

# Lawyers' Rights Watch Canada

*NGO in Special Consultative Status with the Economic and Social Council of the United Nations*  
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## LRWC NEWSLETTER

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LRWC Letters for Lawyers

## IRAN:

Iranian lawyer, Mohammad-Ali Dadkhah, was recently sentenced to nine years in prison, barred from practicing law for ten years, and barred from engaging in academic activities in apparent retaliation for his work as a human rights advocate. Mr. Dadkhah, in addition to several other Iranian human rights defenders, was arrested in 2009 for protesting the alleged fraud in the 2009 presidential election which led to the re-election of President Ahmadinejad. On July 8, 2011, LRWC and the Amsterdam-based Lawyers for Lawyers (L4L) L4L sent a [joint letter](#) to President Mahmoud Ahmadinejad calling on his government to release Mr. Dadkhah and end the illegal maltreatment of human rights defenders in Iran, including those at the judicial level. In addition, LRWC and L4L have urged Iran to honour its obligations as a UN member to protect internationally protected rights to liberty, freedom of expression, freedom to engage in human rights advocacy and freedom to criticize government.



Mohammad-Ali Dadkhah

## MALAYSIA:

On June 25, the Malaysian government arrested six prominent members of the Malaysian Socialist Party and 24 other activists for electoral reform. All 30 were arrested and held under the authority of the Emergency Ordinance (Public Order and Prevention of Crime) 1969. They were arrested and detained for their involvement in peaceful demonstrations for clean and fair elections and were denied habeas corpus. No charges have yet been laid but all stand accused of "waging war against the king". In response to pressure from local and international organizations, all 30 have been released. The six Socialist Party members, including Member of Parliament Dr. Jeyakumar Devaraj, were released on July 29, 2011 and may face charges on August 3, possibly under Section 48 (1) of the Societies Act 1966 and Section 29 (1) of the Internal Security Act. The other 24 activists were released on July 4. "The situation for government critics and human rights advocates is worse in Malaysia than it has been for many years," reports Amnesty Canada's Malaysia/Singapore coordinator Margaret John. LRWC responded to the arrests with a [letter](#) to Malaysian Prime Minister, Dato' Sri Mohd Najib Tun Abdul Razuk and others, calling for the immediate release of the activists. The Prime Minister's Office replied promptly with assurances that the matter would be investigated promptly. Margaret John commented that cooperation and solidarity amongst local and international NGOs was key to success in this situation and sent a special thanks to LRWC.



Dr. Jeyakumar Devaraj

LRWC member, Vicheka Lay, is preparing a statement examining the legitimacy of Emergency Ordinance, a law described by Amnesty as "grossly unfair". The Emergency Ordinance, which purports to authorize indefinite detention without charges, accounts for the detention of an estimated 2,000 people within Malaysia.

## SYRIA:

After 22 months in prison, Syrian lawyer, Mr. Muhanad Al-Hassani has finally 2009 Mr. Al-Hassani was arrested by Syrian national security forces and weakening national sentiments and spreading false news concerning Syria also disbarred for life by the Damascus section of the Syrian Bar Association. disbarment of Mr. Al-Hassani has been upheld, with the Bar Association citing the Syrian Organization for Human Rights as the primary reason for his [joint letter](#) sent in both English and Arabic to Mr. Nizar Assakkef, President Association, L4L and LRWC have called on Mr. Nizar Assakkef to annul this Hassani's rights to freedom of expression, belief, association and assembly. LRWC [wrote](#) to the Syrian Bar Association, expressing concern over the Mr. Al-Hassani.



Muhanad Al-Hassani

been released. In July of subsequently convicted of abroad. Mr. Al-Hassani was Despite his release, the Mr. Al-Hassani's work with continued disbarment. In a of the Syrian Bar decision and protect Mr. Al-Prior to his disbarment, disciplinary action against

## SYRIA:

On July 4, 2011, LRWC sent a [letter](#) to Syrian President, Bashar al-Assad, in response to his government's treatment of Danial Saoud, President of the Committees for the Defence of Democratic Freedom and Human Rights. Mr. Saoud had been prevented from leaving Syria to attend a meeting in Egypt of the Executive Committee of the Euro-Mediterranean Human Rights Network. The travel ban appears to be intended at preventing Mr. Saoud from carrying out his lawful work as a human rights defender. LRWC has called on the government of Syria to lift the travel ban on Mr. Saoud, and ensure his freedom of expression and the freedom to disseminate information across borders and criticize government.



Danial Saoud

**BRAZIL:**

LRWC received a letter from President Rousseff's communication director indicating that LRWC's letters of May 31 and June 28, 2011 regarding the May 24, 2011 assassination of José Cláudio Ribeiro da Silva and Maria do Espírito Santo da Silva have been sent to the department in charge. We are hopeful that this and an earlier reply from the President's office will translate into the perpetrators being identified through an effective investigation, prosecutions and fair trials. LRWC will continue to monitor the situation.



José Cláudio Ribeiro da Silva and Maria do Espírito Santo da Silva

### *Second Caravana to Colombia Launches Report*

In August 2010, the Second International Lawyers Delegation to Colombia, a group of 57 lawyers from 15 countries, visited Colombia to assess the situation facing Colombian human rights lawyers and members of the judiciary. This international legal observation mission was part of the long-term commitment of Lawyers Without Borders Canada (LWBC) to monitor and promote respect for the rights of legal professionals in Colombia. LRWC member Alyssa Brierley was part of the delegation representing both LWBC and LRWC. [The Delegation's report](#), "Colombia: The Legal Profession Still Under Attack" was launched this month in several locations. In Ottawa the launch of the report took place July 6, 2011 at Ottawa City Hall, Councilor's Lounge. LRWC Director Maureen Webb attended for LRWC. The Toronto launch of the report was held on July 25, 2011 at the offices of McCarthy Tetrault, with Alyssa Brierley in attendance for LRWC. L4L presented the report to a representative of the Colombian embassy in The Hague on July 15.



Caravana Lawyers, Lawyers Without Borders Canada

The situation of legal professionals in Colombia remains dire. According to the National Police figures, 353 legal professionals were assassinated between 2003 and 2009. Impunity rates for these murders remain high due to: chronic underfunding of the judicial system, intimidation of members of the judiciary, and a lack of political will to support lawyers and human rights defenders in an environment in which the Colombian administration has consistently publicly denounced the work of human rights defenders. This situation has taken a great physical and psychological toll on lawyers, judges and other human rights advocates throughout Colombia.

The August 2010 Delegation welcomed the inaugural promise of the then newly elected President Santos to promote "non-stigmatization" of legal professionals and human rights defenders and to respect the independence of the judiciary in Colombia. However, as noted by both the Delegation and LRWC, President Santos has yet to fulfill this promise. On April 30, 2011, Santos publicly criticized the conviction and sentencing of retired Colombian General, Jesús Armando Arias Cabrales, for the enforced disappearance of 11 people in the 1985 siege of the Palace of Justice, as unfounded, "unjust", and not "healthy for the country". LRWC [responded](#) by calling on Santos to honour his inaugural commitments. LRWC [wrote](#) to President Santos again in June 2011, as a result of death threats made against lawyer, Julio Cesar Rosero, for his involvement in the trial of eight members of the Urban Counter-Terrorism Special Forces Group who are alleged to have killed Mr. Edison Yimel Villanueva. President Santos has not retracted his public criticism of the trial judge in the Jesús Armando Arias Cabrales case or intervened to protect Julio Cesar Rosero.



The Delegation has recommended that the Colombian government work to alleviate the difficult conditions for Colombian legal professionals and human rights defenders by: publicly supporting the work of legal professionals, safeguarding the independence of the judiciary, ensuring investigations of attacks on legal professionals, and providing adequate resources so that legal professionals and human rights defenders may carry out their essential work.

Members of the Delegation plan to continue monitoring the Santos administration to determine whether it is working to fulfill its inaugural commitments. The Delegation reports to have developed strong relationships with lawyers and other human rights advocates in Colombia. Working together they hope to provide "an enduring spotlight on the situation of human rights lawyers in Colombia."

### Notable Reports

**China: Report by AI:** Against the law: Crackdown on China's human rights lawyers deepens: Update on Background  
<http://www.amnesty.org/en/library/asset/ASA17/031/2011/en/9fe6050b-b990-47c1-bad7-396b0ee6e12d/asa170312011en.html>

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