



**United Nations Human Rights Council  
43rd Regular Session  
24 Feb.- 20 March 2020  
Agenda Item 3**

**General Debate (Item 3)**

**Joint oral statement presented to the 43rd session of the Human Rights Council by the  
International Bar Association's Human Rights Institute and the Law Council of Australia**

**6 March 2020**

Mme. President,

The International Bar Association's Human Rights Institute and the Law Council of Australia are deeply concerned by the use of counter-terrorism and national security measures to repress and deter human rights lawyers for undertaking their work.

In China, the systematic repression of human rights activists and lawyers accused of subverting state power steadily continues. Following a private gathering of activists in Xiamen, in early December 2019, Chinese authorities initiated a large-scale crackdown, in multiple provinces, against citizen activists and human rights lawyers, accused of subverting state power. More than 20 citizen activists and human rights lawyers have been arrested, summoned, or have gone incommunicado, while others are kept under Residential Surveillance at a Designated Location (RSDL).<sup>1</sup> At the same time, the allegations of crimes against humanity perpetrated against the Uighur minority, in a supposed fight against extremism, urgently require a UN-led independent investigation in the country.

In Turkey, against the background of anti-terrorism legislation unduly restricting human rights,<sup>2</sup> Mr Ramazan Demir, alongside other human rights lawyers, is currently facing criminal charges and disciplinary proceedings that stem from his work representing 46 other lawyers arrested for allegedly working for, or belonging to, a terrorist organisation.<sup>3</sup>

In the Philippines, we remain concerned by the inaction of national authorities to investigate the extra-judicial killings of more than 27'000 people in the "war on drugs", among which 50 lawyers have perished for representing clients accused of terrorist or drug-related crimes.<sup>4</sup>

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<sup>1</sup> Latest media coverage: <https://www.npr.org/2020/02/17/806584471/rights-activist-xu-zhiyong-arrested-in-china-amid-crackdown-on-dissent>, <https://www.bbc.com/zhongwen/simp/chinese-news-51527541>, <https://www.scmp.com/news/china/politics/article/3051000/chinese-police-detain-fugitive-rights-activist-xu-zhiyong>, <https://www.theguardian.com/world/2020/feb/17/chinese-activist-arrested-xi-jinping-clueless-coronavirus-xu-zhiyong>, <https://www.reuters.com/article/us-china-rights-activist/china-legal-activist-who-called-on-xi-to-give-way-arrested-activists-idUSKBN20C03J>.

<sup>2</sup> UN High Commissioner updates the Human Rights Council on human rights concerns, and progress, across the world, 27 February 2020, <https://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=25621&LangID=E>.

<sup>3</sup> 'Turkey: IBAHRI calls for adherence to the rule of law in support of human rights lawyer Ramazan Demir', 28 February 2020, <https://www.ibanet.org/Article/NewDetail.aspx?ArticleUid=d8867226-285e-4884-ba7d-c2b098a0d8ca>

<sup>4</sup> Open letter to the Integrated Bar of the Philippines from the International Bar Association's Human Rights Institute (IBAHRI), 17 February 2020, <https://www.ibanet.org/Article/NewDetail.aspx?ArticleUid=9694729e-80a1-4cfd-9293-9fd2c4592787>

2020 marks the 30th anniversary of the adoption of the UN Basic Principles on the Role of Lawyers.

On this occasion, we call on the Human Rights Council to urge States to:

- **respect** the independence of the legal profession and the corresponding immunities and guarantee<sup>5</sup> that lawyers shall not be identified with their clients and/or causes;<sup>6</sup>
- **protect all** lawyers in their professional functions, including those who are called to act for unpopular persons or persons whom a Government alleges to have broken the law; and
- **ensure** that these principles are not curtailed by any legislation or measure purporting to protect national or international security interests.

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<sup>5</sup> Basic Principles on the Role of Lawyers, Principle 20.

<sup>6</sup> Ibid. Principle 18.