



Organization: Lawyers' Rights Watch Canada  
 Item: Item 3: Interactive Dialogue with the Special Rapporteur on the Independence of Judges and Lawyers  
 Date: 28 June 2021  
 Speaker: Paul Scambler

**Oral Statement to the 47<sup>th</sup> Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), 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), NGOs in Special Consultative Status, and the International Association of Democratic Lawyers (IADL), NGO in General Consultative Status, together with the National Union of People's Lawyers (NUPL) in the Philippines.**

Madame President;

Lawyers' Rights Watch Canada (LRWC), 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), together with the National Union of People's Lawyers (NUPL) in the Philippines, appreciate the Special Rapporteur's report,<sup>1</sup> including its focus on the impact of COVID-19 on independent and accessible justice. The pandemic has severely affected the independence and safety of lawyers and defenders, especially in countries that misuse anti-terrorism or security laws.

The ongoing plight of lawyers in the **Philippines** is of particular concern. The Special Rapporteur noted the repeated criticism of the Philippines' "policy of human rights violations," and that "[d]efamation and harassment of lawyers have increased during the pandemic, as has impunity, with dozens of lawyers...killed." He notes that most attacks are apparently perpetrated by the President's counter-insurgency task force or by national or State security. Despite Council Resolutions in 2019 and 2020, Philippines lawyers and their associations continue to face violence and vilification through "red-tagging."

In **Iran**, numerous human rights lawyers, including Nasrin Sotoudeh, are arbitrarily detained on illegitimate security charges.<sup>2</sup> In **Turkey**, hundreds of lawyers are arbitrarily detained on spurious charges under overbroad terrorism laws.<sup>3</sup> Defenders have been excluded from COVID-19 prisoner releases, putting their health at risk.

We ask the Council to insist that these countries halt their harassment and attacks on lawyers and defenders. We recommend a Council investigation into extrajudicial killings in the Philippines since 2016.

Thank you.

---

<sup>1</sup> UN Human Rights Council, The coronavirus disease (COVID-19) pandemic: impact and challenges for independent justice. Report of the Special Rapporteur on the independence of judges and lawyers, Diego García-Sayá, 9 April 2021, A/HRC/47/35, available at: <https://undocs.org/A/HRC/47/35>.

<sup>2</sup> Iran: Lawyer Nasrin Sotoudeh Sent Back to Prison, Joint Statement of 26 Bar Associations, Law Societies, and organisations supporting the legal profession of over 14 countries, available at: <https://www.lrwc.org/iran-lawyer-nasrin-sotoudeh-sent-back-to-prison-joint-statement/>.

<sup>3</sup> Turkey: Continued Deterioration of the Rule of Law and Persecution of Lawyers and Human Rights Defenders | Joint Written Statement to the 46th Session of the UN Human Rights Council, available at: <https://www.lrwc.org/turkey-continued-deterioration-of-the-rule-of-law-and-persecution-of-lawyers-and-human-rights-defenders-joint-statement-to-the-46th-session-of-the-un-human-rights-council/>.