



International Bar Association's Human Rights Institute

ANNUAL REVIEW 2019

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LETTER FROM THE DIRECTOR



It was a great privilege to be appointed Director of the International Bar Association's Institute of Human Rights (IBAHRI) at the beginning of 2019 – and it has been an exciting year of activity since I took on the role.

The IBA is an extraordinary organisation. As the global voice of the legal profession, it has unmatched convening power and influence in the field of law. By drawing on its huge membership of 80,000 lawyers and 190 bar associations worldwide, it provides an institutional framework for the protection of the rule of law and legal standards, for strengthening international ties, for sharing knowledge and expertise in every field of law and for developing law to meet global challenges. The IBA's Human Rights Institute sits within that framework, supported by the generosity of the IBA members who know that the protection of human rights is an integral part of modern law. It is IBA members who sustain the Institute and I cannot express adequately how much we value your

financial support, your encouragement and your legal input.

The Institute commits itself to numerous projects every year to uphold the rule of law across the globe and 2019 was no exception. The year began with the IBAHRI's own strategic review for the next few years, outlining an action plan that plays to the unique strengths of the IBA as an organisation of expert lawyers. The major priority of the Institute is to guard the vital independence of judges and lawyers. Without ethical judges and lawyers to guard a person's rights, without fear or favour, the law has no real meaning as a force for good in society. With the rise of populism around the world, judges and lawyers are facing unique risks. Authoritarian leaders often seek to capture the court system, to bend it to the will of government. We are seeing this happen around the world, even in so-called 'liberal' democracies. Lawyers also face particular threats when they represent those who are critical of government, such as dissenters or journalists. One of the key pieces of work in 2019 was the production of a Lawyers at Risk Toolkit, which outlines the legal instruments that should protect lawyers' independence and demonstrates how lawyers can access international support.

Safeguarding has been a prominent theme in the work of the Institute in 2019. We have concluded and published a trial observation report concerning the shocking and concocted allegations of corruption in office against Judge María Lourdes Afiuni in Venezuela. We also began a trial observation in Turkey for the 16 Gezi Park accused, including Osman Kavala, the President of the Open Society. The successful outcome of an appeal at the European Court of Human Rights led to acquittals, but new charges were immediately brought against Mr Kavala.

An exciting development in the Institute's work has been our engagement as the Secretariat to the High Level Panel of Legal Experts on Media Freedom, run by UNESCO. The project began as a joint initiative between the UK and Canadian governments, but now has 39 signatory nations. The need for such a panel arose because of the serious escalation in the murder of journalists and the prosecution of many more for doing their job. The elimination of dissidents by law enforcement agencies and oppressive regimes is occurring with shocking frequency in too many countries. Without a vibrant and free press, human rights cannot be protected, as people cannot access information about their rights or know when abuses are taking place, and governments cannot be held to account.

Our work so far has involved the creation of the high level panel of legal experts from around the world, led by Lord David Neuberger, the former President of the UK Supreme Court and international human rights lawyer Amal Clooney acting as Deputy. The Panel is overseeing a body of research from 11 leading academic institutions.

In early 2019 I also acted as advisory counsel to the UN Rapporteur on extrajudicial, summary or arbitrary executions, Agnes Callamard, regarding the assassination of the Saudi journalist Jamal Khashoggi in Istanbul by agents of the Saudi Arabian Kingdom. I travelled to Turkey with the Rapporteur to take evidence about Khashoggi's torture, death and dismemberment, and our excellent IBAHRI interns provided research for the final report.

In addition, the Institute has continued its exceptional training and development programmes around the globe, educating young lawyers in human rights law across Central Asia, working with judges in Tunisia and refugee lawyers from Syria, and training judges, prosecutors, public defenders and medical examiners throughout Latin America in the prevention of torture and extrajudicial killing.

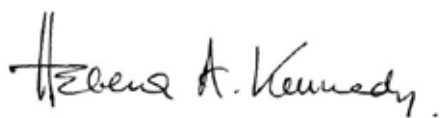
We also began important work raising awareness about gender-based violence, which is most frequently experienced by women, with the creation of a Toolkit on Mainstreaming Gender. We will use the toolkit in all IBAHRI training.

An important element of the work of the Institute is our public advocacy when abuses of human rights are actually taking place. Our team of lawyers and administrators, as well as our interns, advisory council members and other informants, keep us abreast of developments around the world. We respond with press releases and intervention letters to governments and judicial authorities signed by the industrious Co-Chairs of the Advisory Council (see p 6 for their foreword to this annual review).

The work of the Institute is an important aspect of all that the IBA does to strengthen law and humanity in the world. I hope you find the review informative of not only our work, but of the ongoing need to champion human rights and the rule of law in every corner of the globe.

Baroness Helena Kennedy QC

June 2020




ABOUT THE IBAHRI

About us

The International Bar Association's Human Rights Institute (IBAHRI), an autonomous and financially independent entity, works with the global legal community to promote and protect human rights and the independence of the legal profession worldwide.

What we do

We provide human rights training and technical assistance to legal practitioners and institutions, building their capacity to promote and protect human rights effectively under a just rule of law.

A leading institution in international fact-finding, we produce expert reports with key recommendations, delivering timely and reliable information on human rights and the legal profession.

We support lawyers and judges who are arbitrarily harassed, intimidated or arrested through advocacy and trial monitoring.

A focus on pertinent human rights issues, including equality and non-discrimination, poverty and human rights, and the independence of the legal profession, forms the basis of targeted capacity building and advocacy projects based on thematic areas.

FOREWORD



In 2019 we witnessed an ever-growing number of attacks on lawyers and journalists doing vital work to defend the human rights of their clients and communities. Such attacks on those most vital to the defence of human rights by those who hold most power in society constitute an enormous threat to the rule of law. The IBAHRI's work during 2019 and beyond is focused on defending and protecting the independence of all members of the legal profession; safeguarding their role in upholding the rule of law; and ensuring observance of universal human rights.

The IBAHRI works at the national, regional and international levels to strengthen and sustain international standards in accordance with the law and protection of lawyers worldwide, so that lawyers can fulfil the vital functions of the legal profession. Throughout 2019 the IBAHRI continued to engage global bar associations through our intervention letter programme, where we saw an association's independence, and that of its members, compromised. Last year alone, we issued 49 intervention letters to heads of state and to bar associations.



We have continued our global training programme to ensure that legal professionals have the necessary tools and knowledge to discharge their duties. In 2019 our training programme in Latin America involved hosting workshops on *The Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, commonly known as the Istanbul Protocol. We also provided technical legal assistance in conjunction with the *Sala Vermelha* case in Brazil, to ensure the application of the Istanbul Protocol. Our training in Eastern Europe and Central Asia – specifically in Azerbaijan, Kazakhstan, Tajikistan, Tunisia, as well as for lawyers for Syrian refugees – centred on human rights law and accountability mechanisms. As an illustration, we brought a delegation of five Kazakh lawyers

to Geneva to experience first-hand UN human rights mechanisms at work and to witness advocacy proceedings during the Universal Periodic Review (UPR) procedure. To further these training programmes, throughout 2019 we established legal clinics, mentorship arrangements and legal essay competitions to empower a new generation of young legal professionals and to encourage their interest in human rights law.

Reports published in 2019 present the findings of our observations in the decade-long trial of Venezuelan Judge María Lourdes Afiuni, and following the sentencing of the four men accused of killing the lawyer U Ko Ni in Myanmar.

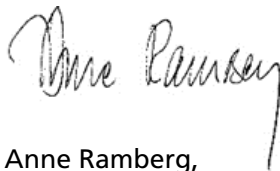
Where Are They? International Standards for the Search for Forcibly Disappeared Persons identifies areas where the law is failing to protect individuals from human rights abuses. In it, we provide recommendations to states and legal professionals of the steps they should take to protect lawyers most at risk.

We also continued our UN programme of advocacy, which focused on lawyers at risk, lawyers' roles in cases of peaceful protest, the abolition of the death penalty, juvenile justice and advocacy through the UPR system. In September we hosted a side-event at the 42nd UN Human Rights Council session, 'Accountability for Syria: Current Trends', where speakers discussed a range of accountability-related issues and innovative legal tools to bring the perpetrators of serious crimes to account.

At the end of 2019, a report to the World Health Organization identified the outbreak of a novel coronavirus in China, later named COVID-19. This virus quickly spread across the world, bringing in its train a heavy toll on human life, but also oppressive laws and government policies of great significance to lawyers and society. This issue is destined to dominate much of our work in 2020, demonstrating the need for the IBAHRI to be ever-prepared for new and unexpected challenges.




The Hon Michael Kirby
AC CMG
IBAHRI Co-Chair



Anne Ramberg,
Advocate, Dr jur hc
IBAHRI Co-Chair

THE HON MICHAEL KIRBY AC CMG

 The Hon Michael Kirby AC CMG is a former Justice of the High Court of Australia. He has held many senior positions with international organisations, including UNESCO and the OECD, and he was the UN Secretary-General's Special Representative in Cambodia and Chairperson of the UN fact-finding task force to North Korea. He is a member of the Eminent Persons Group of the Commonwealth and has been awarded many honours, including the Australian Human Rights Medal, the Japanese Order of the Rising Sun and the Gruber Prize, and he is the recipient of 29 honorary degrees.

ANNE RAMBERG DR JUR HC

 Anne Ramberg Dr jur hc is the immediate past Secretary General of the Swedish Bar Association. She holds several senior positions as a substitute for Sweden's regular Judge at the European Court of Human Rights, board member of the EU Office for Fundamental Rights, Deputy President of the OSCE (Organisation for Security and Co-Operation in Europe) Court of Mediation and Arbitration, and board member of the International Legal Assistance Consortium, the Raoul Wallenberg Institute, Civil Rights Defenders and the Southern Africa Litigation Centre. In 2006, Anne Ramberg was awarded the HM King's Medal in the 12th size in a high blue ribbon for 'prominent contributions to the Swedish judiciary'. In 2019, she received the medal of the Supreme Court of Finland 'as proof of the high esteem for the many years of work she has done for the Nordic legal system and international human rights'.

ACTIVITIES OVERVIEW

CAPACITY BUILDING AND TECHNICAL ASSISTANCE

One of the most valuable tools for ensuring that lawyers maintain independence and exhibit integrity when representing clients is the creation of self-governing professional associations. The IBAHRI provides support and technical assistance to under-resourced and newly established bar associations and law societies worldwide. A vital element of this capacity building is the placement of a legal specialist to work with the associations to strengthen internal operations, secure sustainable financing, ensure compliance with internationally recognised standards, provide training for staff and members, and to build links with international and regional organisations.

FACT FINDING

The IBAHRI undertakes fact-finding missions to countries where there is a threat to, or deterioration of, the rule of law, human rights and the independence of the legal profession. Mission reports detailing findings and recommendations are widely distributed to UN bodies, international organisations and other in-country, regional and international stakeholders. Mission findings help to direct the long-term work of the IBAHRI through the development of targeted country initiatives.

UNITED NATIONS PROGRAMME

The IBAHRI launched its UN Programme with the aim of informing and fostering lawyers' engagement in UN mechanisms and strengthening the dialogue between states and the legal community on human rights. The UN Programme aims to strengthen international legal frameworks protecting the legal profession by providing expert support to UN human rights mechanisms; raising awareness about UN standards on the role of judges, lawyers and prosecutors, the independence of the judiciary and the situation of legal professionals at country level; and fostering the involvement of lawyers in UN human rights mechanisms by training lawyers and building the capacity of bar associations.

TRAINING FOR JUDGES AND LAWYERS

Sharing expertise and skills across international borders is fundamental to strengthening the rule of law and supporting lawyers globally. For example, the IBAHRI and the Office of the United Nations High Commissioner for Human Rights (OHCHR) have collaborated on publishing a training manual, *Human Rights in the Administration of Justice*, which has been translated into four languages (Arabic, English, Portuguese and Spanish) and continues to be used in training across all continents. The IBAHRI also produces training manuals and curricula on international criminal law, human rights and the role of parliaments, and torture prevention.

ADVOCACY

By making public statements, sending intervention letters, submitting amicus curiae briefs and through its UN Programme, the IBAHRI advocates for lawyers and judges who are arbitrarily harassed, intimidated or arrested as a result of carrying out their professional duties. The IBAHRI will intervene when it considers human rights or the rule of law under threat. It undertakes advocacy in its thematic areas at the UN in Geneva, the Inter-American Court and the European Court of Human Rights, as well as in domestic courts.

**6,788**

Facebook followers

**5,935**

Twitter followers

**710**

individuals trained

**46**

grant-funded projects

**32**

countries

**5**

continents

**£50,000**awarded for IBAHRI
Trust intern scholarships**49**

intervention letters

**10**

legal consultants

**5**

reports published

**6**trial hearing
observers**2**

mission rapporteurs

WORK BY REGION: THE AMERICAS

BRAZIL

RESOURCES



The State Defender Office
of Rio de Janeiro's study

<https://bit.ly/2T8UJHM>

Joint press release with the Anti-Torture Initiative condemning the Brazilian government's limitation of the NPM, which dangerously reduces protections for individuals deprived of their liberty

tinyurl.com/y48ve4yz



IBAHRI Director, Baroness Helena Kennedy QC and IBAHRI Co-Chair Anne Ramberg DR jur hc, Brazil, February 2019

In 2019 the IBAHRI continued its valuable training work to support Brazil's commitment under international human rights law to eradicate torture, in collaboration with the University of São Paulo and the Public Defender's Office of São Paulo.

On 21–22 February IBAHRI Director Baroness Helena Kennedy QC, IBAHRI Co-Chair Anne Ramberg Dr jur hc and IBAHRI Senior Programme Lawyer Verónica Hinestroza held meetings with representatives of the federal and the state justice system as part of a scoping mission to identify cases of alleged torture that could benefit from technical assistance on strategic litigation and the practice of independent medical examinations that follow the Istanbul Protocol. During the visit, the delegation met with the President of the Court of Justice of the State of São Paulo, Judge Manoel Pereira Calças, and visited the historic headquarters of the Palace of Justice. During the visit, Baroness Kennedy delivered a keynote speech entitled 'Gender Perspectives in Judicial Activity' at the 3rd Regional Federal Court.

On March the IBAHRI ran a series of training sessions on the Istanbul Protocol. This began on 11 March with a roundtable, in collaboration with non-governmental organisation (NGO) Conectas and the Justice Initiative of the Open Society, on strategic litigation in torture prevention. The following day the IBAHRI conducted its joint training programme with the Anti-Torture Initiative (ATI) on torture prevention and the implementation of the Istanbul Protocol. This brought together 30 participants, including medical examiners from the Legal Medical Institute of São Paulo, Osasco and Mogi das Cruzes, the Legal Medical Institute of Rio de Janeiro and residents in legal medicine at the University of São Paulo. From 14–15 March the IBAHRI-ATI joint training brought together 21 judges, public defender, prosecutors and advocates of human rights.

Following the scoping mission in February, the IBAHRI also provided technical legal assistance in several cases to strengthen the documentation of torture and evidence-building in Brazil. Between 18–20 March the IBAHRI provided technical assistance to the Institute of Forensic Medicine in Rio de Janeiro on the use of the Istanbul Protocol in an alleged case of torture committed by military police. The IBAHRI's delegation and members of the Institute of Forensic Medicine of Rio de Janeiro worked together to produce Brazil's first medical examination in accordance with the Protocol. The alleged victims of the case are being represented by the Public Defender's Office of Rio de Janeiro, which attended the IBAHRI-ATI training programme in March 2018.

The IBAHRI also provided technical legal support to the Public Defender's Office regarding the Sala Vermelha ('Red Room') case. On 21 August 2018, seven young adults were captured by the military for allegedly carrying drugs and weapons in a favela. Video and photos taken by residents portray military abuses that could amount to torture. Methods used against the young persons by the military included firing rubber bullets at a short

distance, stressed positions using handcuffs, tear gas sprayed directly into their faces, beatings with wood, and the use of plastic bags on their heads. The IBAHRI has been working with doctors and forensic



LOOKING AHEAD TO 2020

The IBAHRI will continue its training in collaboration with the University of São Paulo and Conectas to deliver training on enforced disappearances, and further work to educate forensic scientists on international human rights law.

psychologists on the case, to produce medical reports that apply the Istanbul Protocol. The reports were considered 'highly consistent' by the judge, who found that the pain and suffering could only have been caused in the way described.

On 17 June the IBAHRI sent a communication to the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and to the UN Subcommittee on the Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (SPT). The communication informed them of the current threats posed by the Brazilian government to the functioning of the National Preventive Mechanism (NPM) on torture and requested action from the UN to protect the NPM's mandate and structure.

On 2 August the IBAHRI was invited to participate in a panel discussion titled 'The End of Torture' about the Istanbul Protocol, which was hosted by the State Defender's Office in Rio de Janeiro. The panel presented a study on the number of reports of torture from detainees following the launch of the State Defender's Office's internal operational protocol on the prevention of torture. According to the data collected from August 2018 to May 2019 in Rio de Janeiro, 918 detained persons have reportedly been victims of torture, largely perpetrated by the state's military police agents.



IBAHHRI Consultant Fabio Cascardo, Brazil, August 2019

IBAHHRI legal consultant Fabio Cascardo spoke alongside representatives from the Public Defender's Office, the Public Defender's Human Rights Center, the Medical Forensic Institute of Rio de Janeiro and judicial authorities that participate in custody hearings at the Rio de Janeiro State Court. Fabio presented some lessons learned through the IBAHHRI's work

PARTNERS



With thanks to:

- Public Defender's Office, São Paulo
- University of São Paulo
- Conectas
- Anti-Torture Initiative
- Change to Open Society Justice Initiative (OSJI)



IBAHHRI Senior Programme Lawyer Veronica and Training Participants, Brazil, March 2019

in Brazil, in particular the implementation of the IBAHHRI's joint training programme with the ATI on the Istanbul Protocol.

Then, in September Senior Programme Lawyer Verónica Hinestroza participated in Conectas' annual International Human Rights Colloquium in São Paulo, which brought together 30 Brazilians and 15 participants from other countries who were nominated by Conectas staff and ally organisations. The Colloquium aimed to promote integration and exchange among human rights defenders of the Global South, through the sharing of knowledge, experiences and strategies that advance the human rights agenda. In 2019 the Colloquium focused on sharing action strategies for facing the various challenges in human rights activism. Strategies focused on strategic litigation, narrative construction, knowledge production and documentation of violations in order to build evidence and new fronts of action in the human rights arena.

COLOMBIA



LOOKING FORWARD TO 2020

The IBAHRI continues to collaborate with the Universidad Externado de Colombia, and is working on a Spanish-Language publication, *Responding to Torture: Latin American perspectives on a Global Challenge*, promoting effective prevention, documentation and investigation of torture and other cruel, inhuman or degrading treatment. This is due to be published in early 2020.

On 12 February the IBAHRI Senior Programme Lawyer Verónica Hinestroza participated in the second regional meeting to discuss the UN Committee on Enforced Disappearances' 'Draft guiding principles for the search for disappeared persons'. The meeting was organised by research institute Swisspeace and the Heinrich Böll Foundation and brought together 34 regional experts.

Between 28–29 March Verónica Hinestroza and Professor Ariel Dulitzky, IBAHRI Council member and former President of the UN Working Group on Enforced Disappearances, visited Colombia to launch the publication '¿Dónde Están? Estándares internacionales para la búsqueda de personas desaparecidas forzadamente' (Where are they? International standards for the search for forcibly disappeared persons).

They had meetings with stakeholders and presented the study at an expert roundtable discussion with organisations working with victims of enforced disappearances, including the UN Development Programme and legal civil society organisations. The meeting was co-organised by DeJusticia.

The IBAHRI also continued its engagement at the state level. Following the presentation of a bill on 23 July before the Senate of the Republic of Colombia, the IBAHRI produced a technical note on international standards on the right to appeal. This technical note reviews the international human rights standards on the right of persons convicted of a crime to have their conviction and sentence reviewed. The bill seeks to establish a right to all persons convicted in a single instance court between 23 March 1976 and 18 January 2018, including the high authorities sentenced by the Supreme Court of Colombia as a first and only instance, to appeal their sentence. If approved, the bill would give these persons a six-month term to appeal before a special chamber within the Supreme Court (to be created).

PARTNERS



With thanks to:

- Dejusticia
- Universidad Externado de Colombia

Second regional meeting to discuss the UN Committee on Enforced Disappearances, Colombia, February 2019



RESOURCES

UN Committee on Enforced Disappearances'
'Draft guiding principles for the search for
disappeared persons'

tinyurl.com/yy7upx3e

*'¿Dónde Están? Estándares internacionales para la
búsqueda de personas desaparecidas forzadamente'*
(Where are they? International standards for the
search for forcibly disappeared persons)

tinyurl.com/y69v3tel

Launch event, Colombia, March 2019



KEY FACT

82,998 Colombians were
forcibly disappeared between 1958 and
2017, and are presumed dead.

EL SALVADOR

On the 26th anniversary of the publication of the Salvadoran Truth Commission's report, *From Madness to Hope: The 12-Year War in El Salvador*, in March, the IBAHRI and the Central American University's Institute of Human Rights (IDHUCA) submitted a communication to Fabián Salvioli, the UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence. The communication invited the Special Rapporteur to request access to the archives of the Salvadoran Truth Commission held by the UN Archives in New York since 1993. This was in the light of El Salvador's request in October 2018 to the UN for a copy of the Truth Commission archives.

PARTNERS



- the Central American University's Institute of Human Rights (IDHUCA)



LOOKING FORWARD TO 2020

Looking ahead to 2020: The IBAHRI will continue its regional engagement by reporting on the outcomes of the UPR to diplomats, public authorities and civil society organisations and will continue its advocacy efforts at the UN.

IBAHRI Delegation,
Geneva, June 2019



RESOURCES

International Day in Support of Victims of Torture: IBAHRI urges El Salvador to prevent and prosecute torture

tinyurl.com/y2dpr5eq

IBAHRI and IDHUCA highlight extrajudicial killings in El Salvador at 41st Human Rights Council session

tinyurl.com/y4dhkd85

In April the IBAHRI submitted information to the OHCHR on the situation in Brazil and El Salvador regarding violence in situations of deprivation of liberty resulting in death and serious injury, including its causes and information on specific laws, regulations, policies and best practices addressing these issues. The information was presented in response to a call for input on human rights in the administration of justice, including juvenile justice.

On the occasion of UN Special Rapporteur on the promotion of truth, justice, reparations and guarantees of non-recurrence Fabián Salvioli's official visit to El Salvador (24 April–3 May), the IBAHRI submitted a communication on the latest developments regarding access to the archives. The submission followed our previous communication in March.

The IBAHRI also led advocacy activities at the UN related to the UPR of El Salvador. On 28 March the IBAHRI and IDHUCA submitted a joint shadow report for El Salvador's UPR with the participation of 12 other organisations.

The submission stressed that while El Salvador has taken a number of positive

steps to combat impunity for past grave human rights violations, there have also been setbacks. These setbacks include a proposal by the Legislative Assembly for a new, broad and unconditional amnesty law, continued challenges to an efficient and fair administration of justice, and threats to the integrity and security of legal professionals.

Then, on 24–26 June, an IBAHRI-led delegation attended the 41st session of the UN Human Rights Council to present the main findings and recommendations of the joint UPR shadow report. The delegation presented the report before a wide variety of stakeholders, including diplomatic missions and the four key UN human rights mandates for the report: the Special Rapporteur on the independence of judges and lawyers; the Special Rapporteur on torture; the Working Group on Enforced or Involuntary Disappearances; and the Special Rapporteur on extrajudicial, summary or arbitrary executions.

The delegation delivered an oral statement before the Human Rights Council session during the interactive dialogue of the Special Rapporteur for extrajudicial, summary or arbitrary executions, Agnès Callamard. The statement highlighted the alarming homicide rates in El Salvador and expressed grave concern about the recent deployment of 3,000 military personnel and 2,500 police officers to 12 municipalities.



QUOTE

'IBAHRI encourages the Council to send a strong message that all States must investigate, prosecute and punish those responsible for torture or other cruel, inhuman or degrading treatment or punishment effectively and without delay, and to provide an adequate remedy for victims and their families'

Baroness Helena Kennedy
IBAHRI Director

MEXICO

Invited by Fair Trials and Instituto de Justicia Procesal Penal, the IBAHRI – led by Senior Programme Lawyer Veronica Hinestroza – joined a group of criminal and human rights lawyers of México on 25 September to discuss the role of medical evaluations performed in light of the Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

From 23-27 September, the IBAHRI, in collaboration with the Anti-Torture Initiative and Omega Research Foundation, with the participation of the OHCHR Mexico, had the opportunity to work with 60 judges, magistrates and medical and psychological experts from the Judiciary of Mexico City, in training that included international and national standards on the prevention, investigation and punishment of torture, the use of force, and the documentation of medical and psychological examinations in light of the Istanbul Protocol: The Manual on Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.



LOOKING FORWARD TO 2020

The IBAHRI are grateful for the invitation of the Judiciary to work with them on some of the challenges they face, and for the openness of the judges and doctors that participated in our sessions. The IBAHRI will seek to follow up on this training and their engagement with the Judiciary.



RESOURCES

¿Dónde Están? Estándares internacionales para la búsqueda de personas desaparecidas forzadamente (Where are they? International standards for the search for forcibly disappeared persons) tinyurl.com/y69v3tel
English-language Executive Summary tinyurl.com/y5yyj48a

PARTNERS



With thanks to:

- Anti-Torture Initiative
- Omega Research Foundation
- OHCHR Mexico
- Fair Trials
- Instituto de Justicia Procesal Penal

PARAGUAY



Training Participants, Paraguay, May 2019



RESOURCES

*Investigating and Documenting Torture:
Theoretical Approach to the Istanbul Protocol*
tinyurl.com/y4kgxzqs

Between 20–24 May, in the framework of their joint programme on torture prevention, IBAHRI Senior Programme Lawyer Veronica Hinestroza and the ATI, in alliance with the NPM of Paraguay, completed a week of training and advocacy activities in the country. The week began with a closed workshop with the NPM to share the lessons learned through the IBAHRI's work with other NPMs in the region and to discuss the challenges of torture prevention and prosecution in Paraguay. During the week, the delegation delivered two days of training on torture prevention and the Istanbul Protocol to 57 participants, including public defenders, members of the NPM and medical professionals.

Following this, the delegation attended an advocacy meeting

with the President of the Supreme Court of Paraguay, held an expert roundtable discussion with 25 judges and prosecutors on investigative interviewing and the use of pre-trial

detention, and hosted a public conference with Professor Juan Méndez as the keynote speaker.

The IBAHRI had the opportunity to visit Paraguay a second time in November 2019 to work with the NPM and the Public Defender's Office in the development of an internal guide and training programme for the investigation and documentation of torture. Alongside providing expert input and recommendations on international law and practice, the IBAHRI's delegation facilitated a pilot workshop for trainers of trainers in Asunción.

IBAHRI Programme Lawyer Veronica Hinestroza conducting training for participants in Paraguay, November 2019

PARTNERS



With thanks to:

- Anti-Torture Initiative
- National Preventive Mechanism of Paraguay
- Public Defender's Office of Paraguay



LOOKING FORWARD TO 2020

In 2020 the IBAHRI will continue its work conducting trainings on the Istanbul Protocol in Paraguay training and engage further with national mechanisms.

VENEZUELA



RESOURCES

- *Garantías Judiciales Y Debido Proceso: Diez Años Del Caso Afiuni (Legal Guarantees and Due Process: 10 Years of the Afiuni Case)* tinyurl.com/y4e8kyje
- IBAHRI condemns continued fair trial violations against Venezuela's Judge Afiuni tinyurl.com/y23glyac
- IBAHRI urges Venezuelan authorities to grant Judge Afiuni absolute and unconditional freedom tinyurl.com/yyqqo6sa
- Timeline of the abuse of Judge Afiuni's human rights tinyurl.com/y6dltvvd

On 28 February the IBAHRI issued a press release reiterating concerns for due process in the ongoing trial of Judge María Lourdes Afiuni, who was summoned on 21 February to a hearing to be held the following day. During the hearing, the judge summarised previous hearings and denied preceding requests made by the defence. The hearing came more than a year after the last took place and only after Judge Afiuni's penal suit against Judge Manuel Bognanno, who is hearing her case, for denial of justice on 8 February.

On 27 March the IBAHRI made a submission to the Special Rapporteur on the independence of judges and lawyers, García Sayán, informing him that on 21 March Judge Afiuni had been condemned to five years' imprisonment for the crime of corruption, more than nine years after her initial detention. This is despite an absolute lack of evidence that Judge Afiuni received any money, undue favour or gain for her decision. The IBAHRI requested the Special Rapporteur's mandate to take action.

Then, on 9 July, the IBAHRI issued a press release calling on Venezuela's judicial authorities to grant absolute and unconditional freedom to Judge Afiuni as per the announcement made to journalists by the UN High Commissioner for Human Rights, Michelle Bachelet.

In December, following ten years of trial observations, the IBAHRI published its concluding observation report of the trial. The report concludes that there has been a gradual weakening of the judiciary and a deterioration of democratic structures in Venezuela, and that these processes are corroding the separation of powers against a backdrop of severe political turmoil, which has led to the failure to guarantee fair trial rights or due process in the case of Judge Afiuni.



Judge María Lourdes Afiuni



QUOTE

'It is disgraceful that Judge Afiuni has not been freed unconditionally. Only a public, duly notified judgment by a competent court, exonerating her of all charges and granting her effective reparations, can be considered an appropriate measure.'

Anne Ramberg Dr jur hc,
IBAHRI Co-Chair



LOOKING FORWARD TO 2020

Whilst after ten years the IBAHRI has closed the trial observation of the case of Judge Maria Lourdes Afiuni, the IBAHRI will continue to monitor her trial closely in connection with her legal team and the Raoul Wallenberg Centre for Human Rights of Human Rights who will be leading on her case in collaboration with the IBAHRI

WORK BY REGION: ASIA PACIFIC

MYANMAR



KEY FACT

A study completed by UNDP in 2014 indicated that Myanmar had 9,000 licensed advocates, with 2,000 in active practice.



LOOKING FORWARD TO 2020

Following the case of genocide brought against Myanmar by The Gambia at the end of the year, the IBAHRI will closely monitor this.

On 15 February the IBAHRI's trial observer attended the judgment and sentencing of the four men accused in connection with the assassination of Burmese lawyer U Ko Ni. The court found all men guilty and sentenced two of the accused – Kyi Lin, the gunman and Aung Win Zaw, the man accused of organising the killing – to death. The other two men, Zeya Phyo and Aung Win Tun, received five years' imprisonment plus hard labour. All of the accused received credit for time served since 29 June 2017. The men have appealed the conviction. The IBAHRI issued a press release following the verdict and sentencing of the accused, in which it condemned the use of the death penalty, particularly the mandatory death penalty, in this case.

A trial observation report was also published regarding this case: The murder of U Ko Ni: IBAHRI trial observation highlights fair trial concerns in Myanmar. The report documents fair trial concerns including arbitrary detention; allegations of torture and intimidation of witnesses; failure to exclude information obtained through torture; failure to provide counsel for the defence; failure to provide access to information; and lack of impartiality by the bench. The report launched online in July and was shared extensively with organisations based in and working on Myanmar. Deputy Director, Muluka, organised for the translation of the report to be used by partner organisations in Myanmar. International Bridges for Justice, who have five training centres for lawyers in the country, wish to use it for their training.

PARTNERS



- International Bridges for Justice



(U Ko Ni, Lawyer, Myanmar)



RESOURCES

- *The murder of U Ko Ni trial observation report* (in English) tinyurl.com/yqkhjsfc
- *The murder of U Ko Ni trial observation report* (in Burmese) tinyurl.com/y4tm5vvm
- The Gambia brings historic genocide case against Myanmar <https://tinyurl.com/wt7d2nc>

THAILAND

'From 4–6 September 2019, the international group of experts working towards the development of a set of global guidelines on investigative interviewing and associated safeguards held its third working meeting in Bangkok, Thailand. A one-day event, 'Professional Forum on Future of Investigation: The Investigative Interviewing and Associated Safeguards for Thailand', was organised by representatives together with the Thai Institute of Justice.

The one-day event aimed to facilitate an exchange between international experts and national experts, authorities and practitioners, on the topic of Universal Protocol on investigative interviewing and opportunities for promoting the rule of law and enhancing human rights protections in Thailand. It consisted of a high-level public panel in the morning, followed by a practitioners' roundtable and discussion in the afternoon. The forum was attended by professionals and experts from various related agencies, such as Mr. Julien Garsany, Deputy Regional Representative Southeast Asia and the Pacific of the United Nations Office on Drugs and Crime (UNODC), Mr. Som Phromros, Director-General of the Rights and Liberties Protection Department from the Ministry of Justice, Pol. Lt-Colonel Komwit Pattanarat, Expert in Foreign Affairs and International Crime from the Department of Special Investigation, Mr. Juan E. Mendez, Former UN Special Rapporteur on Torture, Prof. Narong Jaihar, Chair of the Sub-committee on the Prevention of Torture and Enforced Disappearance Cases, and regional experts including Senior Programme Lawyer Veronica.



RESOURCES

Developing International Guidelines on Investigative Interviewing and Associated Safeguards
<https://tinyurl.com/y4pqjy32>

PARTNERS



- Thailand Institute of Justice
- the Association for the Prevention of Torture
- the Norwegian Centre for Human Rights



LOOKING FORWARD TO 2020

The work of the Steering Committee is due to continue into 2020, and will be finalised in a multi-stakeholder Symposium to review and endorse the Guidelines.

WORK BY REGION: EASTERN EUROPE AND CENTRAL ASIA

AZERBAIJAN



KEY FACT

According to the Azerbaijani Bar Association, there are 1,503 qualified lawyers for a population of 10 million. This means that there is roughly one lawyer per 6,650 Azerbaijani citizens.



Ms Fidan Alakbarova, IBAHRI winner of the Legal Essay competition, Dublin, May 2019

The IBAHRI has been working to support the independence of the legal profession in Azerbaijan since 2013. In 2019 the IBAHRI continued to be at the forefront of training the next generation of Azerbaijani human rights lawyers in defending their right to practise the profession freely in a political climate that continues to unduly interfere in the work of legal professionals.

In February the IBAHRI organised peer-to-peer training on UN human rights standards and the principles of the independence of the legal profession for a group of Azerbaijani law students and independent lawyers. The event, which took place in the capital, Baku, provided an important opportunity for the participants to network.

The IBAHRI followed up this work by hosting a bespoke webinar in March – a first of its kind for the Institute. The webinar aimed to give young Azerbaijani lawyers practical information on their own right to freedom of expression. A group of young and passionate Azerbaijani lawyers discussed freedom of expression for lawyers and why it is so vital to the credibility and integrity of the legal profession. The webinar was given by Jurate Guzeviciute, IBAHRI Programme Lawyer, and Ramute Remezaite, a European lawyer with extensive experience in litigation before the European Court of Human Rights.

In another activity aimed at broadening the human rights experience of young Azerbaijani law students, the IBAHRI held a series of workshops in May in Tbilisi, Georgia. The students had the opportunity to discuss privacy law, freedom of expression and legal mechanisms for tackling torture. Experts from Europe and Azerbaijan were enlisted to deliver the training and brought with them a wide range of experience in litigation before the European Court of Human Rights and advocacy with NGOs. The workshops balanced theoretical training in domestic and international law, particularly regarding human rights mechanisms at the UN, and practical experience mooted with real case studies.

In June and August the IBAHRI held preliminary meetings with ADA University in Baku to discuss the possibility of opening a legal clinic. The new venture grew out of a suggestion from alumni of the IBAHRI's mentorship programme in Azerbaijan. The initiative would allow law students to further develop their legal knowledge and widen their practical experience.



LOOKING FORWARD TO 2020

The IBAHRI will continue its work training and providing mentorship programmes for young Azerbaijani legal students, and will also continue its work with ADA University in Baku towards the establishment of a legal clinic, to be led by the students.

PARTNERS



- ADA University, Baku

IBAHRI Senior Programme Lawyer Jurate and a delegation of young legal students, Tbilisi, May 2019



RESOURCES

- IBAHRI condemns punishment of human rights lawyer by Azerbaijani Bar Association
<https://tinyurl.com/wmjzmlg>
- IBAHRI activities in Azerbaijan in 2019
<https://tinyurl.com/yyt878ut>

Towards the end of 2018, the IBAHRI held a law essay competition for law students in Azerbaijan. The students were encouraged to introduce new ideas to the field and produce a critical piece of work. First prize, a weeklong internship with a leading Irish lawyer in Dublin, was awarded to Ms Fidan Alakbarova, who impressed the panel of judges with her creativity and passion. Ms Fidan spent a week at the Law Library of the Four Courts in May 2019, observing a criminal trial, attending a housing law clinic and meeting with distinguished human rights lawyers.

Following the success of the first two IBAHRI mentorship programmes in Azerbaijan in 2018, the IBAHRI re-launched the programme in 2019. The programme, which partners junior and senior Azerbaijani lawyers and runs for six months, aims to facilitate the sharing of experiences and information on legal work between the two groups, in order to support the education of young Azerbaijani lawyers interested in safeguarding the rule of law and human rights.

KAZAKHSTAN



LOOKING FORWARD TO 2020

The IBAHRI will continue its work strengthening the rule of law in Kazakhstan, make interventions where violations of international law occur, and work at the state and regional levels to support the protection and promotion of the independence of the legal profession.



RESOURCES

- IBAHRI expresses concern over human rights violations and condemns political violence in Kazakhstan tinyurl.com/y5efv582
- Submission of the IBAHRI to the UPR of Kazakhstan tinyurl.com/y6fsbotv

On 7 March the IBAHRI wrote to both the Ministry of Justice (MoJ) and the RBA regarding the planned disbarment of practising lawyer and former Executive Director of the RBA, Sergey Sizintsev. The MoJ has filed a request to have Mr Sizintsev's licence revoked, citing a violation of the Law on Lawyers' Activities and Legal Aid 2018. The IBAHRI believes that this legal action is a retaliation against Mr Sizintsev for his critical views on recent legal reforms. While Executive Director of the RBA, Mr Sizintsev was a vocal proponent of the independence of the legal profession in Kazakhstan and openly criticised the early drafts of the 2018 Law, which proposed – and has now implemented – increased control over the RBA by the MoJ and the creation of provisions for the interference by state institutions in the activities of lawyers.

Then, in April, the IBAHRI submitted a written intervention to the Kazakhstani court dealing with the disbarment case against Mr Sizintsev, recommending the court reject the MoJ's unsubstantiated claim against him. A month later, the IBAHRI sent a trial observer to attend Mr Sizintsev's court hearing in Kazakhstan. The court ruled in favour of the MoJ, allowing for the disbarment of Mr Sizintsev. In June the IBAHRI and the International Commission of Jurists (ICJ) wrote to the UN Special Rapporteur on the independence of judges and lawyers, Diego García-Sayán, to alert him to the disbarment.

The Republic of Kazakhstan was up for its third cycle under the UN UPR procedure in 2019. The IBAHRI submitted its report in April, drawing the UN Human Rights Council's attention to the ongoing threats to the independence of the legal profession in the country. The report lists several cases that the

IBAHRI is aware of concerning threats or attempts to disbar lawyers as well as the use of criminal charges on unfounded grounds.

Following the report, the IBAHRI brought a delegation of five Kazakhstani lawyers to the UPR pre-session that took place in Geneva in October. The trip began with training for the lawyers on UN human rights mechanisms, including treaty bodies, special procedures and the UPR. As a result, the lawyers were able to formulate their own best course of action for advocacy during the pre-session. Meetings were arranged with several state representatives at the UN, such as Austria, Australia, the Czech Republic,

IBAHRI training,
Kostanay, May 2019



QUOTE

'Kazakhstan held early presidential elections, after its President Nursultan Nazarbayev handed in his resignation in March 2019, after almost 30 years in power. The Election day itself, as well as the aftermath exhibited how the prospect of genuine transition was an illusion; as a number of peaceful protests were carried out across Kazakhstan, protesters were met with physical violence, arrests and arbitrary detentions. The elections were tarnished by violations of fundamental rights and freedoms.'



IBAHRI Programme Lawyer Jurate Guzeviciute, conference on the presumption of innocence, November 2019

trainers workshops, which took place in 2018, 13 lawyers were chosen as potential regional trainers for the IBAHRI series of training on Article 9 of the International Covenant on Civil and Political Rights (ICCPR). The training kicked off in Kostanay in May, where the IBAHRI and Kostanay lawyers co-organised a training for 22 Kazakhstani lawyers. Similar regional trainings were later organised in Semey and Petropavlovsk in July, in Oral and Atyrau in August, and Shymkent in October 2019.



IBAHRI delegation of Kazakh lawyers, Geneva, October 2019

Germany, Mexico, the Netherlands and Slovenia. The lawyers also held meetings with representatives of different UN bodies and offices, such as those of the Special Rapporteur on freedom of association and assembly, the Special Rapporteur on the independence of judges and lawyers, the Working Group on Arbitrary Detention and the UN Desk Office on Central Asia. The lawyers discussed at length the serious challenges and threats faced by legal professionals, including those pertaining to the 2018 Law.

In July the IBAHRI held a meeting for Kazakhstani lawyers aimed at assessing their security, analysing risks or threats and developing a strategic plan to enhance the protection of all those in the legal profession. The meeting covered the provisions of the 2018 Law.

The 7th Platform on Human Rights Defenders' Security and Protection was held on 31 July–1 August in Burabay. The IBAHRI helped organise the event alongside several international and national actors, such as the European Union; the OHCHR Bishkek Office; Photographers without Borders; Forum-Asia; and the Kazakhstani NGO Dignity. The IBAHRI also facilitated the attendance of a group of Kazakhstani defence lawyers.

Then, in November, the IBAHRI co-organised a conference on the presumption of innocence and protection of civil freedoms, alongside the OHCHR, the EU, the Sigrid Rausing Trust and Dignity. The conference, held in Nursultan, invited judges, lawyers, activists and experts from Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan to participate in discussions. IBAHRI Programme Lawyer Jurate Guzeviciute joined the conference remotely and delivered a presentation on this important issue.

PARTNERS



- Office of the High Commissioner for Human Rights in Mexico
- Federal District Commission for Human Rights
- National Preventive Mechanism

TAJIKISTAN

In February the Tajik Union of Lawyers – an IBAHRI partner in Tajikistan – opened a Juvenile Justice Collegium in Dushanbe. The IBAHRI organised a study trip in 2018 to Almaty to support the initiative.

Following two successful years of the IBAHRI mentorship programme in Azerbaijan, in June the IBAHRI launched a new branch in Dushanbe. The Programme brings together junior and senior lawyers to facilitate the sharing of experience and knowledge on human rights. Past programmes have been hugely beneficial in fostering deeper interest in human rights law among junior lawyers while weaving invaluable bonds between the two generations. The junior participants took part in a three-day training, where they discussed international human rights mechanisms and principles as well as lawyers' code of ethics. They engaged with real case studies and took part in practical exercises.



KEY FACT

The number of lawyers is particularly low in certain regions: there are towns or villages in Tajikistan where no lawyer is available.



PARTNERS



- Open Society Foundations
- International Commission of Jurists
- Tajik Union of Lawyers

In June, alongside the ICJ, the IBAHRI submitted a joint report on Tajikistan's implementation of the ICCPR before the 126th session of the UN Human Rights Committee. The submission addressed four main concerns: (1) the legal profession's lack of independence; (2) interference by Tajik authorities in lawyers' legitimate activities; (3) restrictions placed on lawyers' access to their clients and the rights of the defence; and (4) specific cases of concern against lawyers.

The IBAHRI and ICJ also facilitated the attendance of ten Tajik lawyers at the session. In preparation, the lawyers attended a training workshop on the UN human rights mechanisms. This included an introduction to the remit of various monitoring bodies, review procedures under the UN Human

Rights Committee and the role of civil society within the mechanisms. The lawyers discussed key principles of international human rights law and, with the support of the IBAHRI and ICJ, produced a factsheet on the main issues they face when practising law in Tajikistan. This was a vital resource for their advocacy work when meeting with Committee members and other stakeholders.

During the advocacy week, the lawyers held meetings with representatives of the UN Special Rapporteur on the independence of judges and lawyers, the UN Working Group on Enforced or Involuntary Disappearances and the UN Working Group on Arbitrary Detention. They also meet with members of the Geneva Bar Association to discuss potential future collaborations.

In July IBAHRI Consultant Helene Ramos dos Santos spoke via telephone with the UN Working Group on Enforced or Involuntary Disappearances ahead of the Group's five-day official visit to Tajikistan. Helene was simultaneously in attendance at the UN Human Rights Committee session in Geneva, which was conducting a review of Tajikistan's implementation of the ICCPR. The final report on the Working Group's visit to Tajikistan will be presented to the UN Human Rights Council in 2020.

Also, following great feedback received after the 2018 summer school, the IBAHRI, Open Society Foundation Tajikistan and the Office of Civil Freedoms opened a winter school in January. Young lawyers were invited to discuss international human rights standards and national implementation. The training also focused on the role of lawyers in upholding justice, including through the use of strategic litigation. Following this, the IBAHRI held a second summer school on human rights and the prohibition of discrimination in Yavroz in August. Thirty-eight law students from Tajikistan, Kyrgyzstan and Uzbekistan attended the summer school, taking part in a wide variety of theoretical and practical activities, from learning about fair trial codes to participating in a moot on discriminatory practices and offences.



LOOKING FORWARD TO 2020

The IBAHRI will continue its work defending the independence of the legal profession in Tajikistan and promoting the rule of law.



RESOURCES

- IBAHRI and ICJ submission to the Review of Tajikistan at the 126th session of the UN Human Rights Committee
tinyurl.com/yyaequkb
- Preliminary observations of the Working Group on Enforced or Involuntary Disappearances at the conclusion of its visit to Tajikistan (1–5 July 2019)
tinyurl.com/yyxuygez
- 'Inconvenient Lawyers' by Jurate Guzeviciute, an article published by the IBA's Human Rights Law Committee
tinyurl.com/yy54oleb

UKRAINE

PARTNERS



- National Preventative Mechanism
- State Bureau of Investigation
- the Coordination Centre for Legal Aid Provision

In April the IBAHRI held preliminary meetings in Ukraine with three key stakeholders – the NPM, the State Bureau of Investigation and the Coordination Centre for Legal Aid Provision – to agree the timeframe and the course of the project implementation.



IBAHRI torture prevention training, Kyiv, August 2019

Following the meetings, the IBAHRI gathered a group of five experts who will be trainers of the target groups. The IBAHRI aimed to bring its extensive experience in torture prevention in Latin America to a new domestic context.

Following the preliminary meetings, in August the IBAHRI held training on the investigation and prevention of torture, utilised by our extensive experience in torture prevention work in Latin America. External experts from Latin America and Europe with experience in forensic science and the legal mechanisms for torture prevention conducted the training. A total of 60 participants were trained in identifying physical and psychological signs of torture, using real case studies, and how to implement the Istanbul Protocol.



RESOURCES

IBAHRI activities in Ukraine in 2019
<https://tinyurl.com/y4y54zqm>



LOOKING FORWARD TO 2020

Moving forward, the IBAHRI plans to continue engaging and building the capacity of the State Bureau of Investigation in Ukraine, with the aim of conducting further in-country training for investigators, as well holding an educational study trip to meet UK-based peers.

WORK BY REGION: MIDDLE EAST AND NORTH AFRICA

SYRIA

The IBAHRI has partnered with the International Legal Assistance Consortium (ILAC) on a project to strengthen the capacity of Syrian lawyers to engage with international and national human rights and accountability mechanisms. The project consists of a series of training and practical engagement activities from 2018 to mid-2020. The training is run by number of international experts and two toolkits will be published concerning international human rights mechanisms and strategic litigation.



IBAHRI Training,
Sarajevo (July 2019)

PARTNERS



- ILAC

In January a small group of Syrian lawyers attended a customised workshop on strategic litigation in Berlin. Then, in July, this same group imparted their considerable knowledge on human rights mechanisms to a group of Syrian legal peers at a workshop in Sarajevo, Bosnia and Herzegovina. The workshop programme equipped participants with substantive knowledge of UN human rights mechanisms and international law, including international humanitarian law, international human rights law and international criminal law; avenues to engage with UN mechanisms and prepare submissions/shadow reports; and examples of good practice in human rights advocacy related to violations committed in Syria.

In September, in the context of the UN Human Rights Committee's 42nd session, the IBAHRI held a high-level panel discussion titled 'Accountability for Syria: Current Trends'. The panel, which notably included former US Ambassador-at-Large for War Crimes Stephen Rapp, discussed a range of accountability-related issues and how innovative legal tools could be used to bring perpetrators of serious crimes



IBAHRI Training,
Sarajevo (July 2019)



RESOURCES

- IBAHRI condemns Turkish military operation in northern Syria <https://tinyurl.com/y2t4arsy>
- HRI Training Manuals on Human Rights and Accountability Mechanisms for Syrian Legal Professionals <https://tinyurl.com/y3shtjqm>
- High-level discussion on forced displacement and demographic engineering in Syria <https://tinyurl.com/y6hwjonn>

to account. Topics of discussion included the changing legal reality of accountability (eg, prosecutions in Europe, new legal institutions including the Independent, International Commission of Inquiry and the International, Impartial and Independent Mechanism); the role of business in Syria during the war; challenges concerning foreign fighters; sanctions; and due diligence. The event was co-sponsored by the Permanent Missions of Liechtenstein and The Netherlands, the Ambassadors of which were in attendance.

On 10–11 December a group of approximately 20 Syrian lawyers met in Gaziantep, Turkey, to discuss the concept of accountability and how the Syrian legal community in southern Turkey can coordinate its efforts to engage with various human rights mechanisms and report human rights violations. The workshop touched upon a variety of topics, including the concept of accountability in a changing Syrian reality and the mandate and role of human rights mechanisms in protecting and promoting human rights in Syria. This workshop was the first in a series by the IBAHRI, led by work of Programme Lawyer for the MENA region Phil Chambers, to be held in the MENA region itself.



LOOKING FORWARD TO 2020

The IBAHRI will continue to work with ILAC on strengthening the capacity of Syrian lawyers to engage with international and national human rights and accountability mechanisms and will hold two events in the MENA region.

TUNISIA

The IBAHRI received funding from ILAC for a project to provide training to Tunisian judges, lawyers and human rights activists on the judicial enforcement of economic, social and cultural rights within the national context. Working in partnership with the OHCHR and ILAC's Tunis office, IBAHRI Programme Lawyer for the MENA region, Phil Chambers, helped to organise and undertake a series of five training workshops throughout the year, in Tunis and Sousse. These workshops, consisting of both training of trainers and implementation formats, brought together judges with international and national experts, and were particularly successful in changing approaches and reflexes to encompass international legal instruments.

Sousse (October 2019)



LOOKING FORWARD TO 2020

Together with the OHCHR and ILAC, the IBAHRI will carry out further training of trainers and implementation workshops with Tunisian lawyers and civil society organisations on the application of economic, social and cultural rights in the national court system.



RESOURCES

- IBAHRI's Tunisia project: 2018–2021
<https://tinyurl.com/ug62udt>

PARTNERS



With thanks to:

- ILAC
- OHCHR

TURKEY

PARTNERS



With thanks to:

- International Commission of Jurists

Following the disappearance of Saudi Arabian political analyst, commentator and journalist, Jamal Kashoggi at the Saudi Arabian Consulate in Istanbul, the President of Turkey called for an international inquiry into the case. The UN Rapporteur on extra judicial killing, Agnès Callamard, responded to Turkey's request and using her mandate agreed to undertake a preliminary investigation. IBAHRI Director, Baroness Helena Kennedy QC was asked to be her expert legal adviser. A senior police officer and a highly qualified forensic pathologist completed the expert team. Two independent Turkish interpreters and an Arabic translator accompanied the mission.

The mission took place in the week commencing 27th March 2019. The Investigation Team spent five days in Turkey, meeting with the Minister of Foreign Affairs, the Minister of Justice, the Chief Prosecutor, the Head of Intelligence, senior investigators, law enforcers and agents of the state. The delegation also met journalists, representatives of media outlets, the fiancée of Mr Kashoggi, as well as his friends and associates. Following the mission Baroness Kennedy, with the assistance of research from IBAHRI interns, produced a full report for the Special Rapporteur on the relevant international legal instruments and state responsibilities for human rights violations. The full report of the Rapporteur was published in June 2019.

In March IBAHRI programme lawyer Jurate Guzeviciute spoke as part of a panel at the UN in Geneva on 'Human Rights Defenders and the Rule of Law in Turkey', which focused on the lack of accountability for human rights violations against human rights defenders. The event was organised jointly with the ICJ.

In May the IBAHRI hosted a roundtable luncheon and seminar for the UK launch of the acclaimed Human Rights Watch Report *Lawyers on Trial: Abusive Prosecutions and Erosion of Fair Trial Rights in Turkey*. This seminar brought together a variety of UK-based actors further to collaborate on efforts to address human rights challenges in Turkey, particularly with respect to lawyers and members of the legal profession.

In July the IBAHRI, in concert with a consortium of legal organisations, submitted a joint stakeholder report to the UN Human Rights Council's UPR. This report raised concerns about degradation of the rule of law and human rights in Turkey and, inter alia, concerns over the rising number of cases of human rights violations against lawyers in Turkey.

Then, in November, the IBAHRI facilitated the attendance of a noted Turkish human rights lawyer in an IBAHRI-led event during Geneva Peace Week.

Also, on 8 October the third hearing in the trial of 16 human rights defenders, with principal defendant, Osman Kavala, was held before the 30th Heavy Penal Court in Silivri, Turkey. The group was detained for allegedly attempting to overthrow the government by organising protests to save Istanbul Gezi Park in 2013. The IBAHRI and the ICJ



KEY FACT

From 2016–2019 approximately 599 lawyers have been arrested and detained, 1,546 lawyers prosecuted, and 311 lawyers convicted and sentenced to a total of 1,967 years in prison.



LOOKING FORWARD TO 2020

As the trial of Osman Kavala and 16 Gezi Park defendants continues into 2020, the IBAHRI and the ICJ continue their partnership to send trial observers and await the outcome of the trial and any future developments.

jointly sent international trial observers. On 10 December, the IBAHRI released a statement urging the Turkish government to uphold the European Court of Human Rights decision in the case of *Kavala v Turkey*, calling for the government ‘to secure [Mr Kavala’s] immediate release’.



RESOURCES

- Khashoggi killing: UN human rights expert says Saudi Arabia is responsible for “premeditated execution”
<https://tinyurl.com/y29jht8s>
- IBAHRI and ICJ call for release of Osman Kavala following European Court of Human Rights decision
tinyurl.com/y3xns29f
- IBAHRI condemns persecution of human rights lawyer Ramazan Demir in Turkey
tinyurl.com/y4qtaqoa
- Human Rights Watch Report, *Lawyers on Trial: Abusive Prosecutions and Erosion of Fair Trial Rights in Turkey*
tinyurl.com/yyjant2s

WORK BY REGION: SUB-SAHARAN AFRICA

ZAMBIA

PARTNERS



With thanks to:

- University of Lusaka

The IBAHRI has partnered with the University of Lusaka to hold a legal essay competition for Zambian law students, with winners being granted the opportunity to take part in a mentorship programme. In September the IBAHRI and staff at the University drew up a shortlist of entries, and a panel of four prominent Zambian lawyers acted as judges for the competition. Two

students received prizes, presented by the Minister of Justice for Zambia, at a human rights seminar for University of Lusaka students on 20 September, attended by IBAHRI Deputy Director Muluka and Programme Administrator Aurora. The seminar was on the rule of law and human rights. The aim of the event was to raise awareness about human rights principles and their importance, and to encourage the young professionals in attendance to participate in actively promoting

human rights, regardless of

legal discipline. Guest of honour at the seminar was Zambia's Minister of Justice, the Hon Given Lubinda, who discussed the importance of protecting human rights and strengthening the rule of law.

Prominent Zambian legal professionals who advocate human rights spoke at the seminar, including the Hon Mr Justice Chalwe Mchenga, SC, Deputy Judge President, Court of Appeal; the Hon Dr Justice Mumba Malila, SC, Judge of the Supreme Court of Zambia and former Commissioner and Vice Chairperson of the African Commission on Human and Peoples' Rights; Ms Florence Chibweshwa, Executive Director of the Human Rights Commission; Ms Linda Kasonde, Founder and Executive Director of Chapter One Foundation and Co-Vice

Chair of the IBA African Regional Forum, Professor Muna B Ndulo, Professor of Law, Cornell Law School and Director of the Leo and Arvilla Berger International Legal Studies Program; and Ms Muleya Mwananyanda, Deputy Regional Director of Amnesty International's Regional Office for Southern Africa



IBAHRI Programme Administrator Aurora and Programme Lawyer Zara and Zambian legal students, Zambia, November 2019



LOOKING FORWARD TO 2020

The IBAHRI will pursue the establishment of the mentorship programme in Zambia, as the next stage of the training.



RESOURCES

- Zambia: Organisations warn of potential negative impact of proposed changes to Constitution on judicial independence <https://tinyurl.com/y5kcwu5h>
- IBAHRI raises awareness of the rule of law and human rights among young lawyers in Zambia <https://tinyurl.com/y6gt2hvx>

As a follow up to the Human Rights Seminar in September 2019, IBAHRI Programme Lawyer, Zara Iqbal, and Programme Administrator, Aurora Garcia travelled to Lusaka to deliver a two-day training (22nd -24th November 2019) for students on international human rights law and provide an introduction into UN human rights mechanisms. Topics for the training included the

independence of the legal profession, torture and inhuman and degrading treatment or punishment and freedom of expression, assembly and association. The training was delivered in relation to the Zambian domestic context and the regional African context.

Many students remarked that the introduction to human rights law was interactive and engaging. At the end of the training, ten students were selected to benefit from the next phase of work in Lusaka, the IBAHRI Mentorship Programme due to take place in 2020. At the session, the IBAHRI Programme Lawyer invited available mentees and the IBAHRI Zambian Consultant to attend and observe the training on requirements of the mentorship programme.'

ZIMBABWE

In November 2018, the IBAHRI co-organised the Annual Jurist Conference, alongside the American Bar Association, the International Commission of Jurists and the International Development and Legal Organisation (IDLO) the Konrad Adenauer Foundation and the Kenya Human Rights Commission (KHRC).

In June 2019, the final conference report was produced detailing the discussions, recommendations for protection of the independence of the judiciary and the Lagoon Conference Call for Action adopted at the Conference. Among other things, the call for action calls on African governments to ensure the institutional autonomy of the judiciary including financial and administrative independence.

In relation to this work, the IBAHRI has responded to concerns regarding attacks against independence of the judiciary in Zimbabwe and Zambia. Three intervention letters have been sent to Zimbabwe and in August, the Deputy Director Muluka raised the IBAHRI's concerns with the Chief Justice of Zimbabwe during a meeting in Zimbabwe.

PARTNERS



With thanks to:

- International Commission of Jurists
- International Development and Legal Organisation
- The Konrad Adenauer Foundation and the Kenya Human Rights Commission
- The Kenya Human Rights Commission



RESOURCES

- IBAHRI condemns violent crackdown in Zimbabwe <https://tinyurl.com/y9glkv6q>
- Annual Jurists Conference, 20–24 November 2018, <https://tinyurl.com/yyc95ptx>

THEMATIC AREAS

THEMATIC AREAS

MEDIA FREEDOM

Freedom of expression and the role of the media are fundamental to democracy and good governance. International law requires governments to protect this freedom with particular regard to the activities of journalists – even where those freedoms involve criticism of the government itself. In this sense, promoting and protecting the independence of the media and journalists is part and parcel of the safeguarding of democracy itself.



UNIVERSITY PARTNERS FOR INTERNATIONAL STANDARDS REPORTS

Lead universities:

- Columbia University, US
- King's College London, UK
- Korea University, South Korea
- National Law University Delhi, India
- Sciences Po, France
- University of Toronto, Canada

Regional universities:

- Universidad de los Andes, Colombia
- University of Ghent, Belgium
- University of Pretoria, South Africa

Law firms and clinics:

- Covington & Burling
- Gibson Dunn
- Institute for Law and Public Policy (Central Asia, Russia and the South Caucasus)
- Jenner & Block
- Knight Center for Journalism in the Americas
- MinterEllison
- O'Melveny & Myers
- WilmerHale

In July the High Level Panel of Legal Experts on Media Freedom was convened at the request of the UK and Canadian

governments. The Panel is comprised of 15 international Lawyers, academics and judges, chaired by Lord Neuberger of Abbotsbury, former President of the UK Supreme Court. Deputy Chair is Amal Clooney, who was appointed as the UK's Special Envoy for Media Freedom in 2019. The IBAHRI were appointed to serve as Secretariat to the Panel, managing and coordinating the ambitious agenda of work.

In 2019 the Panel had two in-person meetings at the IBA Head Office in London to decide the agenda of work. The remit of the Panel is to provide advice and recommendations to governments to prevent and reverse abuses of media freedom. The panel are working on initiatives that can be taken up by governments to ensure existing international obligations relating to media freedom are upheld, disseminate elements for model legislation to promote and protect a vibrant free press, and report on means of raising the consequences for those who target journalists for their work.



KEY FACT

Reporters Sans Frontiers (RSF) recorded that a total of 389 journalists were arbitrarily detained worldwide in 2019, a 12 per cent increase from 2018 – a further 64 journalists were reported missing.



RESOURCES

- UK Global Defend Media Freedom Conference remarks by Amal Clooney, July 2019
<https://tinyurl.com/yxcscly6>
- United Nations General Assembly remarks by Amal Clooney, September 2019
<https://tinyurl.com/yyzq3h87>



LOOKING FORWARD TO 2020

Enforcement projects

The Panel are currently working on the development of five reports on Enforcement, which recommend best practice for states regarding:

1. the use of **targeted sanctions to protect journalists**;
2. the creation of a **visa system** for states to provide safe refuge for journalists and those engaging in journalistic activity who have been targeted for their work;
3. a model for an **independent investigative team** which can be deployed to gather evidence and report on abuses of media freedom;
4. states adopting a **transparency covenant** to protect journalists; and
5. best practices for states to provide **consular assistance** to their nationals who are journalists or other media actors who have been investigated or arrested abroad.

International Standards

The Panel is also working on the creation of six reports on International Standards in collaboration with leading

academic institutions across the globe, which will provide advice on model elements for the drafting and interpretation of legislation in line with international human rights standards, reflecting best practices and providing meaningful recommendations in the following areas:

1. **sedition, criminal/civil defamation and *lèse majeste***;
2. **misinformation and disinformation**;
3. **blasphemy and hate speech**;
4. **anti-terrorism and public order**;
5. **espionage and the Official Secrets Act and**
6. **systemic restrictions on the ability of the media to function.**

Many of the academic institutions engaged in the project are also running modules as part of a capacity-building initiative to educate and train students in the process of undertaking research for the reports. The International Standards reports will be reviewed and potentially endorsed by an external advisory committee, made up of representatives from international organisations, NGOs and leading media lawyers.



High Level Legal Panel on Media Freedom, London, December 2019

ABOLITION OF THE DEATH PENALTY



LOOKING FORWARD TO 2020

Whilst 2019 saw some welcome steps in moving towards the total abolition of the death penalty, there is still a long way to go. The IBAHRI will continue to monitor the situation worldwide and take up advocacy at the UN, and at national level where possible.

In 2008, the IBAHRI's Council adopted a resolution calling for the total abolition of the death penalty. Since then, the IBAHRI has been committed to calling upon states to move towards the total abolition of the death penalty.

In February the IBAHRI's Consultant in Geneva, Helene

dos Ramos Santos, attended the high-level panel on the death penalty at the 40th session of the UN Human Rights Council. On the same day, the IBAHRI's Senior Programme Lawyer Veronica Hinestroza took part in two side events, on bar associations and the fight against the death penalty, as well as treatment of death row inmates in detention, at the 7th World Congress against the Death Penalty in Brussels.

On Friday 26 July the IBAHRI issued a press release strongly condemning the decision by the US government to schedule the execution of five inmates on death row. The decision marked a break with a 16-year informal moratorium on federal executions and a departure from the general international trend towards abolition of the death penalty. At the time of US Attorney General William Barr directing the government to reinstate the death penalty, 25 states had the death penalty, 21 had abolished the death penalty and four had a governor-imposed moratorium.

On 29 July Baroness Helena Kennedy QC launched her report *A Perverse and Ominous Enterprise: The Death Penalty and Illegal Executions in Saudi Arabia* at the Houses of Parliament. The event was well-attended and speakers delivered personal accounts of family members who had been sentenced to death for the most minor offences.

The IBAHRI also made an oral statement at the UN Human Rights Council's 42nd session on 11 September during a high-level panel discussion on the death penalty. The Institute welcomed positive steps by some states, such as the moratorium in California, while denouncing the decision of US Attorney General Barr to reinstate the death penalty as well as Sri Lanka's intention to reinstate the death penalty.



RESOURCES

- *A Perverse and Ominous Enterprise: The Death Penalty and Illegal Executions in Saudi Arabia*
tinyurl.com/yxzw4bzt
- IBAHRI condemns US Attorney General Barr's decision to reinstate the death penalty
tinyurl.com/y3oyacbj
- Resolution on the Abolition of the Death Penalty (May 2008) <https://tinyurl.com/y3utdqbx>

JUVENILE JUSTICE

PARTNERS



With thanks to:

- Terre des Hommes

In 2018, the IBAHRI released a report entitled *The Role of the Universal Periodic Review in Advancing Children's Rights in Juvenile Justice* asserting that, in order to protect the rights of children alleged as, accused of or recognised as having infringed penal law, specialised juvenile justice systems must be established or improved to conform with the United Nations Convention on the Rights of the Child.

In January the IBAHRI submitted a set of recommendations to the UN Committee on the Rights of the Child on the upcoming General Comment No 24, revising General Comment No 10, on juvenile justice. The recommendations were built on the 2018 IBAHRI report. IBAHRI Consultant Helene dos Ramos Santos liaised with members of the UN Committee on the Rights of the Child to address the IBAHRI's recommendations.

During the 40th session of the UN Human Rights Council, held from 25 February – 22 March, the IBAHRI sought to have aspects of its report included in the UN Human Rights Committee joint statement on access to justice for children. Unfortunately, in this instance the advocacy was unsuccessful, as the resolution ended up being very broad, calling upon states to ensure that institutions of governance, including criminal and civil legal systems, enable children and young people to understand their rights, to participate in proceedings and, ultimately, to access justice.

In addition to this, the IBAHRI prepared an oral statement for the general debate on the UPR process. This statement highlighted the IBAHRI's report and called for states to address in their recommendations at the UPR the



RESOURCES

- *The Role of the Universal Periodic Review in Advancing Children's Rights in Juvenile Justice*
tinyurl.com/yyau4py9
- Justice for children; Justice with children event
<https://tinyurl.com/y2chwrnv>

specific obligation to establish rehabilitative and restorative juvenile justice systems, with particular attention to access to lawyers for children.

On 18 November, the IBAHRI, in collaboration with Terre des Hommes, hosted side event entitled 'Justice for children; Justice with children' as part of a three-day conference celebrating 30 years of the Convention on the Rights of the Child. IBAHRI Consultant, Helene Ramos dos Santos gave opening remarks for a Panel featuring two children, and moderated by Ann Skelton from the Committee on the Rights of the Child.



LOOKING FORWARD TO 2020

The IBAHRI will continue to seek opportunities to advocate for children's rights within its advocacy strategy at the UN. In particular, we will focus on advocacy to end child immigration detention following the establishment of the IBA Presidential Task Force on the Refugee Crisis.

TORTURE PREVENTION

Throughout 2019, the IBAHRI continued its work in torture prevention across the Latin American region. The IBAHRI also expanded this work into the Eastern Europe and Central Asia region.

Throughout 2019 the IBAHRI participated as part of the Drafting Committee on Ethics of the Legal Profession, led by Senior Programme Lawyer Verónica Hinestroza. The project, which began in February 2018, aimed to strengthen the Istanbul Protocol with updates and clarifications based on practical experience and the needs of Protocol stakeholders. It was finalised in 2019 and is being led by Physicians for Human Rights, the International Rehabilitation Council for Torture Victims, Human Rights Foundation of Turkey, REDRESS, the UN Committee against Torture, the UN Subcommittee on Prevention of Torture, the UN Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment and the UN Voluntary Fund for Victims of Torture.

On 7 May, IBAHRI Director Baroness Helena Kennedy QC moderated the launch of a civil society report to the UN Committee against Torture as a shadow report to the UK's sixth periodic review which took place in May 2019. The report followed four consultation events and a call for evidence across England and Wales as part of the UK Torture Review project in which over 90 civil society organisations and individuals participated in the consultations or provided written evidence to inform the report. The report contains evidence and recommendations relating to asylum and immigration detention, prisons, policing and the use of equipment, ill-treatment in health settings, human trafficking and modern slavery, violence against women, ill-treatment of children, hate crimes, accountability for torture overseas and universal jurisdiction. The report was led by UK charity Redress and Jurate Guzeviciute, 'Effective multilateralism in the fight against torture: Trends in the OSCE region and the way forward', June 2019

concerned recommendations of the UK National Preventive Mechanism on Torture of which the IBAHRI plays a key role.

On 17 May, in the framework of our work on torture prevention with legal and medical professionals, the IBAHRI and the ATI sent an open letter to Mr Recep Tayyip Erdoğan, President of the Republic of Turkey, condemning the conviction of 11 members of the Turkish Medical Association (TMA) Central Council on terrorism charges. The open letter explained that the prosecutions fail to acknowledge that raising awareness of negative public health consequences arising from conflict is a duty incumbent on medical experts, derived both from the ethical standards of the profession as well as international legal standards.

Then, in June, IBAHRI Senior Programme Lawyer Verónica Hinestroza and Programme Lawyer Jurate Guzeviciute attended the international conference 'Effective multilateralism in the fight against torture: Trends in the OSCE region and the way forward' in Vienna. The Conference aimed at engaging practitioners on presenting recommendations to fight impunity for cases of torture. Among those in attendance were the UN Special Rapporteur on torture and representatives from the Danish, Swiss and Austrian governments. Verónica and Jurate contributed recommendations at the conference and discussed the IBAHRI's experiences in this field.

Further, Verónica participated in a roundtable meeting at the Organization for Security and Co-operation in Europe (OSCE) Headquarters in Vienna, alongside delegates from Austria, Canada, Denmark, Italy, Switzerland and the UK, to present and gain political support to issue an international Protocol on Investigative Interviewing and Associated Safeguards. The Protocol aims to make criminal investigations more efficient and to enhance the rule of law while ensuring respect for human rights.



LOOKING FORWARD TO 2020

The IBAHRI will continue to follow up on its training on torture prevention throughout Latin America. Significantly, the IBAHRI have been awarded a grant to extend the project into Peru from the Optional Protocol to the Convention against Torture's special fund.



PARTNERS



With thanks to:

Anti-Torture Initiative

- The Forensic Psychology Research Group at Newcastle University
- The Forensic Psychology Unit of Goldsmiths, University of London
- National Preventative Mechanism
- Physicians for Human Rights
- the International Rehabilitation Council for Torture Victims
- Human Rights Foundation of Turkey
- REDRESS
- UN Committee against Torture
- UN Subcommittee on Prevention of Torture
- Office of the UN Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment
- UN Voluntary Fund for Victims of Torture.

On 20–21 June, ahead of the International Day in Support of Victims of Torture, the IBAHRI, in alliance with the Forensic Psychology Research Group at Newcastle University, and the Forensic Psychology Unit of Goldsmiths, University of London, hosted two international events on torture prevention in London.

At the first event, IBAHRI Director Baroness Helena Kennedy QC chaired an expert roundtable on the ongoing initiative to develop Universal Guidelines on Investigative Interviewing and Associated Safeguards. The Guidelines uniquely rely on a large scientific evidence base and on proven practices showing that non-coercive interviewing methods that uphold human rights are the most effective tools available to law enforcement in gathering accurate and reliable information and solving crimes. The meeting took place at the House of Lords and included three members of the Steering Committee of this global initiative: IBAHRI Senior Programme Lawyer Verónica Hinestroza; forensic psychologist Gavin Oxburgh and security and intelligence expert, Mark Fallon. Participants included members of the UK Network on the Prohibition of Torture, the UK NPM, the International Criminal Court, and the fields of psychology and law, who discussed the challenges and opportunities of the initiative.

At the second event, IBAHRI Council member Mark Stephens CBE provided opening remarks at the conference 'Physical and Psychological Torture: Multi-disciplinary approaches to a global problem', which took place at Newcastle University's London campus. Two panels addressed national implementation of international standards and due process in prison confinement, and the impact

on the reliability of information obtained through coercive investigation methods. Participants included academics and practitioners in the fields of law, psychology, psychiatry and law enforcement. Guest speakers and moderators included Par Engstrom, Chris Esdaile, Mark Fallon, Louise Finer, Fiona Gabbert, Gísli Guðjónsson, Verónica Hinestroza, Jo Kenrick, Gavin Oxburgh, Gaia Pergolo and Miguel Sarre. The conference provided an opportunity to present and comment on the findings of the IBAHRI's upcoming publication *Responding to Torture: Latin American Perspectives on a Global Challenge*.

The Chairmanship of the OSCE held its fourth thematic conference in September 2019 in Bratislava, Slovakia. The topic was 'Security Sector Governance and Reform', with policy makers, experts and practitioners invited to discuss challenges and good practices within security sectors. The IBAHRI took part in the conference and made a statement on the importance of aligning security measures with human rights standards. Security measures that do not comply with the rule of law pose a risk to peace and security. It is therefore crucial to enhance the oversight of security institutions. Internal processes must be in place to ensure professionalism, accountability and transparency of national actors.

Later, on 15 November, the IBAHRI finalised Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which provides technical assistance on the implementation of the Istanbul Protocol, for use in the case of *Favela Nova Brasília v Brazil*. Favela Nova Brasília is a community within the Complexo do Alemão, a network of 15 favelas in northern Rio de Janeiro, where 26 people were killed and three women (two of whom were children at the time) were raped by police officers during two incidents in October 1994 and May 1995. In May 2017 the Inter-American Court of Human Rights (IACHR) found Brazil internationally responsible for having failed to guarantee full access to justice for the victims and ordered the state to re-open the investigation and ensure that the victims and their families be adequately compensated and protected.



RESOURCES

- *Respondiendo a la Tortura: Perspectivas latinoamericanas sobre un desafío global (Responding to Torture: Latin American Perspectives on a Global Challenge)* <http://tinyurl.com/uuth4hv>
- IBAHRI and Anti-Torture Initiative call for Turkey to quash Dr Sebnem Korur Fincanci's prison sentence <http://tinyurl.com/y625v56p>

ENFORCED DISAPPEARANCES



LOOKING FORWARD TO 2020

Following the publication of our report, the IBAHRI will continue to focus on its work on enforced disappearances in the Latin American region, and also on expanding it to other regions.



RESOURCES

- *Legal Commentary on the Fundamental Principles of Public Policies on Memory Sites developed by the MERCOSUR Institute of Public Policies on Human Rights* tinyurl.com/y3d29o9k
- Thematic hearing on 'Maintenance and Protection of Sites, Memorials, Archives, Museums and Spaces Dedicated to Memory in the Region' tinyurl.com/y5fb6npr
- '*¿Dónde Están? Estándares internacionales para la búsqueda de personas desaparecidas forzadamente*' (Where are they? International standards for the search for forcibly disappeared persons) tinyurl.com/y69v3tel

In February the IBAHRI published the culmination of its collaborative work with the Human Rights Clinic of the University of Texas, Legal Commentary on the Fundamental Principles of Public Policies on Memory Sites developed by the MERCOSUR Institute of Public Policies on Human Rights. The commentary was presented at a thematic hearing on 'Maintenance and Protection of Sites, Memorials, Archives, Museums and Spaces Dedicated to Memory in the Region' at the Inter-American Commission on Human Rights in Bolivia on 13 February.

The report's review of the jurisprudence of the IACHR shows that the Court recognises that memory initiatives relate to a variety of internationally protected rights, such as the right to truth, non-recurrence and reparation. Given that memory sites contain evidence of crimes committed, particularly relating to torture and enforced disappearances, their preservation is necessary as an element of the duty and right of justice.

In July the IBAHRI released a study *¿Dónde Están? Estándares internacionales para la búsqueda de personas desaparecidas forzadamente* (Where are they? International standards for the search for forcibly disappeared persons). The study highlights gaps in international law as well as states' failings in the search for victims of enforced disappearances. The study also puts forward recommendations with regard to investigating enforced disappearances – characterised as a continuous violation that remains unabated until the fate or whereabouts of a person are known. The study was published in Spanish, and an Executive Summary is available in English.

In October IBAHRI Senior Programme Lawyer Verónica Hinestroza gave input on the latest draft of the Protocol of Hope for the Investigation of Threats against Human Rights Defenders, commonly known as the Esperanza Protocol. The Esperanza Protocol aims to place the obligation to investigate threats within broader public policy efforts to enable the defence of human rights, including protection measures and the investigation of other crimes against defenders.

PARTNERS



- the Human Rights Clinic of the University of Texas
- the National Human Rights Commission – Mexico

RIGHT TO FREEDOM OF ASSEMBLY

Throughout 2019 lawyers from across the participating states of the OSCE faced significant challenges in protecting the right to peaceful assembly, such as inequality of arms, lack of access to information or clients in detention, and inadequate time to prepare cases.

The IBAHRI held a side event on ‘Peaceful Assembly and the Role of Lawyers’ at the OSCE’s Supplementary Human Dimension Meeting in November. The event, held in Vienna, was run in collaboration with the UN Special Rapporteur on rights to freedom of peaceful assembly and of association and the OSCE Office for Democratic Institutions and Human Rights.

Lawyers from France and Azerbaijan highlighted the commonality of issues between their respective countries. Peaceful protests are not a threat to peace or national security. They are, however, a fundamental aspect of democracy and the right to peaceful assembly is protected under international law – notably, Article 21 of the ICCPR.

On 3–4 November the IBAHRI led a two-day private expert consultation with the UN Special Rapporteur on Freedom of Assembly to discuss the role of lawyers in defending human rights in peaceful protests. During the consultation, the legal practitioners from 12 countries, invited by the IBAHRI, discussed common obstacles encountered in providing legal assistance for victims of protest-related violence, arrest or detention.

Also in November, the IBAHRI co-hosted a panel event on the importance of lawyers in the context of European protests during Geneva Peace Week (4–8 November). Geneva Peace Week is an initiative of the Geneva Peacebuilding Platform, which presents civil society actors with the

Jurate Guzeviciute, OSCE’s Supplementary Human Dimension Meeting, November 2019



LOOKING FORWARD TO 2020

The IBAHRI will continue to work with the office of the Special Rapporteur on freedom of assembly and association to analyse and support the role of lawyers before, during and after peaceful assemblies.



RESOURCES

- Peaceful Assemblies and the Role of Lawyers: defining challenges and opportunities in the OSCE region <https://tinyurl.com/y3zox8ut>

opportunity to share information and experiences in peace building and conflict resolution. Jurate Guzeviciute, IBAHRI Programme Lawyer, moderated the discussion and the panellists included: Claire Dujardin, Syndicat des Avocats de France; Hungarian lawyer Tamas Fazekas; Małgorzata Szuleka, Helsinki Foundation for Human Rights; UN Special Rapporteur on rights to freedom of association and of assembly Clément Voule; and Turkish lawyer Özlem Zingil.

During the discussions, the Special Rapporteur emphasised that the right to protest is fundamental to any democracy and that protests are not a threat to peace or national security. Lawyers from France and Turkey shared their concerns regarding the growing levels of violence used against protesters by law enforcement in their countries and the barriers placed on lawyers providing legal assistance to arrested protesters.

Geneva Peace week



PARTNERS



- Office of the UN Special Rapporteur on Freedom of Assembly and Association
- Avocats de France
- Helsinki Foundation for Human Rights

INDEPENDENCE OF THE LEGAL PROFESSION

Lawyers in Azerbaijan, Kazakhstan and Tajikistan are often the subject of intimidation and even threats of violence when working on politically sensitive cases, including those relating to alleged acts of torture. Lawyers across the region face the risk of disbarment, administrative sanctions and criminal prosecutions simply for carrying out their professional duties or speaking out against injustices.

In recent years Hungary and Poland have implemented legislative reforms that fundamentally threaten the independence of the legal profession and the principle of the separation of powers. The IBAHRI has closely followed these judicial reforms. The IBAHRI gave a statement on Hungary and Poland at the plenary session of the OSCE Human Dimension Implementation Meeting in September in Warsaw.

On 17 September the IBAHRI held a joint discussion with the International Partnership for Human Rights, Human Rights Club and ICJ on the ongoing assaults and persecution of human rights lawyers in the OSCE region.

Then, on 25 September, the IBAHRI co-hosted a side event, 'Lawyers Under Threat in the OSCE Region: Identifying Trends and Finding Solutions', which focused primarily on the violation of lawyers' rights in Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan and Ukraine. The event was run in partnership with the American Bar Association Center for Human Rights, the Council of Bars and Law Societies of Europe, the ICJ and Lawyers for Lawyers.

The independence of the legal profession is a cornerstone of the protection of human rights and the rule of law across the globe. The panel

QUOTE

The IBAHRI calls on governments in the region to:

'respect the independence of the legal profession, in particular lawyers' non-identification with their clients' principle, cease all intimidation and harassment of lawyers and adopt the necessary legislative changes to ensure the independence of the legal profession in practice'.



Jurate Guzeviciute, OSCE Human Dimension Implementation Meeting, Warsaw, September 2019

identified some of the challenges faced by lawyers in the region and produced recommendations on the protection of the rights of lawyers. IBAHRI Programme Lawyer Jurate Guzeviciute spoke about the IBAHRI's work supporting local lawyers through training on international standards. Jurate provided forward-looking arguments on measures necessary for improving the independence of the legal profession and access to justice.



LOOKING FORWARD TO 2020

Defending the independence of the legal profession in order to guarantee universal human rights is central to the aims of the IBAHRI. The IBAHRI will continue its work defending the rights and independence of the legal profession globally, and seeking advocacy opportunities at the international and domestic level.



RESOURCES

- IBAHRI statement calling on governments to respect the independence of the legal profession (from 52:00) <http://tinyurl.com/yyrunzxd>
- IBAHRI statement on Hungary and Poland at the plenary session of the OSCE Human Dimension Implementation Meeting (from 36:00) <http://tinyurl.com/y426vsx9>

OSCE Human Dimension Implementation Meeting

PARTNERS



- American Bar Association Center for Human Rights
- Council of Bars and Law Societies of Europe
- International Commission of Jurists
- Lawyers for Lawyers.

EQUALITY AND NON- DISCRIMINATION

EQUALITY AND NON-DISCRIMINATION



RESOURCES

- IBAHRI welcomes the renewal of the mandate of the Independent Expert on sexual orientation and gender identity <https://tinyurl.com/y6pbhdmr>
- *Access to justice for persons with disabilities: From international principles to practice, a report of the IBA Access to Justice and Legal Aid Committee* tinyurl.com/yxz5wpez



LOOKING FORWARD TO 2020

During 2020, the IBAHRI will finalise its manual on mainstreaming gender in criminal proceedings, to continue our work tackling gender inequality. The IBAHRI is also committed to defending the rights of LGBTQI individuals around the world.

PARTNERS



- GQUAL

As well as continuing advocacy around the IBAHRI's work on the rights of those living with albinism, the IBAHRI began work on a manual mainstreaming gender and gender parity in the legal profession.

On 6 March the IBAHRI presented an oral statement on access to justice for vulnerable groups, specifically persons with albinism, at the 40th session of the UN Human Rights Council. The statement was made in the context of the interactive dialogue of the Independent Expert on Albinism, who presented her report on access to justice for persons with albinism. The report addresses the root causes of discrimination in accessing justice for persons with albinism, legal options in place, implementation gaps and good practices. It brings into play issues that the IBA Access to Justice and Legal Aid Committee has addressed in its report, *Access to justice for persons with disabilities: From international principles to practice*.

During a side event of the 41st Session of the UN Human Rights Council, the IBAHRI co-hosted a side event titled 'Gender Parity in UN Human Rights Bodies and Mechanisms' at the UN Headquarters in Geneva. Panellists included IBAHRI Director Baroness Helena Kennedy QC; Verónica Birga, Chief of the Women's Human Rights and Gender Section of the OHCHR; Diego Ruiz Gayol, Permanent Mission of Mexico to the United Nations in Geneva; and Claudia Martin from the American University Washington College of Law. IBAHRI Senior Programme Lawyer Verónica Hinestroza moderated the event. Panellists discussed the issues women face in high-level positions at international bodies and tribunals.

On 14 June Verónica Hinestroza delivered a presentation on the importance of mainstreaming a gender perspective and promoting gender parity in the legal profession at the International Conference on Gender Equality in the Judiciary, which took place in Curitiba, Brazil. The conference was organised by the Interdisciplinary Group of Studies on Gender Equality in the Judiciary and the Office of the Prosecutor of the State of Paraná.

In 2008, Azul Rojas Marín was stripped, beaten and raped by police in Northern Peru, and subjected to derogatory comments about her sexual orientation. Her initial criminal complaint against the police officers was dismissed by state prosecutors. In November 2019, the IBAHRI presented an amicus curiae to the Inter-American Court of Human Rights (IACtHR) on discrimination as the purpose of torture and the obligation to investigate violence against the LGBTI+ community, based on regional and international jurisprudence, and on the implementation of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) in a gender-inclusive manner.

POVERTY AND HUMAN RIGHTS



LOOKING FORWARD TO 2020

As per the Council Resolution, the IBAHRI will continue its work to determine poverty as a violation of human rights, and will focus on providing training for judges and lawyers on economic, social and cultural rights.

In 2010, the IBAHRI Council passed a Resolution to adopt a policy favouring the recognition of severe, endemic and chronic poverty as a violation of human rights and to commit to leading all lawyers to recognise the importance of the fulfilment of economic, social and cultural rights.

In January an IBAHRI intern, Daniel Vollmer, joined the IBAHRI's Deputy Director, Muluka Miti-Drummond, in attending the appeal hearing in the *Vedanta* case at the UK Supreme court. The case dates back to September 2015, when approximately 2,000 Zambian villagers brought a negligence claim against Vedanta Resources Plc and its subsidiary, Konkola Copper Mines Plc, in England. The villagers allege they suffered loss of income and personal injury from the toxic effluence released into the Kafue River by Konkola Copper Mines.

At the end of March, Daniel prepared a piece summarising and reflecting on the case, *Reflections of an intern: Awaiting landmark decision in UK Supreme Court case on parent company liability*.

In May 2019, IBAHRI took part in the consultation organised by the Geneva Academy of International Human Rights and Humanitarian Law, looking at strengthening the recommendations on ESCR in the Universal Periodic Review. IBAHRI highlighted



RESOURCES

- *Reflections of an intern: Awaiting landmark decision in UK Supreme Court case on parent company liability* tinyurl.com/ufx7bo7

its report on the Obligation to mobilise resources for the realisation of human rights and called on states to include recommendations on resource diversion and resource mobilisation, following the guiding principles of participation, transparency, non-discrimination, sustainability and effectiveness to during UPR process.

RULE OF LAW

As part of the International Bar Association, preserving the rule of law in order to guarantee universal human rights is central to the aims of the IBAHRI.

The IBAHRI partnered with the Law Society of the School of Oriental and African Studies (SOAS) in London in February to hold a panel discussion with three students from the region, namely Armenia, Azerbaijan and Georgia. The panellists shared their experiences and the challenges faced in their respective countries to uphold democracy and the rule of law.

The moderator, IBAHRI Programme Lawyer Jurate Guzeviciute, began the discussions with an overview of the three states and their human rights records under international and regional laws. The speakers then provided recent histories of their countries to give context to the ongoing political and legal challenges. They explored relations between the three states and the work being done to improve democracy and the rule of law.

This was followed by a side-event at the 40th session of the UN Human Rights Council in March on the rule of law in Turkey. The event was co-organised with the ICJ. On the panel were Michel Forst, UN Special Rapporteur on the situation of human rights defenders; Feray Salman, Coordinator of the Human Rights Joint Platform; Kerem Altiparmak, ICJ Legal Consultant; and Jurate Guzeviciute, IBAHRI Programme Lawyer.

During the discussions, Jurate highlighted the litany of legislative changes carried out during the state of emergency that expressly limit access to justice and threaten the rights of lawyers in Turkey. Lawyers' access to case files and indictments is limited, there are restrictions on defendants accessing lawyers, and if a client is in detention, their oral consultations with their lawyer can be conducted in the presence of a state official or police officer, or even recorded. Searches of lawyers' property may also be carried out without a court order. Since the attempted coup, more than 1,500 lawyers have been prosecuted, 600 arrested and 200 are facing lengthy imprisonment. One of the most common charges levied against lawyers is an act of terrorism.



PARTNERS

With thanks to:

- UN
- the Bar Human Rights Committee
- Human Rights House Foundation
- Lawyers for Lawyers
- Lawyers' Rights Watch Canada



Jurate Guzeviciute, joint SOAS panel on the Rule of Law, February 2019



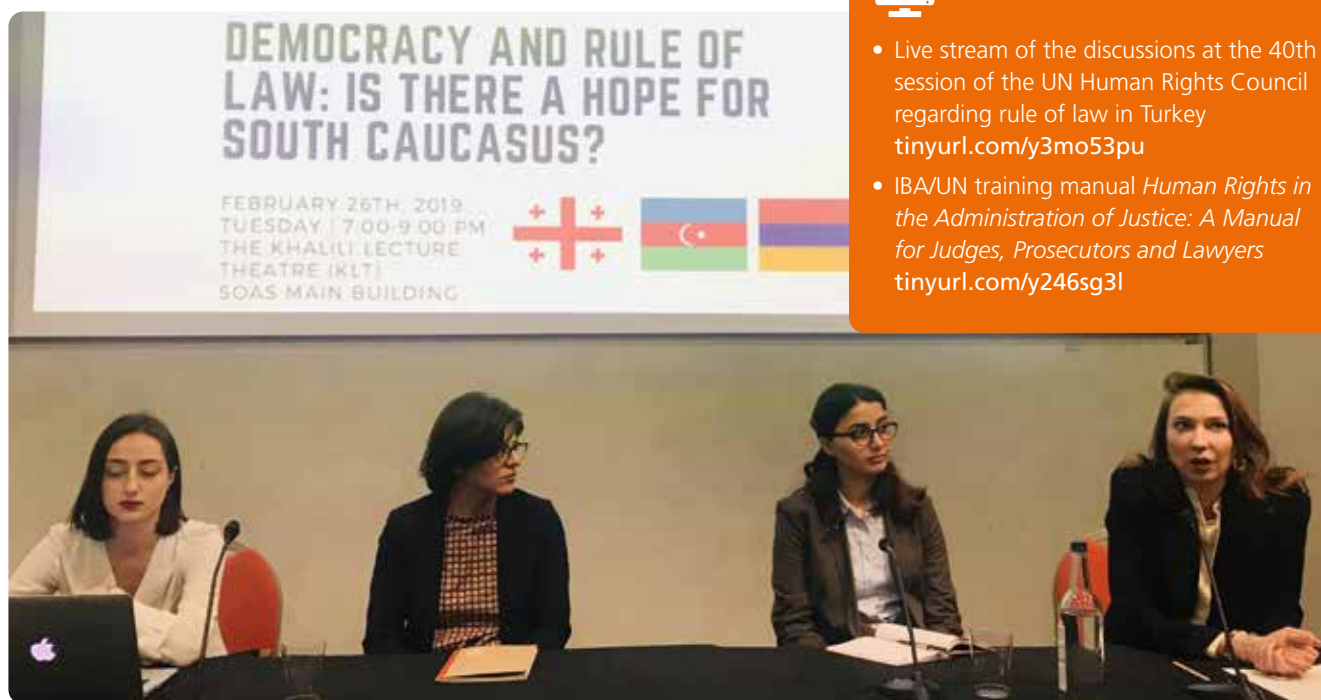
LOOKING FORWARD TO 2020

The IBAHRI will continue its work on the Toolkit for Lawyers at Risk, aiming to publish the Toolkit, as well as a Legal Digest and Directory, in early 2020.



RESOURCES

- Live stream of the discussions at the 40th session of the UN Human Rights Council regarding rule of law in Turkey tinyurl.com/y3mo53pu
- IBA/UN training manual *Human Rights in the Administration of Justice: A Manual for Judges, Prosecutors and Lawyers* tinyurl.com/y246sg3l



Jurate pointed out that while the failed coup marked a significant deterioration in the situation for lawyers in the country, many Turkish lawyers report that the challenges faced in engaging in human rights work are nothing new.

In May the IBAHRI hosted a side event at the IBA Mid-Year Meetings in Budapest on the role of lawyers in safeguarding the rule of law in Europe. Several speakers were invited to appear on the panel, including Judge Olimpia Baranska-Maluszek from Poland, lawyer András Kádár from Hungary and Judge Camelia Bogdan from Romania. The public event was organised by IBAHRI Programme Lawyer Jurate Guzeviciute and moderated by IBAHRI Director, Baroness Helena Kennedy QC. Jurate gave an overview of the IBAHRI's work across the region to uphold the rule of law.

Also in May 2019, at the International Legal Assistance Consortium (ILAC) Annual General Meeting – the IBAHRI Director, Baroness Helena Kennedy, moderated a public seminar entitled 'Pushing Back: Implementing Global Justice and Gender Goals in a Time of Closing Space for the Judiciary'. Speakers for this very interesting topic

included IBA Executive Director, Mark Ellis, Professor Staffan Lindberg, Director of the V-Dem Institute, Christina Blacklaws, President of The Law Society and Agneta Johansson, ILAC Executive Director.

The IBAHRI is continuing its work to produce an addendum to the IBA/UN training manual, *Human Rights in the Administration of Justice: A Manual for Judges, Prosecutors and Lawyers*. In addition to providing an update on the substance of the manual, the project also seeks to develop new chapters on relevant areas of law that have recently emerged, such as corporations and human rights and climate change and human rights.

The Institute continued its work on the development of a Toolkit for Lawyers at Risk. The work brings together a number of international human rights organisations working on the protection of lawyers. The Toolkit will include training and reference materials for lawyers to consult in regard to managing risks associated with representing clients.

Jurate Guzeviciute,
IBA mid-year
meetings, Budapest,
May 2019

UN PROGRAMME

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PARTNERS

- ICJ
- IDHUCA
- Law Council of Australia
- UPR Info
- World Organisation Against Torture, OHCHR

In 2019 the IBAHRI continued its advocacy, research and capacity-building work through its UN Programme in Geneva. Activities undertaken included:

- an oral statement to the 40th session of the UN Human Rights Council role of the UPR in advancing juvenile justice;
- a side event at the 40th session of the UN Human Rights Council, in partnership with the ICJ, on the rule of law in Turkey, with the Special Rapporteur on the situation of human rights defenders, Michel Forst, in attendance;
- a side event at the 42nd Human Rights Council in collaboration with Terre des Hommes titled 'Justice for Children; justice with Children', which celebrated 30 years of the Convention on the Rights of the Child;
- an oral statement on access to justice for persons with albinism during the interactive dialogue of the Independent Expert on albinism;
- an oral statement at the 42nd session of the UN Human Rights Council high-level panel discussion on the death penalty;
- oral statements to the UPR sessions of El Salvador and Kazakhstan; and
- side events at the 42nd session of the UN Human Rights Commission in Geneva on the criminalisation of dissent in China, and hosted 'Accountability for Syria: Current Trends'.

In addition, the IBAHRI continued training lawyers on UN human rights mechanisms. From 23–27 September, the IBAHRI, in partnership with IDHUCA, held a week of advocacy and capacity-building activities in Geneva with seven Salvadoran lawyers. Alongside IBAHRI facilitators, experienced practitioners from the World Organisation Against Torture, OHCHR and UPR Info worked with the participants on how to prepare engagement strategies before UN human rights mechanisms, with a focus on the forthcoming UPR of El Salvador in November. From 7–11 October IBAHRI Programme Lawyer Jurate Guzeviciute hosted a delegation of five Kazakh lawyers in Geneva to engage in advocacy efforts before the upcoming UN Human Rights Council session, where Kazakhstan was reviewed under the UPR system. During the week, the IBAHRI delivered training for the lawyers on the UN human rights system and available mechanisms, including the UN treaty bodies, Special Procedures and UPR.

The IBAHRI also engaged in work with the Special Rapporteur on the rights to freedom of peaceful assembly and of association. From 3–4 November the IBAHRI team led a two-day private expert consultation with the Special Rapporteur to discuss the role of lawyers in defending human rights in peaceful protests. The IBAHRI invited legal practitioners from 12 countries to discuss common obstacles encountered in providing legal assistance for victims of protest-related violence, arrest or detention. On

5 November the IBAHRI also held a side-event alongside the Special Rapporteur, titled 'Human rights in peaceful protest: lawyers at the forefront. A European perspective'.

On 21 November, in partnership with OSCE Office for Democratic Institutions and Human Rights and the office of the Special Rapporteur, the IBAHRI held a side event on the role of lawyers in ensuring the right to peaceful protest. Speakers outlined the broader challenges faced by lawyers in the region that were highlighted by lawyers from Azerbaijan and France. Following this, the IBAHRI participated in the OSCE's Supplementary Human Dimension Meeting on the Right to Freedom of Peaceful Assembly, to engage in the regional discussions on the freedom of assembly, and obstacles to its fulfilment.



RESOURCES

- IBAHRI oral statement at the Interactive Dialogue of the Independent Expert on Albinism, held during the 40th session of the UN Human Rights Council tinyurl.com/w2ypj3c
- IBAHRI statement on juvenile justice and the UPR at the 40th session of the UN Human Rights Council tinyurl.com/t793w4a
- Joint submission to the UN Human Rights Council's 35th UPR session on the independence of the judiciary in Turkey tinyurl.com/v8wtajd
- IBAHRI statements on attacks against lawyers at the 41st session of the UN Human Rights Council tinyurl.com/w4jwqdx and tinyurl.com/ulkn39k
- IBAHRI and IDUCHA joint statement on extrajudicial killings in El Salvador tinyurl.com/vwebdk5
- IBAHRI statement at the UN Human Rights Council's high-level discussion on the question of the death penalty tinyurl.com/y6b98o29



LOOKING FORWARD TO 2020

The IBAHRI will continue its advocacy work at the UN through participation in the UN Human Rights Council sessions and the delivery of statements to contribute to UPR sessions.

Delegation of Kazakh lawyers at the UN, Geneva, 2019

MEDIA, EVENTS AND PUBLICATIONS



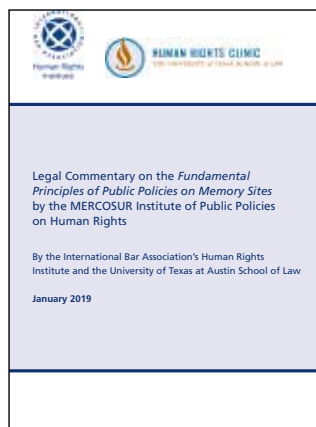
REPORTS AND OTHER PUBLICATIONS

- *Legal Commentary on the Fundamental Principles of Public Policies on Memory Sites by the MERCOSUR Institute of Public Policies on Human Rights* (published in Spanish and English), published in January
- *The Murder of U Ko Ni: IBHARI trial observation highlights fair trial concerns in Myanmar*, published in July
- *High-level Discussion on Forced Displacement and Demographic Engineering in Syria*, published in July
- *¿Dónde Están? Estándares internacionales para la búsqueda de personas desaparecidas forzosamente (Where are they? International standards for the search for forcibly disappeared persons)* (in Spanish with an Executive Summary available in English), published in July
- *Legal Guarantees and Due Process: 10 Years of the Afiuni Case (in Spanish with an Executive Summary available in English)*, published in December



NEWS RELEASES

To view all IBAHRI news releases for 2019, visit bit.ly/39iDj2G





WORKSHOPS/SIDE EVENTS/PANEL PRESENTATIONS

- **Baroness Kennedy delivered the keynote speech at a conference titled 'Gender Perspectives in Judicial Activity'**, which took place at the 3rd Regional Federal Court in Brazil in February
- **IBAHRI Senior Programme Lawyer Verónica Hinestroza participated in the second regional meeting on the UN Committee on Enforced Disappearances** in February, organised by Swiss Peace and the Heinrich Boll Foundation.
- **A discussion on democracy and rule of law in South Caucasus** in February.
- **A UN side event on the rule of law in Turkey** at the 40th session of the UN Human Rights Council, co-organised with the ICJ, in March.
- **A roundtable discussion with 25 judges and prosecutors on investigative interviewing and the use of pre-trial detention** in May, alongside a delegation from the ATI and the NPM of Paraguay.
- **A side event on the rule of law** at IBA Mid-Year Meetings in May.
- **A roundtable for the UK launch of Human Rights Watch's report *Lawyers on Trial: Abusive Prosecutions and Erosion of Fair Trial Rights in Turkey*** in May.
- **Recommendations to the OSCE on the prevention of torture** at the OSCE conference on 'Effective Multilateralism in the Fight against Torture' in Vienna, Austria in June.
- **A roundtable, chaired by Baroness Helena Kennedy QC, on an initiative to develop Universal Guidelines on Investigative Interviewing and Associated Safeguards** at the House of Lords in London in June.
- **IBAHRI Legal Consultant Fabio Cascardo participated in a panel discussion called 'the End of Torture'** on the Istanbul Protocol, hosted by the Public Defender's Office in Rio de Janeiro in August
- **An international advocacy meeting 'Professional Forum on the Future of Investigation: The Investigative Interviewing and Associated Safeguards for Thailand'** in September, organised by IBAHRI representatives together with the Thai Institute of Justice.
- **An oral statement on threats to lawyers in Azerbaijan, Kazakhstan and Tajikistan** at the OSCE Human Dimension Implementation Meetings in September.
- **An oral statement on judicial reforms in Poland and Hungary** at the plenary session of the OSCE Human Dimension Implementation Meeting in September.
- **Two side events addressing the dire situation of lawyers in the OSCE region**, held at the OSCE Human Dimension Implementation Meeting in September. The events addressed assaults on the legal profession in the region of Eastern Europe and Central Asia.
- **A statement at the 'High-Level OSCE Chairmanship Conference on Security Sector Governance and Reform'** fourth thematic conference in September, on the importance of aligning security measures with human rights standards.
- **A side-event titled 'Accountability for Syria: Current Trends'** at the UN Human Rights Committee's 42nd session in September.
- **A side event on 'Peaceful Assemblies and the Role of Lawyers'** at the OSCE's Supplementary Human Dimension Meeting in November. The event, held in Vienna, was run in collaboration with the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association and the OSCE Office for Democratic Institutions and Human Rights.
- **A panel event on 'Human Rights in Peaceful Protest: Lawyers at the Forefront'** on the importance of lawyers in the context of European protests, held during Geneva Peace Week in November.
- **Two meetings of the High Level Legal Panel on Media Freedom** at the IBA Head Office in London to decide the agenda of the Panel's work for 2020 in November.

GOVERNANCE

Established in 1947, the IBA is the world's leading organisation of international legal practitioners, bar associations and law societies. The IBA influences the development of international law and shapes the future of the legal profession throughout the world. It has a membership of over 80,000 individual lawyers and 190 bar associations and law societies spanning all continents. Grouped into two divisions – the Legal Practice Division (LPD) and the Public and Professional Interest Division (PPID) – the IBA covers all practice areas and professional interests, providing members with access to leading experts and up-to-date information.

The IBA established the IBAHRI in 1995 under the honorary presidency of Nelson Mandela, to promote and protect human rights and the independence of the legal profession under a just rule of law. The IBAHRI is an independent entity within the PPID of the IBA. IBAHRI projects are funded by the generous support of its members and funding bodies. Under the IBAHRI by-laws, the Institute is governed by an advisory council, known as the IBAHRI Council, comprising co-chairs, a vice-chair, secretary-treasurer, eight council members and one representative from the LPD, the IBA Section on Public and Professional Interest, and the IBA Bar Issues Commission.

Council 2019



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South Africa



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Legal Practice Division
Pekka Jaatinen *Finland*

Section on Public and Professional Interest

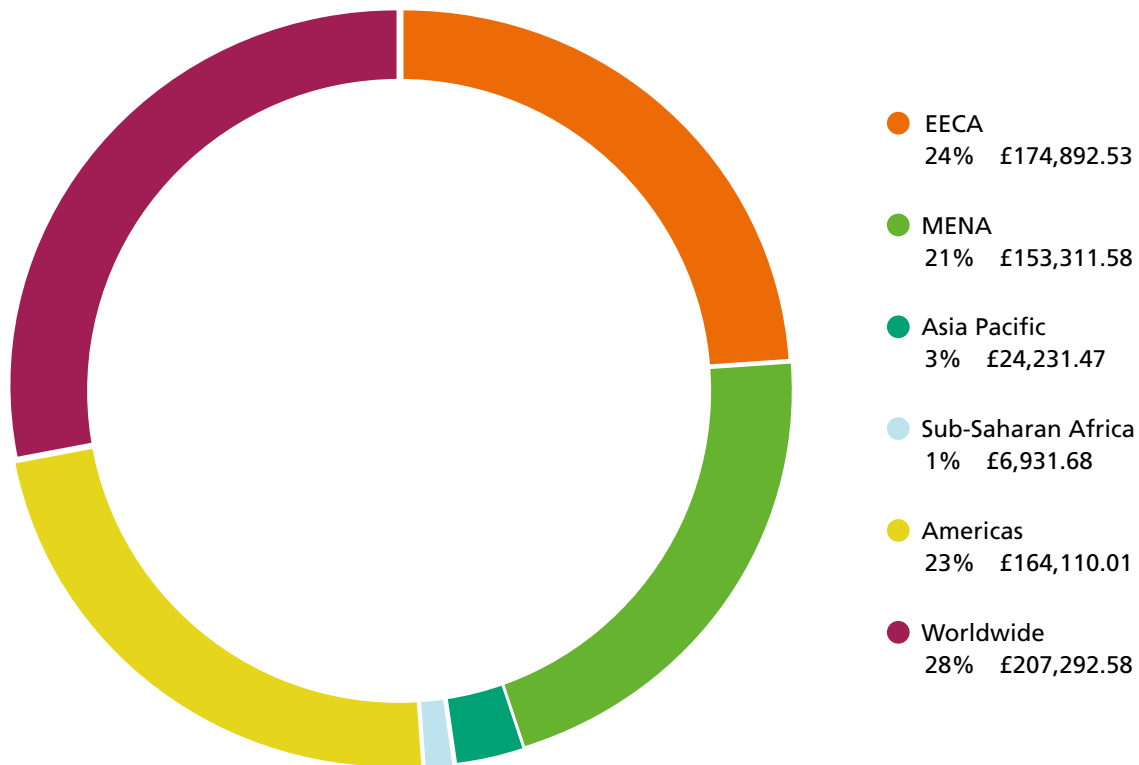
Federica D'Alessandra *England*

Bar Issues Commission

Berit Reiss Anderson *Norway*

FINANCES

EXPENDITURE BY REGION



EXPENDITURE BY THEMATIC AREA



| | | | | | |
|--------------------------------------|-----|-------------|-------------------------------------|-----|-------------|
| Independence of the legal profession | 41% | £301,633.15 | Equality and non-discrimination | 0% | £1,223.85 |
| Torture prevention | 15% | £110,353.64 | International human rights advocacy | 32% | £228,764.39 |
| Poverty and human rights | 1% | £6,931.68 | Media freedom | 11% | £81,863.14 |

DONORS

IBAHRI GRANTS BY NUMBERS

17

individual grants
awarded to the
IBAHRI

8

donors
in
2019

16

grant
applications
secured

37

projects and
programmes funded
by grants in 2019

The IBAHRI would like to thank the partners, supporters and funding bodies without whom we would be unable to do our work:

- Foreign & Commonwealth Office Baku
- International Bar Association
- International Bar Association's Human Rights Institute Trust
- International Laboratory Accreditation Cooperation
- OHCHR
- Open Society Foundations, Eurasia Program
- Sigrid Rausing Trust
- Swedish International Development Cooperation Agency
- UNESCO



All IBAHRI activities are funded by grants and individual donations. To help support our projects, become a member for just £40 a year – less than £4 a month.

MEET THE TEAM

Baroness Helena Kennedy QC *Director*



Baroness Kennedy officially took over from Philip Tahmindjis as Director of the IBAHRI in January 2019. Baroness Helena Kennedy QC is one of Britain's most distinguished lawyers. She has spent her professional life giving voice to those who have least power within the system, championing civil liberties

and promoting human rights. She also undertakes judicial review, public inquiries and sex discrimination work. She has acted in many prominent cases, including the Brighton Bombing Trial, Guildford Four Appeal, the bombing of the Israeli Embassy, the abduction of Baby Abbie Humphries and a number of key domestic violence and terrorism cases. In 1997 she was elevated to the House of Lords, where she is a Labour peer. She has published two books

on how the justice system is failing women, and has written and broadcasted on many other pertinent issues over the years. At the IBAHRI, as well as acting as Director, she has led on projects on the death penalty, sexual and gender-based violence, and LGBTI rights.

Perri Lyons Media

Administration Manager (Media Freedom Programme Manager from Nov 2019)



Perri manages the operations of the IBAHRI, working closely with the Director and IBA team. She leads on the development of all policies and procedures, risk management, General Data Protection Regulation compliance, programme planning and management, grant budgeting and reporting, as well as the recruitment and onboarding of IBAHRI staff. She manages the Administration team and all service provider relationships and contracts. Vice-Chair of Islington and Hackney Amnesty International Local Group, she coordinates and manages multiple outreach and fundraising events, driving engagement and raising funds to support Amnesty International's UK work. Perri holds a BA (Hons) in cultural and historical studies from the University of Brighton and is a PRINCE2 qualified practitioner. Before joining the IBAHRI, she worked at King's College London Students' Union, managing Projects, Operations and Sustainability.

Arabella Saucell *Temporary Programme Administrator (August – November)*

Arabella assists with the implementation of the IBAHRI's capacity-building programmes, fact-finding missions and trial observations, as well as supporting the IBAHRI legal specialist programmes. She also contributes to the creation of budgets for new funding proposals and supports financial grant reporting to donors. Arabella holds a BA in Events Management from the University of Sussex and previously worked as Project Coordinator for Roots Research.

Phil Chambers *Programme Lawyer*



At the IBAHRI, Phil covers the Middle East and Northern Africa region. After obtaining his Juris Doctor from the University of Ottawa, Phil completed his training as a Solicitor with Freshfields Bruckhaus Deringer LLP in Dubai. Following this, Phil worked in the Office of the Prosecutor at the Special Tribunal for Lebanon, concerning the trial of Rafic Hariri, former Prime Minister of Lebanon. Phil has also worked within the Canadian Government's Competition

Bureau working as a Law Officer. Previously to qualifying in law, he specialised in banking, government and international affairs in the MENA region. Phil speaks French, Spanish and Arabic.

Jurate Guzeviciute *Programme Lawyer*



Jurate is a lawyer with ten years' experience in national and international human rights, humanitarian and criminal law. At the IBAHRI, Jurate covers the Eastern Europe and Central Asia region, where she works with legal professionals and human rights defenders to

establish greater respect for human rights and the rule of law.

Before joining the IBAHRI, Jurate worked as a legal director at a human rights NGO in Lithuania, where she managed legal programmes and supervised litigation work. Jurate has led strategic litigation on domestic violence, discrimination, disability rights, inclusive education, rights of unaccompanied minors (illegal detention), hate speech and more. She has conducted research into rights of hate crime victims, gender equality and state-guaranteed legal aid.

Jurate has also worked with a defence team at the UN International Criminal Tribunal for the former Yugoslavia in the Hague, and interned at Directorate-General for European Civil Protection and Humanitarian Aid Operations at the European Commission in Brussels. Jurate speaks Lithuanian and Russian. She holds an LLM degree in public international law from Leiden University, the Netherlands, and a LLM degree from Vilnius University, Lithuania.

Alex Herlihy *Grants Coordinator* (maternity leave until September 2018)



Alex is responsible for developing relationships with the IBAHRI's funders, including trusts, foundations and institutional donors. She works with the IBAHRI programme lawyers and administrators to design and articulate the IBAHRI's project proposals. Prior to joining the IBAHRI, Alex worked at the John Smith Trust and the Open Society Foundations European Council on Foreign Relations. She holds an LLB from King's College London and has a Certificate of Higher Education in legal methods

from Birkbeck University. Alex is a contributor to the Bulletin of the European Human Rights Advocacy Centre. Alex speaks Polish.

Zara Iqbal *Programme Coordinator (promoted to Programme Lawyer in November 2019)*



As Programme Coordinator, Zara oversaw the IBAHRI's intervention letter, trial observation and legal internship programmes. In addition, Zara coordinated and provided support to the IBAHRI Director, the IBAHRI Council and Trust, and managed the IBAHRI's contribution to the IBA Annual Conference. Zara holds a BA in English studies and law, Graduate

Diploma in Law (GDL), LLM in human rights, globalisation and justice and in 2019 completed her studies at the Bar of England and Wales. Following the completion of her qualifications, Zara was promoted to work as Programme Lawyer, and now leads the Media Freedom project. Zara speaks Punjabi and Urdu.

Aurora Garcia *Programme Administrator*



Aurora assists with the implementation of the IBAHRI's capacity-building programmes, fact-finding missions and trial observations, as well as supporting the IBAHRI's legal specialist programmes. She also contributes to the creation of budgets for new funding proposals and supports financial grant reporting to donors. Aurora holds a BA in tourism from the University of Girona. She also completed Florida State University's International Human Rights Law course, attended training on European Union funding and took a course on 'Managing the Project Cycle' at Bond. In 2018 she was awarded a Certificate of Distinction for her participation in the course 'Environmental Security and Sustaining Peace' by SDG Academy. Aurora speaks Catalan and Spanish.

Becky Kelly *Grants Coordinator*

Becky's primary focus is working alongside Alex to develop relationships with the IBAHRI's funders, including foundations, charitable trusts and institutional donors, within and outside of the UK. She also works collaboratively with the IBAHRI programme lawyers and administrators to design and develop IBAHRI project proposals across all of the IBAHRI's thematic and geographical programming. Becky is an experienced charity grant fundraiser for projects in the UK and overseas, with a Master's degree in sustainable development advocacy.

Marianne Ibrahim *Grants Accountant*

Marianne works closely with the IBAHRI in accounting for grant expenditure, monitoring of project budgets, cost controls, and the production of final and interim reports for the IBA's grant funders. Marianne worked in a number of accounting roles before starting to work with GLL, the UK's largest leisure trust, in 2004. While at GLL, she began studying for her Association of Chartered Certified Accountants qualification, which she gained in 2011.

Muluka Miti-Drummond*Deputy Director (until November 2019)*

Muluka heads international advocacy at the IBAHRI, including through managing the IBAHRI's representation at the UN in Geneva. She is also responsible for the IBAHRI's engagement in Myanmar and sub-Saharan Africa, as well as coordinating the thematic work on the death penalty and albinism. She holds a Bachelor of Laws (LLB) from the University of Venda, an LLM in international law from the University of Pretoria, and a Master of Science (MSc) in development management from the Open University. She has over 18 years' experience working in law and human rights. Muluka previously worked as the Regional Advocacy Director at the Southern Africa Litigation Centre and has also worked as the Researcher for Portuguese and Spanish-Speaking African Countries at Amnesty International, a consultant for the International Organisation for Migration and as a legal expert at the Universidade Católica de Moçambique. She speaks Portuguese and Spanish.

Verónica Hinestroza *Senior Programme Lawyer (Consultant as of December 2019)*

Verónica manages the IBAHRI's work in Latin America. Verónica's thematic work has a particular focus on human rights in the administration of justice. Mainstreaming a gender perspective, she designs and implements projects on torture prevention, the investigation of enforced disappearances and post-conflict justice. Verónica also serves as a member of the Steering Committee for the development of a

Universal Protocol for Investigative Interviewing and Associated Safeguards, and as Chair for the Purposes and Principles of Investigation Research and Drafting Committee of the Esperanza Protocol.

For 14 years before joining the IBAHRI, Verónica worked with intergovernmental organisations, NGOs and international cooperation agencies on a range of human rights issues across different jurisdictions, including the Inter-American Human Rights System, the International Criminal Court, and the Colombian justice and peace process. In

parallel to this work, Verónica was a researcher and lecturer on transitional justice at the Universidad Externado de Colombia.

She has published works addressing comparative transitional processes, child soldiers, women's empowerment in conflict settings, and the links between social development and human rights law. Verónica holds an LLM in International Human Rights Law from the University of Essex, a Master of Arts (MA) in development studies, and a BA in government and international relations. Verónica speaks Portuguese and Spanish.

Cinderella Al Hosmi *Programme Administrator*

Cinderella assists with the implementation of the IBAHRI's capacity-building programmes, fact-finding missions and trial observations, as well as supporting the IBAHRI legal specialist programmes. She also contributes to the creation of budgets for new funding proposals and supports financial grant reporting to donors. Cinderella holds an MA in Education and International Development from University College London. Prior to joining the IBAHRI, she worked as a Research Assistant at the Institute for Global Prosperity and at the Danish Refugee Council.

Nadia Ismail *Programme Administrator (from November 2019)*

Nadia assists with the implementation of the IBAHRI's capacity-building programmes, fact-finding missions and trial observations, as well as supporting the IBAHRI legal specialist programmes. She also contributes to the creation of budgets for new funding proposals and supports financial grant reporting to donors. Nadia holds a BA in History from the University of Glasgow. Prior to working at the IBAHRI, Nadia worked in Berlin at the International Organization for Migration.

Molly Johnson *Programme Administrator (until August 2019)*

Molly assists with the implementation of the IBAHRI's capacity-building programmes, fact-finding missions and trial observations, as well as supporting the IBAHRI legal specialist programmes. She also contributes to the creation of budgets for new funding proposals and supports financial grant reporting to donors. Prior to joining the IBAHRI, she worked at a foreign policy think tank and published an article on British self-interest within the arms trade. Molly holds a BA in History from the University of Leeds and is soon to be studying for her MA in human rights law at SOAS. Molly has a keen interest in postcolonial justice and global migration within the sex industry. She has been learning Arabic for three years.

**CONSULTANTS,
TRIAL OBSERVERS
AND RAPPORTEURS**

With special thanks to the consultants, rapporteurs and trial observers who have supported our work throughout 2019:

- Helene Ramos dos Santos
- Fabio Cascardo
- Maria Clara Galvis Patino
- Maria De Lezcano-Mujica Gonzalez
- Nadim Houry
- Muleya Mwananyanda
- Fabio de Sa e Silva
- Vafa Fati-Zada
- Arnau Baulenas Bardia
- Claudia Elizabeth
- Oleg Kozyrev
- Nwe New Lwin
- Ibrahim Olabi
- Emily Patterson
- Kari Rotkin
- Dilrabo Samadova
- Daniel Vollmer
- Lejla Hadzimesic
- Arlette Magaly Barahona
- Heidi Abuchaibe



IBAHRI Interns © IBA 2019



INTERNS 2019

We are extremely grateful to all the interns who participated in the 2019 internship programme, providing a remarkable contribution in supporting the IBAHRI staff and projects.

Rebecca Bakos-
Blumenthal

Stylianios Pallas

Andrea Pelliconi

Anja Bossow

Marina Saldana

Nako Edisherashvili

Johanna Selberg

Jack LeGresley

Rushnay Sikander

Laura de Leeuw

Malu Stanchi

Shpresa Neziri

Daniel Vollmer

Irem Ozgur

IBAHRI interns are based in the IBA London office on voluntary placements and work on a range of research and IBAHRI programmatic tasks.

To find out more about the IBAHRI internships and how to apply, visit: tinyurl.com/IBAHRIInternshipProgramme



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Clockwise from top:
 IBAHRI Director Baroness
 Helena Kennedy QC and IBAHRI
 Co-Chair Anne Ramberg Dr jur
 hc, Brazil, February 2019;
 London Legal Walk, May 2019:
 IBAHRI Senior Programme
 Lawyer Jurate Guzeviciute and
 delegation of Kazakh lawyers,
 Geneva, June 2019;
 IBAHRI Senior Programme
 Lawyer Verónica Hinestroza
 and Agnes Callamard, Geneva,
 June 2019.



Left to right: Aurora Garcia (IBAHRI Programme Administrator), Muluka Miti-Drummond (IBAHRI Deputy Director), Dr. Chipasha Mulenga (Dean of the School of Law, University of Lusaka), Hon. Given Lubinda (Minister of Justice), Karen Chipita and Bwembya Ng'omalala (prize winners). Zambia, October 2019

Zambian legal students, Zambia, October 2019.



IBAHRI Programme Lawyer, Phil Chambers, Sarajevo, July 2019.





The High Level Panel of Legal Experts on Media Freedom. Seated (L-R): Baroness Helena Kennedy QC, Lord Neuberger of Abbotsbury, Ms Amal Clooney, Lord Ahmad of Wimbledon, Baroness Francoise Tulkens.

Standing (L-R): Professor Kyung-Sin Park, Ms Galina Arapova, Professor Dario Milo, Professor Can Yeginsu, Ms Catherine Anite, Mr Nadim Houry, The Honourable Irwin Cotler, Judge Robert D Sack.

GQUAL side event, Geneva, September 2019.





From the top:

Tunisian training participants, Tunis, April 2019.

Azerbaijani legal students, Tbilisi, May 2019.

London Legal Walk, June 2019.



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