

LRWC NEWSLETTER

December 2019 - January 2020 Edition

LRWC ACTION NEWS and UPDATES

The Right to Legal Aid

CAMBODIA

LRWC Monitor's visit to Cambodia

LRWC's Cambodia monitor visited academics, officials, lawyers and human rights defenders in Phnom Penh from 27 November to 5 December to discuss how LRWC might best work with Cambodian defenders. Topics of discussion were protection of human rights defenders, legal aid, and Cambodia's Law on Associations and NGOs (LANGO). There is a need for advocacy to uphold civil society rights to freedoms of association, assembly and expression. Also needed is advocacy on independence of judges and lawyers, and the right of equal access to justice and fair trials. An important concern is advocacy on the duty to investigate extra judicial killings such as the murder of human rights defender Kem Ley in 2015, the murder of indigenous land defender Chut Wutty in 2012, and the murder of labour rights leader Chea Vichea in 2004. Given the high risk of judicial harassment of dissenters and defenders in Cambodia, there was also interest expressed in the potential of advocacy to prevent reprisal criminal charges and law suits – or Strategic Litigation Against Public Participation (SLAPP). There was discussion about the possibility of disseminating several of LRWC's manuals in Cambodia, including LRWC's [Guide to International Law Rights to Legal Aid](#) and possibly LRWC's *Handbook on International Law Rights to Pre-Trial Release*. LRWC was advised that funding would be required to translate these manuals into Khmer language.

CANADA

Stop deportation to torture of Mohamed Harkat

20 groups and individuals including LRWC endorsed an [open letter](#) by Amnesty Canada, the International Civil Liberties Monitoring Group and the National Council of Canadian Muslims asking Minister of Safety Bill Blair to exempt Mohamed Harkat from deportation to the likelihood of torture and ensure that Canada complies with its obligations under the UN Convention against Torture.



Mohamed Harkat

Suspend all transfer and sale of arms to Saudi Arabia

LRWC called on Canada by [letter dated 9 January 2020](#) to ban the sale of arms to Saudi Arabia and cancel the fulfilment of the \$15 billion contract for delivery of Light Armed Vehicles (LAVs) to Saudi Arabia. The contract involves the export of 928 LAVs to Saudi Arabia, 127 of which were reportedly shipped to Saudi Arabia in 2018. Factors necessitating the requested include: Canada's duties as a State Party to the UN Arms Trade Treaty; violations by Saudi Arabia of its international law obligations;

reports of war crimes against civilians in Yemen by the Saudi-led coalition; and, Canada's obligations to promote respect for international law. The LRWC letter repeats a [September call to end arms sales](#) from Canadian NGOs including Amnesty, Oxfam and Project Ploughshares.

Roundtable on Consular Access to Detained Journalists

On 27 January 2020, Catherine Morris participated, as a representative of LRWC, in a roundtable on Consular Access to Detained Journalists hosted by the University of Ottawa. The purpose of the Roundtable was to discuss recommendations for a framework for securing freedom of Canadian nationals imprisoned abroad, including discussion of proposed legislation and other frameworks, strengthening consular assistance, promotion of protection for journalist nationals at risk, ending impunity for attacks on journalists, and promotion of journalists' freedom of expression. Among several documents circulated for discussion at the Round Table was LRWC's 2018 submission to Canada's Standing Committee on Foreign Affairs and International Development on [consular protection and diplomatic intervention](#). The three-hour Roundtable, conducted under the Chatham House Rule, was attended in person or by conference call by several invited representatives with expertise in consular assistance and diplomatic protection issues. Those present included international law academics, representatives of human rights organizations, and former government officials. The purpose of the roundtable was to discuss ideas for strengthening international and domestic legal and policy frameworks for protection of nationals detained abroad. While the focus was on protection of detained journalists, the discussion emphasized the importance of ensuring non-discriminatory protection of the fundamental human rights of all detained nationals, acknowledging particular protections required for journalists as well as human rights defenders.

CHINA

Global Lawyers Forum a public relations stunt say NGOs to disguise abuses



LRWC endorsed an [Open letter \(9 December 2019\)](#) to China for release on the eve of the Global Lawyers Forum, held 8-12 December in Guangzhou which hosted 800 lawyers from 57 countries. LRWC and other groups viewed the forum as an attempt to gloss over widespread abuses and promote the absolute authority of the Communist Party of China and economic development at the expense of civil and political rights. The advertised themes were "scientific and technological progress and

legal services." The Open Letter refutes China's claim to be governed by the rule of law, citing the absence of judicial independence and continuing unrestrained brutal crackdown against lawyers, others defending rights, exposing abuses or holding unpopular beliefs and minorities. The letter points out that the legal system in China is used to arbitrarily detain and disappear perhaps millions of people. The letter was mentioned in a Guardian article "[Protests over arbitrary detentions as China hosts global lawyers forum](#)."

Lawyers and activists disappeared and arbitrarily detained

During the last week of December China carried out another unlawful crackdown of lawyers and other human rights defenders. [LRWC's letter of 10 January](#) identifies six individuals arrested without unlawful cause and either arbitrarily detained or disappeared. The letter calls on China to immediately locate and release all the individuals named in the LRWC letter: Mr. Ding Jiayi, Mr. Zhang Zhongshun, Mr. Dai Zhenya, Mr. Li Yingjun, Mr. Huang Zhiqiang, and Mr Wei Xiaobing.

HONG KONG

Unlawful use of force by police must be investigated by independent experts

LRWC sent a follow-up [letter on 19 December](#) again urging Hong Kong to comply with its international law obligations to ensure an investigation by independent experts of the use of force by the Hong Kong Police Force (HKPF) against protesters since May 2019. Since LRWC's June letter,



authorities have increased police powers, restricted or criminalized rights to assembly and expression and allowed an increase in the use of force by the HKPF, resulting in injuries, arrests and restriction of the public's right to know. Increased use of force has been widely reported by Amnesty and other groups and by media outside Hong Kong and China. In November an independent panel of experts appointed to advise the local Independent Police Complaints Council (IPCC), withdrew services concluding that the

IPCCC was not competent to conduct the investigation required and noting a crucial shortfall in “the powers, capacity and independent investigative capability of IPCC.” The International Service of Human Rights contributed to the preparation of the letter. On 30 December LRWC received a reply from Carrie Lam through her private secretary. A [press release in English and Chinese](#) was accompanied the letter.

MEXICO

Five lawyers murdered in Chihuahua

LRWC sent [a letter on 23 December](#) to the Mexico Minister of the Interior and the Governor of Chihuahua State regarding the reported murder of five lawyers in Ciudad Juarez namely: Marco Gloria Ruvalcaba, killed on 3 October 2019; Mario Azael Zamora Garnica, killed on 16 September 2019; Ernesto Ortega Martinez, killed on 25 July 2019; Rogelio Martinez, killed on 20 June 2019; and, Luis Alejandro Puentes Gonzalez, killed on 6 June 2019. The Deputy Director of Investigations and Case Management reply to the LRWC letter states only that the cases have been sent to the Unit of Reception of Cases and Rapid Reaction of the Mechanism of Protection of Human Rights Defenders and Journalists. LRWC is asking for further information.



Mario Gloria Ruvalcaba

MYANMAR

International Court of Justice orders provisional measures to protect Rohingya

On 23 January the International Court of Justice (ICJ) in Application of the Convention on The Prevention and Punishment of the Crime of Genocide ([The Gambia v. Myanmar](#)) concluded that the facts and circumstances supporting The Gambia's claim for interim measures to protect “the right of the Rohingya group in Myanmar and of its members to be protected from acts of genocide and related prohibited acts” were plausible (para. 56). In the unanimous decision, the 17-member panel of judges ordered Myanmar to put in place four of the six provisional measures requested, namely to:

- Take all measures within its power to prevent the commission of all acts within the scope of Article II of the Convention on Genocide (para. 79);
- Ensure that its military, as well as any irregular armed units directed or supported by or under its control or influence, do not commit acts of genocide, or of conspiracy, incitement, or attempt to commit genocide (para. 80);
- Take effective measures to prevent the destruction and ensure the preservation of evidence related to allegations of genocide;
- Report to the ICJ on all measures taken to give effect to the Court's order within four months of the order and then every six months until the Court renders a final decision in the case (para.81).

The ICJ application was initiated on 11 November 2019 by The Gambia with the support of the Organization of Islamic Cooperation (OIC). In early December [Canada and The Netherlands announced](#) they would explore “all options” to support and assist The Gambia in its application.

The Court rejecting Myanmar's challenge that The Gambia had no standing to bring the case “without being specially affected” by the alleged violations of the Convention, ruling that all State Parties to the

Convention have standing on the basis of “shared values” and “a common interest to ensure that acts of genocide are prevented, and that... their authors do not enjoy impunity” (Art. 41). The UN Secretary General has communicated the ICJ decision to the UN Security Council. In response to the decision, [Myanmar denied its involvement](#) in acts of genocide and stating: “The unsubstantiated condemnation of Myanmar by some human rights actors has presented a distorted picture of the situation in Rakhine and affected Myanmar’s bilateral relations with several countries” as well as hampering “sustainable development” in Rakhine State. Two days prior to the ICJ decision, Myanmar released a [summary of its own Independent Commission of Inquiry](#) which concluded that “war crimes, serious human rights violations...took place between Aug 25 and Sept 5, 2017” and that “the killing of innocent villagers and destruction of their homes were committed by some members of the Myanmar’s security forces.” The UN High Commissioner of Human Rights [welcomed the ICJ decision](#), saying the proceedings “are vitally important, opening up a path toward judicial determination of Myanmar’s responsibility under the Genocide Convention for the acts of persecution and severe repression of the Rohingya” and noting that the decision repeatedly referenced conclusions of the UN International Fact Finding Mission on Myanmar and UN General Assembly resolutions.

LRWC advocacy for protection and remedies for the Rohingya people since 2015 has included: six oral statements to the UN Human Rights Council; two Briefing Notes; three written Statements, three letters, one public presentation, and a visit to Ottawa to support a Canadian application to the ICJ. [LRWC advocacy](#) can be viewed online.

PAKISTAN

Junaid Hafeez sentenced to death on illegitimate charges after unfair trial

LRWC [wrote on 7 January](#) to condemn the 21 December 2019 conviction and sentencing to death of university lecturer Junaid Hafeez for blasphemy under Section 295-c of the Pakistan Penal Code. Mr. Hafeez has been in prison since his arrest in 2013 and during most of this time, held in solitary confinement. His first lawyer, Rashid Rehman Khan was assassinated in May 2014 after being threatened with death if he continued to represent Mr. Hafeez. Since the start the court proceedings 8 different judges has presided over the case. The LRWC letter identifies several bases on which the conviction and sentencing cannot be legally justified including that the blasphemy charges: violate internationally protected rights to thought, conscience and religion and expression; do not comply with international principles of legality; and, violate rights to know charges in advance and to freedom from ex post facto prosecutions. In addition the court proceedings were grossly unfair. The letter calls on Pakistan to vacate the conviction and sentence and release Mr. Hafeez while ensuring his safety.



Junaid Hafeez

32 Groups endorse call to action on Day of the Endangers Lawyer - Pakistan



32 non-government organizations, including LRWC, bar associations and law societies endorsed a [petition](#) calling for actions to protect lawyers in Pakistan for distribution on the 24 January Day of the Endangered Lawyer (DOEL). Events to mark the DOEL/Pakistan were held in Adana, Amsterdam, Ankara, Athens, Barcelona, Berlin, Brussels, Dhaka, Dusseldorf, Frankfurt, Geneva, The Hague, Hamburg, Islamabad, Istanbul, Izmir, Lahore, London, Lyon, Madrid, Manila, Milan, Montpellier, Multan, Nantes, New York, Nuremberg, Paris, Rawalpindi,

Rome, Sydney, Toronto, Venice and Yaoundé. Information about the event in Toronto co-hosted by LRWC and the Law Society of Ontario and sponsored by Amnesty International and Human Rights Watch, is below.

SAUDI ARABIA

Waleed Abu al-Khair protests unlawful detention and treatment with hunger strike

LRWC and the Raoul Wallenberg Centre for Human Rights sent [a joint letter dated 14 January 2020](#) asking that Waleed Abu al-Khair be immediately and unconditionally released from detention to a person or persons of his own choosing so he can seek necessary care and treatment within or outside Saudi Arabia. Mr. Abu al-Khair an internationally known human rights lawyer and rights and democracy advocate, has been unlawfully imprisoned since April 2014 in reprisal for representing advocates targeted by the Saudi regime and advocating for improved rights and a constitutional monarchy. Prior to and since his arrest Mr. Abu al-Khair has rejected offers for a release and freedom from prosecution conditional on him apologizing for, recanting and stopping his human rights advocacy. UN authorities and civil society organizations around the world have called on Saudi Arabia to release him in compliance with international law. The UN Working Group on Arbitrary Detention (WGAD) has twice called for his immediate release, each time after careful review, concluding that the detention of Waleed Abu al-Khair is arbitrary (unlawful) and recommending immediate release and compensation. The Second WGAD review was in response to the [Complaint filed by LRWC and other NGOs](#) in April 2015. Instead of complying with the WGAD, Saudi Arabia has ramped up abuse through: solitary confinement, denial of visits, refusal to provide the food required by his medical conditions, denial of adequate medical care, social and intellectual isolation, denial of books and exposure to torture without access to remedies. After being on a hunger strike for a month, Waleed was transferred to a hospital. LRWC has not been able to make contact with him or hospital personnel.



Waleed Abu al-Khair

SOUTH SUDAN

US sanctions five over death of South Sudanese activists Aggrey Idri and Dong Samuel Luak

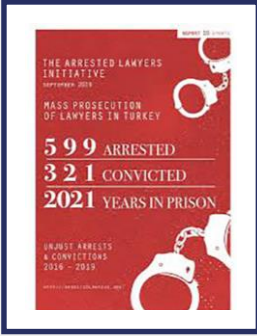
The Sudan Tribune news [reports](#) that the United States Department of the Treasury Office of Foreign Assets Control (OFAC) has imposed sanctions on five South Sudanese officials it says were responsible for the abductions and likely murders of the two human rights activists in 2017. According to the U.S. Treasury, a UN Panel of Experts report and multiple press articles, Aggrey Idri, a member of the Sudan People's Liberation Movement-In Opposition (SPLM-IO), and Dong Samuel Luak, a South Sudanese human rights lawyer, disappeared from Nairobi, Kenya, on January 23 and 24, 2017, respectively. Reuters [reports](#) that the two government critics were in exile in Kenya but a UN panel alleged they were kidnapped by South Sudanese security service officers, flown back to Juba, and executed on a farm owned by President Salva Kiir. Sudan denied any involvement in their disappearance. In April a [UN report](#) said that it was likely that the two activists were executed by Internal Security Bureau agents on 30 January 2017, on orders from the commander of the National Security Service training and detention facilities. In a [statement](#), the U.S. OFAC said that South Sudan government repeatedly used extrajudicial killings to silence dissent, limit freedom of speech and the press, and enforce the political status quo. "Its refusal to create political space for dissenting voices - be they from opposition parties, civil society, or media, is a major factor in the country's inability to implement its peace deal and form a national unity government," reads the statement in part. The statement further said it is taking action against five individuals responsible for the abduction and likely murder of the two human rights activists in 2017. "Despite two years elapsing since the death of Dong and Aggrey, the Government of South Sudan has shown no indications of holding the five individuals or any others to account, and has not taken any corrective measures since the publication in April of the UN Panel of Experts report," stressed the U.S. Treasury's statement.



Dong Samuel Luak

SRI LANKA

Dr. Kumaravadivel Guruparan and the decision to bar academics from practicing law



LRWC's [15 December letter](#) objects to the decision of the University Grants Commission ~~decision~~ to bar academics from practicing law in Sri Lanka. Although apparently targeted at Dr. Guruparan, the decision applies to all academics. Dr. Guruparan is a law professor and involved in a number of high profile cases seeking to establish accountability and remedies for grave crimes allegedly committed by the military during the armed conflict. This decision deprives Dr. Guruparan of the right to continue representing litigants and will also have a chilling effect of others capable of assisting with litigation involving allegations of grave crimes by state actors. LRWC calls for reconsideration and reversal of the decision.

THAILAND

LRWC Monitor's visit to Thailand

In November 2019, LRWC's Thailand Monitor visited Thailand and held meetings with several lawyers, human rights defenders and NGO leaders to discuss how LRWC might best conduct advocacy on Thailand in 2020-21. The highest priority for Thai human rights defenders is to focus on advocacy to halt and prevent Strategic Litigation Against Public Participation (SLAPP), advocate for the ratification of the International *Convention for the Protection of All Persons from Enforced Disappearance* and the passage of legislation on enforced disappearances and torture that complies with international human rights law and standards. Also of interest was dissemination in Thailand of LRWC's [Guide to International Law Rights to Legal Aid](#) and LRWC's Handbook on [International Law Rights to Pre-Trial Release](#). Both of these guides were authored by Lois Leslie. Part of the guide on pre-trial release has been translated into Vietnamese as part of a submission to an appeal court in Viet Nam. LRWC was advised that funding would be required to adapt and translate these manuals into Thai language.

TURKEY

Unjustified seizure of electronic data protected by lawyer-client professional secrecy

In the case of [Kurdök and Others v. Turkey](#) (French) the European Court of Human Rights [released](#) its decision, finding a violation of the right to respect for correspondence. The three applicants, who are lawyers, complained about the seizure of electronic data by the judicial authorities in the context of criminal proceedings against another lawyer who shared their office. The Court held that the seizure of the applicants' electronic data, which were protected by lawyer-client professional secrecy, and the refusal to return or destroy them, had not corresponded to a pressing social need, had not been proportionate to the legitimate aims pursued (prevention of disorder, prevention of criminal offences and protection of the rights and freedoms of others), and had not been necessary in a democratic society. The Court ruled that the seizure therefore was a violation of [Article 8](#) of the Convention, which articulates the right to respect for private and family life, as well as the home and private correspondence.

Lawyer Özgür Urfa charged with 'insulting the president'

Lawyer Özgür Urfa is charged with 'insulting the president' (Penal Code Art. 299 (1)) based on statements in a petition submitted to the 3rd Penal Court of Peace in October 2014 before Recep Tanya Erdoğan was President. LRWC sent a [letter on 10 December](#) explaining some bases on which the charge is illegitimate and incapable of justifying a conviction or sentence and calling for immediate withdrawal. The bases for withdrawal put forth by LRWC were that the charge contravenes: the international principle of legality; freedom of expression; the privilege protecting from criminal or civil suits words spoken or written as part of a lawsuit; and the prohibition against retroactivity. Over 1,800 people have been charged with this wholly illegitimate offence. Although the Penal Code provide for a sentence of 1 to 4 years, in September a person was sentenced to 12 years and 3 month for this illegitimate offences. The letter was copied to a number of UN Human Rights Council monitors.

Prosecutor calls for conviction of Eren Keskin on illegitimate charges

The 15th session in relation to the *Özgür Gündem* newspaper prosecutions was held before the Istanbul 23rd Heavy Penal Court on 13 January 2020. The prosecutor called for conviction of Eren Keskin and two other defendants for "membership to a terrorist organisation" (Article 324/2 of the Criminal Code and Article 5/1 of the Anti-Terror Law No. 3713). The prosecutor alleged that Ms. Eren Keskin promoted the objectives of the terrorist organisation through her articles published in the newspaper and other articles published during her time as editor. All three defendants face a prison sentence of up to 15 years. The prosecutor also asked for the conviction of two other defendants for "terrorist propaganda" (Article 7(2) of the Anti-Terror Law No. 3713). The two defendants face a prison sentences up to 9 years, 3 months. The next hearing will be held on February 14, 2020. Since 2016, Ms.



Eren Keskin

Eren Keskin and eight other defendants--columnists, rotating editors-in-chief and advisory board members of the closed newspaper *Özgür Gündem*—have faced charges of “disrupting the unity of the state”, “incitement to commit crime”, “membership to a terrorist organisation”, “terrorist propaganda” and “publishing and spreading statements of terrorist organisations” in relation to articles published in *Özgür Gündem*. For background information on the persecution of Eren Keskin see [the LRWC letter of 16 November 2019](#).

Fact Sheet filed to review at the Universal Periodic Review (UPR) of Turkey

The Law Society of England and Wales prepared [a UPR Fact Sheet](#) that highlights the recommendations made by 14 groups including LRWC in [the joint submissions filed 20 July 2019](#). The Fact Sheet was distributed to States prior to the UPR of Turkey scheduled for 20 January 2020. The reports filed for consideration at the UPR of Turkey can be [viewed online](#).

LRWC calls for release of arbitrarily detained women lawyers and two infants

In a [letter sent 22 January](#) to the Turkish Minister of Justice and copied to others, LRWC calls for the immediate release of three women lawyers and two infant children arbitrarily detained in Turkey. One of the women, Esra Uymaz Saral is pregnant and in urgent need of medical care; two of the women, Ozge Elif Hendekci and Büşra Erdal Cinkara, are imprisoned with their infant children. The detentions constitute grave violations of the rights of the two infants guaranteed by the Convention on the Rights of the Child as well as of the rights of the three woman lawyers.



YEMEN

NGOs seek accountability for corporations providing arms to Saudi-led coalition

A group of European NGOs have filed submissions with the International Criminal Court (ICC) recommending that corporations providing arms to the Saudi-led coalition in Yemen be investigated for criminal liability under the Rome Statute. Further information is in the ICC section below. [Ardi Imseis, assistant professor in the Queen's University Faculty](#) of law was appointed in December as a member of the UN Human Rights Council Group of Eminent International and Regional Experts on Yemen. The Group will next report to Council in September.

PUBLICATIONS

Attacking the Defenders: Criminalization of human rights defender A guide to the international law rights of human rights defenders, by Lois Leslie BSocSc (Hons), LLB, LLM with a Forward by Michel Forst, UN Special Rapporteur on the situation of human rights defenders. This guide is a companion guide to [The Right to Dissent: A guide to international law obligations to respect, protect and fulfil the right of all persons to participate in public affairs by engaging in criticism, opposition and dissent](#), LRWC, 2017. The latter guide, also by Lois Leslie with a Foreword by Pearl Eliadis is available online, in print as an ebook. This comprehensive guide was written by Lois Leslie

[Tool Kit for Lawyers at Risk](#) - The Toolkit for lawyers at risk series was produced by the International Bar Association Human Rights Institute in partnership with LRWC, the Bar Human Rights Committee of England and Wales, Lawyers for Lawyers and the Human Rights House Foundation. The toolkit series was authored by Helene Boussard Ramos dos Santos, General Counsel for the IBCHRI with contributions from LRWC and the other partners. The series was published on 24 January 2020 at [a launch in Geneva Switzerland](#). The Toolkit contains the following three guides:

- **Toolkit for lawyers at risk Module 1 - International legal protection of lawyers and others exercising lawyers' functions**
- **Toolkit for lawyers at risk: Module 2 – Risk assessment and risk management in the exercise of lawyers' functions**
- **Toolkit for lawyers at risk Module 3 – The response chain for violations against lawyers**

EDUCATION EVENTS

Day of the Endangered Lawyer 2020 [Day of the Endangered Lawyer 2020: The Role of Lawyers, Paralegals, Judges and Advocates in Defending the Rule of Law in Pakistan](#)

On January 24th, LRWC and the Law Society of Ontario welcomed 120 guests in person and approximately 300 more by webcast to recognize the annual international day of the endangered lawyer, which focused this year on threats to the rule of law and the legal profession in Pakistan. Saif ul-Malook, the Pakistani lawyer whose life came under threat following his defence of Asia Bibi, provided a video statement discussing his experiences in that case. There was also a video interview with Beena Sarwar, Pakistan-based journalist and filmmaker. These presentations were followed by a substantive and detailed discussion among a panel of experts: Mariam Mufti (University of Waterloo), Abdul Hamid Khan (lawyer and LRWC member), Ferry de Kerckhove (former Canadian High Commissioner to Pakistan), and Haroon Siddiqui (Toronto Star). Legal institutions in Pakistan are weak compared to the military and religious institutions, and vigilante actions on occasion supplant the law. LRWC recognizes and continues to support the efforts of lawyers and jurists to fight for non-discriminatory application of the law in accordance with international human rights law standards, the right of all to be well represented by legal counsel and the rights of jurists to carry out their professional duties without risk of reprisals or interference from state and non-state actors. This free event took place in the Lamont Learning Centre. Co-sponsors were Amnesty International Canada and Human Rights Watch Canada.

Through the [Human Rights Monitoring Group](#), the Law Society of Ontario has intervened in several situations involving the security and independence of jurists in Pakistan. The event was co-sponsored by Amnesty International Canada and Human Rights Watch Canada. [An agenda of the event](#) with bios of the presenters can be viewed here.

INTERNATIONAL CRIMINAL COURT

ICC investigation of corporations providing arms to Saudi recommended by NGOs

Pressure on countries and corporations selling arms to countries known to violate international humanitarian law (IHL) and international human rights law (IHRL) is increasing. This is particularly true in the case of Saudi Arabia, with the Saudi led Coalition continuing its deadly campaign in Yemen.

Countries such as Denmark, Norway, Switzerland and Germany (to name a few), have either ceased or put a moratorium on the sale of weapons to Saudi Arabia as a result of the many reported violations of international law that have been committed in Yemen. There have also been recent initiatives to hold corporations fulfilling such weapons contracts accountable, with a recent joint submissions to the ICC Office of the Prosecutor by the European Centre for Constitutional and Human Rights (ECCHR) and other NGOs based in Yemen, Spain, Italy and the UK. The [350-page submissions](#) recommend a preliminary investigation into corporations supplying arms to the Saudi-led Coalition in Yemen. It alleges that these corporations have violated Articles 8(2)(c)(i), and 8(2)(e)(i), (ii), (iii), and (iv) of the Rome Statute, by way of interpreting corporate liability through Articles 25(3)(c) and 25(3)(d) of the Rome Statute. While corporations supplying arms can only do so with express state authorization, these submissions urge that corporations should be liable to undertake their own due diligence analysis of the legality of supplying weapons. Should the Office of the Prosecutor decide to pursue such a preliminary investigation, this would add a valuable deterrent against corporations supplying arms, peeling back a previously accepted veil of state authorization. A [complete legal analysis of the communication sent](#) to the ICC Office of the Prosecutor is available online.

ICC prosecutor finds grounds to investigate war crimes in Gaza and West Bank

ICC prosecutor Fatou Bensouda [has found a 'reasonable basis](#) to believe that Israeli forces committed war crimes of willful killing, serious injury to body or health, disproportionate use of forces and transfer of Israeli civilians into Palestinian territory of the West Bank. The Prosecutor also found reasonable grounds to investigate possible war crimes by Palestinians including intentional attacks against civilians, using civilians as shields, torture and willful killing. The prosecutor has asked the Pre-Trial Chamber (PTC) to determine the scope of the Court's territorial jurisdiction and whether it can exercise jurisdiction over the West Bank, East Jerusalem and the Gaza strip. Palestine is a State Party to the Rome Statute (2015) and Israel is not. Israeli Prime Minister Netanyahu has mounted [a vigorous campaign](#) to oppose ICC involvement that has included appealing for support from evangelical Christians, accusing the process of being motivated by 'pure anti-Semitism,' threatening punishment of ICC officials and seeking support from other states including Canada. On 21 January the PTC announced that its decision would be delayed because the prosecutor's request exceeded the page limit for filing.

WORKING PRO BONO during December 2019 - January 2020

Clive Ansley, Temisan Boyo, Harjot Brar, Hanna Bokhari, Paul Copeland, Gail Davidson, Maya Diekmann, Joey Doyle, Sebastian Ennis, Tamara Friedman, Sarah Gale, Farhad Ghaseminejad, M. Ishtiaq, Abdul Hamid Khan, Helen Lau, Gavin Magrath, Renee Mulligan, Catherine Morris, Heather Neun, Arturo Pacheco, Parveen Parmar, Isabela Piacentini de Andrade, Brian Samuels Q.C., Melissa Tessler, Harini Savilingam.

COOPERATION WITH OTHER NGOs

LRWC is mandated to work in cooperation with other human rights organizations. During December 2019 and January 2020, LRWC worked with many organizations, both taking the lead and endorsing or contributing to the initiatives of other groups. Groups working with LRWC during this period include: Amnesty International Canada, the Law Society of Ontario Human Rights Monitoring Group, the Raoul Wallenberg Centre for Human Rights, the International Service for Human Rights, Avocats sans Frontières/Lawyers Without Frontiers, Belgium, Bar of Geneva, China Human Rights Lawyers Concern Group, Hong Kong, The Committee to Support Chinese Lawyers, International Bar Association's Human Rights Institute, International Association of People's Lawyers, Lawyers for Lawyers, Deutscher Anwaltverein/The German Bar Association, Union of Italian Penal Chambers and the International Civil Liberties Monitoring Group.

We welcome feedback on Newsletter content, format, and delivery.

Mail Newsletter subscriptions are also available.

Please contact us if you would like to join LRWC and donate your time.

Fees and donations can be made by cheque, [PayPal](#), or [Canada Helps](#).

Monthly donations increase LRWC's ability both to respond quickly and plan ahead.

Airline points donated to LRWC qualify as a tax-deductible donation!

Follow LRWC



Contact us at:
lrwc@portal.ca
Telephone: +1 604 736 1175
Fax: +1 604 736 1170

Lawyers' Rights Watch Canada
is an NGO in Special Consultative
Status with the Economic and Social
Council of the United Nations.

Copyright © 2016-2018 Lawyers' Rights Watch Canada, All rights reserved.