association's Institute for Human Rights (IBAHRI), Lawyer for Lawyers (L4L), and the Association of American Jurists (AAJ), and endorsed by the National Union of People's Lawyers (NUPL) in the Philippines, [28 June 2021](#).
- **Azerbaijan, Belarus India, the Philippines, and Turkey. COVID-19 pandemic used to justify interference with lawyers**, Joint oral video statement by the International Bar Association's Human Rights institute, joined by Lawyers for Lawyers, the National Union of Peoples' Lawyers, and Lawyers' Rights Watch Canada, [28 June 2021](#).
- **Belarus: Increased harassment of lawyers in 2021**, Joint oral video statement to the UN Human Rights Council by Lawyers for Lawyers, joined by LRWC, [5 July 2021](#)
- **Myanmar: Continued arbitrary detention of lawyers and defenders**, Joint oral video statement by LRWC, joined by the Law Society of England and Wales, [7 July 2021](#),

## SPECIAL SESSION OF UN HUMAN RIGHTS COUNCIL ON AFGHANISTAN (24 AUGUST 2021)

### *Oral video statement*

▪ **Afghanistan: Serious human rights concerns and situation in Afghanistan**, [joint oral statement](#) to the 31st Special Session of the UN Human Rights Council from Lawyers' Rights Watch Canada, the International Bar Association, and The Law Society (led by LRWC), 24 August 2021. See more above in the section on Afghanistan.

## 48<sup>TH</sup> SESSION OF THE HUMAN RIGHTS COUNCIL (13 SEPTEMBER to OCTOBER 2021)

### *Advocacy letters prior to or during the 48<sup>th</sup> Session*

▪ **Burundi:** The Human Rights Council should continue its scrutiny, joint letter to Human Rights Council member States and observer States, [19 August 2021](#).

▪ **UN Human Rights Council: End reprisals against those engaging with the UN** Joint letter initiated by the International Service for Human Rights (ISHR) and joined by 31 NGOs, including LRWC, [5 October 2021](#).

### *Oral Video statements during the 48<sup>th</sup> session*

▪ **Sri Lanka and Afghanistan: Entrenched Impunity in Sri Lanka; violations worsening in Afghanistan**, Oral video statement to the 48th Session of the UN Human Rights Council, drafted and read by LRWC's Harini Sivalingam, [15 September 2021](#).

▪ **Iran and Turkey: Systematic attacks on lawyers denies the right to legal representation**, joint oral video statement to the UN Human Rights Council, joined by Lawyers for Lawyers, the International Bar Association's Human Rights Institute, and the Law Society of England and Wales, led by LRWC and read by LRWC's Catherine Morris, [22 September 2021](#).

▪ **South Sudan: Continued pattern of widespread violations**, Oral video statement to the UN Human Rights Council, Drafted by LRWC's Temisan Boyo, and read by LRWC's Paul Scambler, [23 September 2021](#).

▪ **Belarus: Persecution and repression of legal professionals**, joint oral video statement to the UN Human Rights Council, led by International Bar Association's Human Rights Institute, [24 September 2021](#).

▪ **Myanmar: Widespread, systematic gross human rights violations**, joint oral video statement to the UN Human Rights Council, led by the International Bar Association's Human Rights Institute, [24 September 2021](#).

▪ **Afghanistan: Urgent need for international investigative mechanism**, oral video statement to the UN Human Rights Council, Drafted by LRWC and read by LRWC's Paria Saremi, [27 September 2021](#).

▪ **Myanmar, Colombia, China: Effective engagement with Universal Periodic Review is critical to effectiveness**, joint oral video Statement to the UN Human Rights Council, led by LRWC, joined by 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, and read by LRWC's Catherine Morris, [1 October 2021](#).

▪ **Cambodia: "Vortex of power" deprives Cambodians of right to political participation**, joint Statement of LRWC and the International Commission of Jurists to the UN Human Rights Council, led by LRWC, joined by the International Commission of Jurists, and read by LRWC's Catherine Morris, [6 October 2021](#).

▪ **Philippines: Halt the attacks on lawyers and human rights defenders**, joint oral video statement to the UN Human Rights Council, led by LRWC in consultation with the National Union of Peoples' Lawyers (NUPL) in

the Philippines, joined by Lawyers for Lawyers, International Association of Democratic Lawyers, International Service for Human Rights, Union Internationale des Avocats, International Bar Association's Human Rights Institute, and The Law Society of England and Wales, and read by LRWC's Catherine Morris, [7 October 2021](#).

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## INTERNATIONAL CRIMINAL COURT

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### International Criminal Court prosecutor Karim Khan

On 15 June 2021, Fatou Bensouda ended her term as Chief Prosecutor of the International Criminal Court (ICC). She was succeeded by lawyer [Karim Khan QC](#), a UK lawyer with extensive experience in international criminal law. Mr. Khan was elected by the States Parties to the Rome Statute of the ICC on 21 February 2021. He was sworn in on 15 June 2021. He began his term free of the threat of sanctions experienced by his predecessor, which the US revoked on 7 April 2021. See more about LRWC interventions on this matter in the entry on the [US section](#) of the LRWC website.



Karim Khan, QC  
(Photo ICC Press Release)

### LRWC attends Assembly of States Parties of the Rome Statute of the ICC in The Hague

From 6–11 December 2021, the Assembly of States Parties (ASP) to the Rome Statute of the ICC convened the [20<sup>th</sup> session](#) of the ASP, which meets annually at the World Forum in The Hague to review the administration, functioning, and activities of the Court.

As a member of the Coalition for the International Criminal Court (CICC), LRWC was invited to attend plenary sessions on 8 December 2021. LRWC board member [Melissa Tessler attended](#). The CICC statement, [Review of the Rome Statute System](#) was co-led by Human Rights Watch and the International Federation for Human Rights. The CICC [statement](#) listed priority areas for improvement including:

... gender equality; safety and respect in the workplace; the highest standards of fair trial and completion of the legal aid policy; better cooperation by States Parties with the Court, particularly in the face of politicized attacks; merit-based nominations and elections of highly qualified Court officials; improved and strengthened methodologies of the Office of the Prosecutor; adequate and sufficient resources to carry out the Court's mandate, consistent with its workload; as well as all the recommendations aiming at placing victims and affected communities at the heart of ICC proceedings and at ensuring the respect of their rights, including early and direct engagement with victims and affected communities, better outreach and public information strategies; increased field presence; and meaningful participation, including through chosen and effective representation during all stages of the proceedings.

Another [statement](#) by the CICC sought increased consultation and participation by civil society in the 2022 session of the ASP.



## LEGAL RESEARCH & EDUCATION

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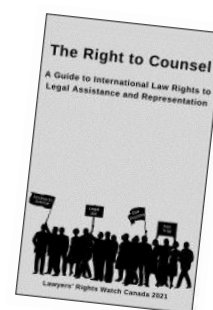
LRWC reports, statements, complaints, amicus briefs and other written materials are available online at [www.lrwc.org](http://www.lrwc.org) in the [library section](#) and/or in one of the [country sections](#) and may be downloaded free of charge. People are free to copy, distribute and display LRWC work and to make derivative works, with appropriate credit. Written and oral statements to the UN Human Rights Council and written reports to UN treaty monitoring bodies can be accessed on both UN websites and LRWC's website.

## LRWC PUBLICATIONS

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The following publications were issued by LRWC:

- **Luiza Teixeira, *The Right to Counsel: A Guide to International Law Rights to Legal Assistance and Representation*** ([LRWC](#), February 2021). This handbook compiles and discusses international and regional treaties, instruments, and cases that set out the duties of States to respect and ensure the right to counsel.
- **Quarterly [newsletters](#) in January, April, July, October 2021.** LRWC work during last quarter of 2021 is published in the January 2022 newsletter.
- **In progress during 2021: *The Right to Freedom from Arbitrary or Unlawful Deprivation of Liberty: A Guidebook on International Law Protections***, by Lois Leslie.



## PERIODICAL ARTICLES BY LRWC VOLUNTEERS

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The following articles were written by LRWC volunteers (in date order):

- 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." [The Advocate](#) 79(1) (March 2021).
- Clive Ansley, David Kilgour, and Peter Lamont, "How the 'trials' of two Canadians detained in China show the importance of the rule of law," [Hong Kong Free Press](#), 27 March 2021. [Reprinted](#) by LRWC with permission.
- Catherine Morris, "Manipulating the 'Rule of Law': How Powerful Actors Undermine Accountability for Atrocity Crimes in Myanmar." [The Advocate](#) 79(3) (May 2021).
- Catherine Morris. "USA vs. the International Criminal Court: A Fraught History in the Quest for International Accountability for Atrocity Crimes." [Slaw.ca](#), 19 May 2021.
- Catherine Morris, "2020–21: A pandemic of rights violations has met with dramatic civil resistance to injustice," [The Advocate](#) 79(4) (July 2021).
- Catherine Morris, "Protect Afghanistan's truth-tellers: Human rights defenders in a world of diplomatic doublespeak," [Slaw.ca](#), 15 September 2021.
- Catherine Morris, "Access to Justice: Defending Defenders and Truth-Tellers Is Fundamental to the Rule of Law," [The Advocate](#) 79(6) (November 2021).
- Marjorie Cohn, "Absent Any Proof, Israel Designates Palestinian Rights Groups 'Terrorist,'" [Truthout](#), 9 November 2021. [Reprinted](#) by LRWC with permission.

- Catherine Morris, “The ‘two Michaels’ and Celil: Windows into China’s legal gulag,” [Slaw.ca](#), 16 November 2021.

Forthcoming as of 31 December 2021:

- Heather Neun and Catherine Morris, “The Day of the Endangered Lawyer, 24 January 2022: Colombia.” *The Advocate* 80(1) (January 2022): 29-82.
- Heather Neun and Catherine Morris, “Escalating Threats to Colombian Human Rights Advocates: The Day of the Endangered Lawyer, 24 January 2022.” *Slaw.ca*, 11 January 2022.

## EDUCATIONAL EVENTS AND CONFERENCES

Education about international human rights law is central to LRWC’s mandate. In 2021, LRWC engaged in the hosting, co-sponsoring, or participation in the following educational events:

- **21 January 2021: The struggle to protect Azerbaijani lawyers.** LRWC promoted an [online event](#) to mark the Day of the Endangered Lawyer, hosted by the Law Society of England and Wales.
- **31 March 2021: Book launch: Maureen Webb, *Coding Democracy: How Hackers Are Disrupting Power, Surveillance and Authoritarianism*** (The MIT Press, 2020). The author, Maureen Webb, former director of LRWC, is a labour, human rights, and constitutional lawyer. The event was co-sponsored by Simon Fraser University’s Vancouver-based Vancity Office for Community Engagement and [LRWC](#). See a [video](#) of Maureen Webb’s lecture.
- **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 raise awareness about women’s rights defenders in Saudi Arabia and Iran. The event was co-organized by LRWC volunteer, Rai Friedman. Speakers were LRWC Director Gail Davidson; Saudi Arabian journalist and filmmaker Safa al-Ahmad; and Iranian Woman Human Rights defender Maryam Shafipour.
- **7 May 2021, International Commission of Inquiry on Systemic Racist Police Violence Against People of African Descent in the United States**, Lecture by Professor Marjorie Cohn at the LRWC [AGM](#).
- **17 June 2021: LRWC supports refugees from Myanmar on World Refugee Day.** LRWC director Renée Mulligan was among the organizers of an [online panel discussion](#) on 17 June 2021 entitled “Preventing Pushbacks of Refugees Fleeing Myanmar Along the Thai/Myanmar Border,” hosted by the Centre for Asia-Pacific Initiatives at the University of Victoria.
- **7 July 2021: LRWC participated in the 5th China Human Rights Lawyers Day** held on 6th anniversary of China’s “709 Crackdown” against human rights lawyers launched by China’s authorities on 9 July 2015 (“7.09”). LRWC China monitor, Clive Ansley, contributed a [video message \(at 2:40:55\)](#) in English and Mandarin expressing solidarity with China’s human rights lawyers and calling for their protection.
- **16 September 2021. “Responding to Scholars under Threat in Asia: Afghanistan and Beyond**, Catherine Morris, [Centre for Asia-Pacific Initiatives](#), University of Victoria.
- **29 September 2021, “Reflections on Afghanistan,”** Catherine Morris, Centre for Global Studies, University of Victoria.
- **23 October 2021. “What is the International Criminal Court?** Presentation at “Philippines Under Siege: Solidarity for Justice and Peace,” Conference and Training session of the International Coalition for Human Rights in the Philippines, Catherine Morris, Vancouver, Canada.

## NOMINATIONS AND AWARDS

### Lawyers for Lawyers Prize 2021

Myanmar lawyer [U Khin Maung Zaw](#) was shortlisted for the 2021 Lawyers for Lawyers Prize. He was nominated for the award by LRWC and honoured at the awards ceremony in Amsterdam on 18 November 2021. At the ceremony, Catherine Morris provided a [video tribute](#) to U Khin Maung Zaw, who remains at grave risk due to his representation of falsely-charged journalists and officials of the government ousted by the 2021 military coup.



U Khin Maung Zaw

## LRWC IN THE NEWS IN 2021

The following news stories published in 2021 mentioned Lawyers' Rights Watch Canada (in date order):

- Matt Simmons, “‘Localized harassment’: RCMP patrol Wet’suwet’en territory despite UN calls for withdrawal,” [The Narwhal](#), February 2021.
- Guy Quenneville, “Watchdog report on RCMP's investigation of Colten Boushie shooting due next month,” [CBC News](#), 25 February 2021.
- “NGOs call for international action on Sri Lanka,” [Tamil Guardian](#), 26 February 2021.
- CNN Philippines staff, “61 legal practitioners killed since 2016, zero convictions...,” [CNN](#), 10 March 2021.
- Bernise Carolino, “Privacy commissioners issue draft guidance on police use of facial recognition technology,” [Canadian Lawyer](#), 15 June 2021.
- Bernise Carolino, “Feds to fund initiatives against overrepresentation of Indigenous peoples in criminal justice system,” [The Canadian Lawyer](#), 16 July 2021.
- Bernise Carolino, “Lawyers’ Rights Watch Canada welcomes reopening of hiring process for U of T program director,” [The Law Times](#), 26 July 2021.
- Elizabeth Raymer, “Judges, lawyers, human rights defenders seen as under threat in Afghanistan,” [The Canadian Lawyer](#), 26 August 2021.
- “‘Justice in Sri Lanka has not only been stalled but reversed’ - Lawyers' Rights Watch Canada,” [Tamil Guardian](#), 16 September 2021.
- Cathrine Gonzales, “Rights groups urge UNHRC to set up system for collecting evidence on EJKs,” [Inquirer.net](#) (Philippines), 7 October 2021.
- Bhavan Jaipragas, “Singapore’s anti-foreign interference law will ‘substantially narrow’ civic space, rights groups say,” [South China Morning Post](#), 13 October 2021.
- Cathrine Gonzales, “Rights groups urge UNHRC to set up system for collecting evidence on EJKs,” [The Inquirer](#) (Philippines), 7 October 2021.
- Bhavan Jaipragas, “Singapore’s anti-foreign interference law will ‘substantially narrow’ civic space, rights groups say,” [South China Morning Post](#), 13 October 2021.
- Bernise Carolino, “B.C. urged to stop amendments to freedom of information and privacy legislation,” [Canadian Lawyer](#), 2 November 2021.
- “Turkey has prosecuted some 1,600 lawyers, arrested 615 since failed coup: report,” [Turkish Minute](#), 11 December 2021.
- “Christmas as Usual: CCP Detains Human Rights Defenders,” [China Digital Times](#), 30 December 2021.

## YOU CAN HELP DEFEND DEFENDERS AT RISK

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### VISIT LRWC TO LEARN MORE

Email: [lrwc@lrwc.org](mailto:lrwc@lrwc.org)

Website: <http://www.lrwc.org>

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### SHARING LINKS TO LRWC ON SOCIAL MEDIA *AMPLIFIES* OUR ADVOCACY

We invite LRWC members and supporters to share LRWC's posts on social media to strengthen our advocacy for human rights lawyers and defenders at risk.

**Twitter:** <https://twitter.com/LRWCanada>

**Facebook:** <https://www.facebook.com/LawyersRightsWatchCanada>

**LinkedIn:** <https://www.linkedin.com/company/Lawyers-rights-watch-canada/>

**Instagram:** <https://www.instagram.com/lawyersrightswatchcanada/>