

Lawyers' Rights Watch Canada

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

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Letters for Lawyers

Mexico: Cara Gibbons sent letters on behalf of Gustavo de la Rosa Hickerson, who has been threatened with the loss of his life and his job. Hickerson, as the lawyer in charge of the Chihuahua State Human Rights Commission (CEDH) office in Ciudad Juárez, was investigating allegations of abuse by the military when he received a death threat. CEDH was reported to have refused Hickerson's request for protection and threatened to fire him if he persisted in receiving complaints of abuse by the military.

Peru: Dagmar Dlab wrote in response to reports of death threats against Dr. Solomón Lerner, former president of Peru's Truth and Reconciliation Commission. The threats are believed to be in reprisal for Dr. Lerner's past work with the commission exposing wrongdoing by government agents, and his current work as president of the Institute for Democracy and Human Rights and vice-president of the commission appointed to create a museum of memory of past human rights abuses in Peru.

Turkey: Filiz Kalayci, a Turkish lawyer and member of the executive committee of the human rights group İnsan Hakları Derneği (IHD), has been in prison in Ankara since May 28 awaiting trial on charges of "aiding illegal organizations." Ms Kalayci's arrest, detention and prosecution occurred after IHD published a report detailing human rights violations against prisoners by state agents. The prosecution appears inspired solely by an intention to punish and prevent her advocacy on behalf of prisoners and not by any *bona fides* belief of wrongdoing on her part. John Cotter wrote to senior government officials calling for Ms Kalayci's release and withdrawal of all charges.

Zimbabwe: The Constitutional Court of Zimbabwe stayed charges against human rights advocate Jestina Mukoko ruling, "[t]he court unanimously concludes that the state, through its agents, violated the applicant's constitutional rights protected under the constitution of Zimbabwe to an extent entitling the applicant to a permanent stay of criminal prosecution associated with the above violations." Ms Mukoko had been abducted, and disappeared on 13 December 2008. She is well known for her work with the Zimbabwe Peace Project, an NGO, and the Zimbabwe Human Rights Forum, documenting human rights abuses by security forces, and was believed to have been abducted in reprisal for that work. Ms Mukoko was moved from prison to prison during her disappearance and was released 9 March 2009 and charged with banditry. Zimbabwe monitor Charles B. Davison wrote letters on her behalf and in October wrote calling for a thorough and independent investigation of the torture findings made by the Zimbabwe Constitutional Court. Ms Mukoko observed, "...the victory was only possible because of the support from the international community, fellow journalists and colleagues in civic society and human rights defenders."

Education

LRWC and UBC's RAGA Centre co-hosted a free lecture by University of Toronto professor Dr. Sherene Razack on *Reflection on Torture at Abu Ghraib* at the Vancouver Public Library on October 24, 2009. Co-sponsoring the talk were: Law&Society@ UBC, Vancouver Voice of Women, StopWar.ca and Lawyers against the War. The talk,

attended by approximately 100 people, was videotaped for re-broadcast on Novus and Shaw cablevision networks in the Lower Mainland and Vancouver Island.

UN Participation

The planned side-event on *The Rule of Law under Threat: Protecting Lawyers who Protect Human Rights*, organized by the Dutch Lawyers for Lawyers (L4L) and co-hosted by LRWC and Hungary was cancelled. LRWC representatives Harini Savalingam and Gary Anandasangaree, and Lawyers for Lawyers (L4L) representatives Irma Van Den Berg, Adrie van de Streek and Phon Van den Biesen attended the presentation of the final report of outgoing Special Rapporteur Leandro Despouy to the 64th session of the UN General Assembly in New York. LRWC and L4L had provided material to Mr. Despouy for this report. LRWC and L4L representatives met with Gabriela Carina Knaul de Albuquerque e Silva, the new Special Rapporteur on the independence of judges and lawyers. Discussed at the luncheon meeting with Gabriela were L4L's long term goal of improving the utility of the *Basic Principles on the Role of Lawyers* by promoting domestic laws that incorporate these principles and LRWC's companion project on the development of 'first response' protective mechanisms for jurists whose independence and safety are in danger. Harini Sivalingam also attended the *Special Procedures Early Warning and Emerging Issues* roundtable held on Friday October 23—attended by High Commissioner for Human Rights Ms. Naveanethem Pillay—to discuss the role and added value of the UN Special Procedures in early warning and drawing attention to emerging issues. A report detailing Harini and Gary's meetings and work at 12th Session of the UN Human Rights Council in Geneva, September 14-25, 2009 is now available.

Upcoming Events

Human Rights Fact-Finding Mission to Mexico: 30 November-4 December 2009. Cara Gibbons will be a member of the team of lawyers travelling to Guerrero in southern Mexico to provide support to lawyers at risk because of their human rights work with indigenous people, and investigate and report on human rights abuses against the lawyers and their clients. The fact-finding mission is coordinated by the Bar Human Rights Committee of England and Wales (BHRC) with logistic support provided by Peace Brigades International (PBI). Cara Gibbons, LRWC Director and Mexico monitor, practices law in Toronto. Cara's human rights background includes international human rights studies, work at Osgoode Hall's Human Rights Treaty Centre, membership in the International Committee against Torture and work as an intern for Law Society of Uganda. In September 2010 Cara will return to school to complete her L.L.M. on the role of human rights in international development in Mexico. Cara speaks fluent English, advanced French and intermediate-advanced Spanish.

Notable Reports

The International Commission against Impunity in Guatemala (CICIG) is an independent non-UN commission mandated to conduct investigations and to bring cases to trial to combat impunity. LRWC, in 2008 communications with DFAIT, urged Canadian financial support for CICIG. UN Secretary General, in his report, [*Activities of the International Commission against Impunity in Guatemala: Report of the Secretary General 23 September 2009. A/64/370*](#), notes problems with the lack of both judicial independence and adequate security for commission employees and recommends remedial measures including the creation of a specialized court to deal with "high-impact cases".

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