

LRWC NEWSLETTER

November 2010

Seasons Greetings from LRWC

LRWC calls for release of 43 healthcare workers.



LRWC visits prison in Taguig City, Philippines.

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Protecting Human Rights Advocates World Wide

LRWC Action News

Bangladesh - Mantu Ghosh

The Dhaka Metropolitan Police arrested lawyer Mantu Ghosh over three months ago on ungrounded charges. Mr. Ghosh is a member of the Central Committee of the Communist Party of Bangladesh and an advisor of the Garment Trade Union Center, which looks after the interests of garment workers in Bangladesh. The Dhaka Metropolitan Police have brought 10 apparently fabricated charges against him. He was released on bail on October 11, 2010 due to falling seriously ill in custody but he now fears re-arrest. John Cotter wrote a letter to authorities calling for the release of Mr. Ghosh, the withdrawal of all charges and an investigation into the police and court authorities responsible for the bringing of these fabricated charges and harassment.

Canada: The [Voice/Voix declaration](#) that LRWC signed in June has now been endorsed by 188 NGOs and over 4,000 individuals. The declaration calls on the government of Canada to respect freedom of expression and the independence of civil society groups.

Honduras – Lawyers working for the Association for More Just Society

Lawyers working for the Association for More Just Society (ASJ) in Honduras (who do not want to be named) face grave risks as a direct result of their human rights work. The threatened lawyers work in a labour rights defence project, which seeks to protect the rights of fast food, cleaning and security business workers. Prior to receiving threats, the ASJ lawyers had been investigating government organizations and a private security company called Technical Security of Honduras (SETECH) for violations of labour rights of their employees. Laura Best wrote a letter calling on the Government of Honduras to take immediate steps to guarantee the safety of ASJ lawyers and employees. The letter also called for an immediate, full and impartial investigation into the threats against and intimidation of ASJ lawyers.

Mexico – Digna Ochoa

On November 24, LRWC's Gail Davidson and Leo McGrady QC sent [a letter](#) to the government of Mexico detailing the legal duty to ensure an independent and effective investigation of the October 19, 2001 murder of Digna Ochoa and Mexico's continuing failure to do so. Human rights lawyer Digna

Ochoa was, in the words of the Inter-American Commission of Human Rights, “assassinated by one or more unidentified individuals in the office of her colleague Pilar Noriega Garcia in the Colonia Roma neighborhood of Mexico City.” Ochoa acted in highly controversial cases alleging criminal wrongdoing by the military and other government agents. The first team of investigators was removed after identifying her death as a homicide and members of the military and local caciques working with the military as persons of interest. All subsequent investigations and reviews have focused on establishing that Ochoa committed suicide to embarrass the government. LRWC and the Bar Human Rights Committee of England and Wales [investigations](#) were conducted in Mexico city by John McAlpine QC in March 2002 and by Leo McGrady QC in April 2003. LRWC calls on Mexico to create a commission of inquiry to conduct a proper investigation. LRWC’s letter is supported by La Coordinación Alemana por los Derechos Humanos en México, a Germany-based group of 12 NGOs that includes the German chapter of Amnesty International. On November 27 the Procuraduria de Justicia del Distrito Federal (PJDF) released another report concluding that Ochoa died by suicide and dismissing any investigation of the suspect identified. The prestigious Ludovic-Trarieux Human Rights prize was awarded to Ochoa in 2003 following LRWC’s nomination.

Philippines - Maguindanao Massacre of 57 civilians including 2 lawyers and 32 journalists

November 23/10 marked one year since the execution of 57 people in Maguindanao province of the Philippines. Two human rights lawyers, Concepcion Brizuela and Cynthia Oquendo and 32 journalists were among those executed. LRWC and the Asian Legal Resource Centre issued a [joint statement](#) condemning the massacre and government inaction to stop extrajudicial killings by state agents and others under the Arroyo regime and calling for the creation of an international body to investigate the massacre and recommend prosecutions and other legal remedies. Today, over 100 of the 200 suspected perpetrators of the massacre are still at large. Although trials of some accused have commenced, none have been completed. Secretary of Justice de Lima has called government handling of the Maguindanao massacre a ‘litmus test’ of the new government’s commitment to round up and try all suspects and punish all perpetrators.

Philippines - the Morong 43

On November 9th LRWC and representatives from other groups met with Philippine Vice Consul Melanie Rita Balisi Diano in Vancouver who advised that she would pass along our concerns. On November 19, a full page ad calling for the release of the health care workers was published in the Daily Inquirer a major Philippine newspaper. The ad was endorsed by hundreds of NGOs, including LRWC. LRWC issued a press release regarding the plight of the two infants born in prison since the February 6/10 arrest and was interviewed by a correspondent from Balitang TV. LRWC has been invited to join a January 2011 delegation to the Philippines headed by CIVICUS, a South-Africa-based organization.

Russia - Sapiyat Mogomedova

Lawyer Sapiyat Magomedova has been the target and victim of assaults and threats committed by police officers in Khasavyurt. On June 17, 2010 she was assaulted in the Khasavyurt police station and lodged a complaint against the officer who attacked her. The investigation of Magomedova’s complaint has been stalled and the officer in question has filed a cross complaint. On November 8, Charles Davison wrote a letter calling for a proper, independent and impartial investigation of Ms. Magomedova's complaints, suspension of any officer(s) found to be responsible for the assault on her for protective measures.

Public Events

Ottawa: LRWC China monitor Clive Ansley was a panellist at *The Powers that Persuade: A Forum on Foreign Government Influence on Canadians*, an event, organized by the China Rights Network, was held November 24, from 3:30 to 5:00 pm in the Parliament Buildings, Ottawa. The panel—Clive Ansley, Michael Juneau-Katsuya, Sheng Xue and Michael Craig—and discussion were chaired by former MP David Kilgour.

Upcoming

Vancouver – December 8, 2010: David Eby, Executive Director of BC Civil Liberties Association will receive the 2010 Renate Shearer award at a celebration on December 8 to mark the 62nd anniversary of the Universal Declaration of Human Rights. The award is given annually by the B.C. Human Rights Coalition and the United Nations Association in Canada to honour excellence in human rights advocacy. LRWC nominated David Eby for the award and will introduce him at the event. LRWC received the 2004 Renate Shearer award for, “exceptional work in promoting international standards aimed at protecting the rights and the work of human rights advocates world wide.” LRWC strives to honour the award. LRWC members are invited to attend: December 8, 2010, 5:30 – 8:00 pm, Vancouver Community College, JJ’s Restaurant, 3rd floor 250 West Pender St. Vancouver, from 5:30 – 8:00 pm.

Vancouver – January 19 2010: LRWC and the BC Civil Liberties Association are co-sponsoring a day with Dennis Edney, The Canadian lawyer representing Omar Khadr before the Federal Court, Federal Court of Appeal and the Supreme Court of Canada. The January 19th events will include: a breakfast meeting at the Vancouver Law Courts restaurant and a luncheon meeting and talk at the UBC Law School. Let us know if you want to attend either event.

LRWC YouTube Site

[Robert Morales on YouTube:](#) You can view the video of Robert Morales’ talk on the Inter-American Commission on Human Rights on decision to accept the Hui’qumi’num Treaty Group’s petition alleging that Canada has violated the American Declaration of the Rights and Duties of Man by failing to resolve the HTG’s land claims and refusing to protect subject lands from degradation on LRWC’s YouTube site.

Publications

Chelsea Thomas B.A., J.D., *Protective Measures in the African Union*, November 2010.

Getting Involved

LRWC Monitors

LRWC welcomes new monitors: Laura Best for Honduras; Steven Kelliher for Sub-Saharan Africa, Jennifer McWhaw for the Former Balkan States, and Alyssa Brierley for Colombia. Anyone wanting to join a monitoring team are invited to contact us.

Research and Writing

LRWC members are invited to assist with ongoing research which includes:

1. Amicus brief for the case of *Hul’qumi’num Treaty Group v Canada* before the Inter-American Commission of Human Rights on international rights to equality before the law, the equal protection of the law and equal access to remedies.
2. Law prohibiting/allowing the criminalization of judicial functions for another brief on the prosecution of Judge Baltasar Garzón in Spain.
3. Survey of effective protective measures for advocates in danger that can be provided by NGOs.
4. The scope of absolute immunity for lawyers and the Peter Erlinder prosecution.
5. Murder and enforced disappearance of Balochistan lawyers.

Notable Developments

The *International Convention for the Protection of All Persons from Enforced Disappearance* will come into force on December 23, 2010. The Convention was adopted by the General Assembly on 20 December 2006 by resolution A/RES/61/177 and was opened for signature on 6 February 2007. Article 39 provides, "This Convention shall enter into force on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession." On 23 November 2010, Iraq became the 20th state to ratify. There are currently 87 signatories and 20

ratifications. Spain has ratified which is important to the Baltazar Garzon prosecution. Canada has not signed.

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- Donations made by December 31, 2010 are eligible for a 2010 charitable tax receipt.

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