

**2011-2012 Activity Report
FOR JUSTICE TO BE DONE**

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Much progress has been made since the time the founders had to create everything and put everything in motion, whether it be building an organization or putting programs and funding together. This path was marked with great achievements, which is particularly true for the past year.

Message from the President of the Board of Directors and from the Executive Director

Lawyers Without Borders Canada (LWBC) has been working towards justice and human rights for the most vulnerable groups throughout the world for 10 years now. Within these 10 years there have been hundreds of people who have lent their efforts towards our cause: volunteers, cooperating partners, as well as local staff within the Quebec headquarters. LWBC has grown remarkably in these 10 years and our achievements in the last year in particular show how far LWBC has come since its inception.

This annual activity report covers the period from 1 July 2011 to 30 June 2012. The concrete results achieved within the scope of this year have come with great timing for the 10 year anniversary of LWBC. In the fight against impunity there have been some great successes within the courts. In Guatemala, four soldiers were sentenced for their participation to the massacre of over 200 civilians in the community of Las Dos Erres in 1982. This was a conviction that was further upheld on appeal. A fifth soldier was also convicted after an additional trial was initiated for the same massacre. Furthermore, former general Efraín Ríos Montt, who led the country at the time of the massacre, was arrested and accused of genocide. Montt is now facing the courts in relation to this massacre. In Colombia, the former Head of Security Jorge Noguera, was sentenced for his involvement in criminal activity which included a murder involving paramilitary members. In addition, former Colombian colonel Luis Alfonso Plazas Vega was convicted in relation to a number of forced disappearances which occurred during the assault on the Bogotá courthouse in 1985.

These achievements were made possible by the local partners of LWBC and the active support of our group.

In the area of access to justice, LWBC established a justice centre in the IDP camp of Champ de Mars in Port-au-Prince and dispatched mobile teams to remote areas to further assist other IDP camps. As a result, hundreds of Haitians received free front line legal aid and assistance. These services were offered by a social worker, a lawyer and a Haitian jurist, with the unswerving support of LWBC.

Further information can be found in relation to these matters within this report.

Times have been particularly tumultuous over the last year in many of the areas where our programs have been implemented. In addition to the number of upheavals in the countries where we operate, some overall trends are worrying. These include the continued attacks against civil society organizations, human rights defenders, some cautioned by authorities, which call into question the rule of law.

It is within this context that LWBC's work is more relevant today than ever.

However, the current economic climate has had its impact upon organizations such as ours. It is well known that, similar to other NGOs, the working conditions of LWBC are difficult, particularly on the

financial side. We thus continue to rigorously manage our funding and strive to maximise our results within the budget; diversifying our funds has become a major priority.

In a sense, the support of our donors and partners more necessary than ever. We take this opportunity to thank all those who have contributed to the cause of LWBC. We also take this opportunity to thank all of our skilled members – local and international volunteers, local partners and local staff who make our work possible. To all those who have assisted LWBC in achieving its mission: Thank you!

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2002

In the spring of 2002, Dominique-Anne Roy meets with the president of LWB France and returns to Quebec with the idea of starting a branch in Canada. During the summer a handful of lawyers then joined the initiative and in October 23, Roy, along with Pierre Brun and Pascal Paradis, became the first founding members of the then called *Avocats sans frontières Québec* (Lawyers Without Borders Quebec).

2003

The first international mission takes place in the spring of that year, in collaboration with colleagues from LWB France.

The first international volunteers of LWBC leave for Afghanistan, Nigeria, Colombia and Sierra Leone for short-term mandates. During this mission, LWBC actively contributes to reversing the conviction of young Nigerian Amina Lawal, who was to be stoned to death for having a child out of wedlock.

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10 years of Lawyers Without Borders Canada

"10 years ago, I was like many others, seduced by the opportunity to make a difference in the lives of people facing repressive regimes, in the fight against impunity, and in assisting lawyers who do not give up in the struggle to safeguard human rights.

I came out upset, changed, grown and a better person as a result. When I left for Africa to defend a young woman sentenced to death by stoning, my comfortable Canadian lawyer universe was blown to pieces. Standing in the dust, in a hot court of law presided over by nine Islamic judges, made very real a situation that otherwise would have been regarded as incomprehensible. When I met this poor woman, and when I was given the privilege of working with the Nigerian lawyer who risked her own life to defend her, I was proud to be a lawyer. To this day this pride has not left me. The small group that we once were has evolved into a surprisingly efficient organization full of dedication and ingenuity. The total commitment of my friend Pascal Paradis played a big role and I wish to pay him tribute here. The transition from idea to action, action to organization and then to consolidation was not a coincidence, but a work whose intensity was matched only by the skill and intelligence of women and men who took part. It is on this note that I also pay tribute to all those who participated in this adventure and who continue to do so with love and conviction."

Pierre Brun,
Founding member of LWBC

2004

LWBC receives its first grant from the Canadian International Development Agency (CIDA) for its 2004–2005 training and protection program for the defence lawyers of Colombia. LWBC is now managed by a Board of Directors and Executive Committee on a volunteer basis. LWBC also launches the official website for the organization.

2005

Activities in the field are intensified with fifteen missions mainly in Afghanistan, Colombia and Nigeria. LWBC then holds its first major public engagement activity in Canada, a one-day seminar entitled 'Colombia 2005, the legal profession at a glance', which takes place in Montreal. The organization still does not have an office or equipment and relies on its first full-time support: Pascal Paradise who becomes the Executive Director at this time.

2006

The Honourable Claire L'Heureux-Dubé, retired judge of the Supreme Court of Canada, becomes President of LWBC. LWBC concludes a partnership with the Centre for Study and International Cooperation (CECI) and World University Service of Canada (EUMC) and begins its support and training activities in Haiti. In Nigeria, LWBC, alongside its local partners, supports cases of illegal detention and summary convictions.

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2007

In conjunction with the American Association of Jurists, LWBC publishes its first international report regarding the situation faced by lawyers in Colombia. LWBC's first university group is founded at the Faculty of Law of Université Laval. LWBC's international activities revolve around Nigeria, Colombia and Haiti.

2008

LWBC organizes a coalition of world organizations and leads a wide public campaign for the repatriation of Omar Khadr to Canada. LWBC also obtains its first major programmatic funding from the Department of Foreign Affairs and International Trade Canada (DFAIT) for financing a program on access to justice for Aboriginal communities and victims of the conflict in Colombia. LWBC holds its first benefit concert with a number of judges and lawyers getting on the stage of Club Soda in Montreal for the support of LWBC.

2009

LWBC opens its first office in Quebec with two full-time employees and three people in total at the headquarters. LWBC enters the proceedings as an intervener at the Supreme Court of Canada in the case of Omar Khadr, together with the Bar Association of Quebec and the Student Law and Liberties Group of Université Laval. In Colombia, LWBC is particularly active in support of its partners in strategic litigation and human rights training.

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"Words cannot adequately describe the immense efforts made in bringing a project together but it calls for a very noble sentiment, solidarity. There was indeed a lot to do in terms of convincing people to invest time outside their own demanding professional engagements. Share legal experiences, build

bridges and expose common goals. Remind everyone again and again that the rule of law is prevalent and that any accused person has the right to defence. Be moved by the often appalling conditions in which our colleagues practise law. Be open to different visions of justice. Be stirred. Be indignant. Believe.

It is the members of LWBC and its volunteers who, with their unwavering faith, reminded us of the relevance of our action. These men and women have helped shape this organization. This decade and its long trail of successes belong to them. Many thanks. "

Dominique-Anne Roy,
Founding member, LWBC

2010

Following the earthquake, LWBC implements a justice program in Haiti with the support of the Quebec Bar and DFAIT. LWBC also commences a program to strengthen legal representation in strategic litigation of human rights in Guatemala with the establishment of a firm of specialized lawyers. LWBC opens offices in Guatemala and Haiti. New projects are carried out in Colombia in regards to promoting the jurisdiction of the International Criminal Court, in collaboration with ASF Belgium and the support of the European Union. ASFC is now made up of ten full-time employees.

2011

LWBC office opens in Colombia. LWBC supports a collective against impunity in pursuit of Jean-Claude Duvalier in Haiti. Historic victories are achieved by LWBC's main partner in Guatemala in the case of the massacre of the community of Las Dos Erres. Equally historic victories are achieved in Colombia against senior officials of human rights violations.

2012

Further successes are achieved before national and international courts for the partners of LWBC in Colombia and Guatemala. Juveniles held in pre-trial detention in Haiti were released through the work of LWBC. The organization now has a team of forty employees in its four offices as well as over 200 volunteers and contributors from various countries. LWBC celebrates its tenth anniversary.

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Areas of Intervention

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Civil and Political Rights

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Support for Human Rights Lawyers: for Justice to Be Done

Through several of its projects, LWBC supports its partners in implementing civil and political rights enshrined, in particular, in the International Covenant on Civil and Political Rights. LWBC provides its support in areas which include strategic litigation, access to justice and protecting the rights of lawyers to practice freely. Through this support, lawyers are able to achieve civil rights for individuals and groups including the rights to life, liberty, security, freedom of thought and expression as well as freedom of assembly and association.

Within the LWBC countries of intervention, lawyers often face threats to their professional practice, integrity and even their lives, causing direct impacts upon access to justice for vulnerable individuals and groups. LWBC is particularly active with respect to judicial guarantees, ensuring the representation of vulnerable people by independent legal counsel and ensuring that the principles of fair trial are upheld.

The Defamation Campaign Against Human Rights Lawyers

CAJAR (Lawyers Collective José Alvear Restrepo) is a Colombian group of human rights lawyers and a partner of LWBC. In the fall of 2011, CAJAR was the target of a number of offensive and defamatory statements for its role as a representative for the victims of the Mapiripán massacre in Colombia. In relation to its involvement, a number of government officials publicly stated that CAJAR had incited victims to lie and had sought illicit gains. As a result of these statements, CAJAR suffered some of the worst forms of media scrutiny throughout its 30 years of existence. These statements were unfounded and unsubstantiated and were made to delegitimize and publicly criticize the work of CAJAR as well as putting into question their ethics and credibility.

Further to this, the statements contravene the presumption of innocence as well as several of the Basic Principles on the Role of Lawyers, as adopted in 1990 by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. It is within these circumstances that international solidarity is crucial. LWBC has denounced the attacks and intervened issuing a statement to Colombian authorities as well as advising other parts of the Canadian legal profession to do the same.

Economic, Social and Cultural Rights

Human Rights and Economic Activity, a Crucial Agenda for LWBC

It is well known that the globalization of economic activity has had an impact upon human rights. For example, it has now become a fundamental component of the economies of many South American countries that the direct management of natural resources promote and support the agenda of private companies. Despite free trade agreements, the impact of the implementation of the 'northern business' has had significant economic, social and cultural repercussions. In this context, human rights concerns that arise in parallel with economic activity and the issues of "corporate social responsibility" have become more relevant than ever.

LWBC is dedicated to ensuring that the appropriate rules are discussed, implemented, established and well known, and that all stakeholders, especially marginalized communities such as indigenous peoples, are able to participate in the dialogue, consultation and decision-making and to ensure that their rights and interests are protected.

Marmato

There is a major social conflict raging now in the Marmato community in Caldas, Colombia where a Canadian mining company plans to open a huge open pit mine. Opponents of the project say it could lead to the complete destruction of the village and a relocation of its population, the majority of whose members work as artisanal miners. Those opposed to the mine have limited resources and live in a climate of oppression and insecurity. An example of this oppression is the assassination of Marmato

priest, Father José Restrepo, in September 2011, only a few days after he made a public stand against the mining project.

Gold mining also affects the environment. According to a number of human rights activists opposed to the open pit mine, the mining company could pose a high environmental risk as well as the contamination risk that mining decanters pose to the environment.

LWBC went to Marmato on a mission with its partner, CAJAR. As a result of the mission, LWBC and CAJAR were able to provide financial support for the Colombian organization *Tierra Digna*, thus enabling this group to participate in the hearings of the Inter-American Commission of Human Rights (IACHR) on March 28. The lawyers for *Tierra Digna* were able to present an analysis of the IACHR regional impacts of mining industries on human rights.

Strategic Litigation

Using the Law to Fight Against Impunity and Change a Society

Strategic litigation of human rights is to conduct emblematic human rights cases within national and international courts in order to create influential precedents in favour of human rights. The conduct aims to make an impact by testing legal structures, strengthening existing judicial institutions, supporting the development of legislation and interpretation of the law with respect to human rights as well as fuelling public debate and civic education in regards to human rights issues. Strategic litigation can promote changes in social behaviour as well as cultural and institutional changes for human rights.

Over the past year, LWBC has been actively involved in a number of emblematic human rights cases which have resulted in some significant achievements in Guatemala and Colombia, while contributing also to the commencement of strategic litigation in Haiti. The successes demonstrate that it is possible to enhance justice and social peace through strategic litigation and put an end to impunity for crimes and atrocities, even when such crimes have been committed decades ago.

Colombia

Through its partnership with CAJAR, LWBC contributed to the advancement of emblematic cases in Colombia.

- On September 14, 2011, Jorge Noguera was sentenced to 25 years in prison for having maintained, as Chief Administrator for the Department of Security of Colombia (DAS), links to leaders and members of paramilitary group, the United Self-Defense of Colombia (AUC). Noguera was found to have assisted this paramilitary group with their criminal dealings. The Supreme Court has recognized that Jorge Noguera provided lists to the AUC of people who were then subsequently assassinated. Noguera was guilty in particular for the assassination of sociologist Alfredo Correa Andreis. His conviction was upheld on appeal.
- On 30 January, 2012, the Superior Court of Bogotá confirmed the appeal of the 30 year sentence of retired Colonel Luis Alfonso Plazas Vega for his involvement in the forced disappearances of 11 people during a military operation to regain control of the Bogotá courthouse after being attacked by the M-19 guerilla group in November 1985.

Guatemala

Through collaboration with its team in Quebec and Guatemala, LWBC was able to provide financial, material and technical support to the Guatemala human rights legal office. The Guatemala office has been able to represent victims and their families and have since won several cases for their clients.

- In two decisions issued in August 2011 and March 2012 by a Guatemalan court, five former military officials responsible for the massacre of Las Dos Erres were convicted after a long legal battle. The defendants were sentenced to over 6000 years in prison for torture, rape and murder of over 200 civilians and other crimes against humanity. This was a historic decision both nationally and internationally.
- On the 6th of September, 2011, Héctor Mario López Fuentes, former Chief of Staff of the Army of Guatemala, has been indicted for genocide and crimes against humanity. He was found to be the intellectual author of the murder of more than 300 indigenous Mayans in the Ixil community of Guatemala.
- On the 26th of January, 2012, José Efraín Ríos Montt, former Head of State for Guatemala, appeared in a preliminary hearing facing charges of genocide and war crimes against Mayan communities. These crimes in particular include 11 killings and 485 rapes of women and children and the forced displacement of over 19,000 people.
- The accused people in the Guarcax case must serve between 100 and 376 years in prison for kidnapping. In addition, the memory of Lisandro Guarcax, the leader and defender of the Mayan culture, will be honored in a posthumous tribute highlighting the work of the man who fought all his life for the heritage of the community.
- Five former members of a paramilitary force were sentenced to 30 years in prison for each of the 256 murders and 30 additional years for crimes against humanity in the case of the Plan de Sanchez massacre.

LWBC has been heavily involved in the preparation for the hearing of the case of *Diario Militar* in the Inter-American Commission on Human Rights (IACHR). This case focuses on an official list of 183 people who disappeared at the hands of security forces in Guatemala between 1983 and 1985, a document which proves the systematic state of repression during the armed conflict.

Haiti

Since the return of Jean-Claude Duvalier in Haiti, LWBC has supported the collective against impunity which includes victims who have filed complaints against the former dictator for violations of human rights and crimes against humanity committed under his regime. The judge has agreed to try Duvalier for his economic crimes but has refused however to try Duvalier for his crimes against humanity. Members of the collective against impunity have now brought an appeal in collaboration with LWBC. Members of LWBC have participated in the preparation of a thesis argumentation (*amicus curiae*) in collaboration with the Open Society Justice Initiative of the Soros Foundation in relation to this case.

Access to Justice

Practical Ways to Improve Access to Justice for Vulnerable Haitians

The LWBC program in Haiti is working towards implementing local justice, an urgent need in Haiti, whilst laying the foundations for the reconstruction of the justice system. The objective is to enable victims of the earthquake of January 2010, as well as other vulnerable Haitians, to access legal aid services and legal assistance through a center for justice as well as decentralised units.

Sant Jistis

The Justice Center (Sant Jistis Creole), located in the Champ de Mars in downtown Port-au-Prince, provides services to meet the needs of Haitians. The Justice Center was built directly in front of a large IDP camp where there are numerous people living in difficult conditions. For nearly a year now, lawyers, jurists and Haitian social services have provided legal aid and legal assistance in a multidisciplinary approach, taking into account the special needs of these vulnerable groups. For LWBC, due to the complexity of the situation following the earthquake, additional support is required in the area of psychosocial factors when carrying out its intervention and legal support.

The legal consultations are provided free of charge. A person will receive a "diagnosis" of the legal problem encountered, whatever it may be, and will be advised on the steps to follow for its resolution. Interventions before the courts may also occur and assistance may be provided in different forms, ranging from supporting an application to leave an abusive relationship to providing support to a civil party in a criminal matter.

Decentralized Units

The purpose of the decentralized units is to facilitate access to services for people displaced in Tabarre and Delmas. One day per week, a group will provide legal aid and assistance to people living in camps nearby.

Five young people living in an IDP camp and accused of conspiracy were released quickly with the intervention of LWBC who was able to demonstrate to the government prosecutor that their actions did not meet the elements of the offence. The accusation was, in fact, an attempt to intimidate and lead to an evacuation of the camp which is on private land.

A rape victim represented by LWBC's civil judicial assistance service saw her attacker sentenced to five years in prison and ordered to pay a hundred thousand gourds in damages.

International Justice

International Criminal Law to Punish those Responsible for Serious Violations of Human Rights

The International Criminal Court (ICC), created by the Rome Statute, is the result of a consensus of the international community to fight against impunity for international crimes. It embodies a great hope for the victims who seek a means to obtain justice and reparation.

Based in The Hague, Netherlands, its mandate is to pursue perpetrators of the most serious crimes. In line with the principles of complementarity, the court is allowed to intervene only in cases of inaction, inability, or unwillingness. It recognizes the responsibility of the legal system in each state to judge perpetrators of serious crimes.

The Work of LWBC

Through its project of promoting and reinforcing the Rome Statute in Colombia, LWBC is working towards access to justice and restoration of the dignity of victims of crime, prosecution of violations of human rights and promotion of national and international human rights standards. Through seminars, training sessions, round table discussions and public forums, LWBC has raised awareness about the existence of national and international institutions that promote the prosecution of international crimes and the respect for fundamental rights. LWBC has also provided support for victims who wish to be represented before these institutions.

LWBC supports the work of groups of lawyers who represent victims of crimes within the jurisdiction of the International Criminal Court. LWBC also acts as a trial observer for international crimes and offers free legal advisory services to organizations that help victims of international crimes within the regions in which it currently operates.

A report that raises questions

In an analytical report launched at The Hague in the Netherlands in May 2012, LWBC was particularly attentive to the application in Colombia of the principle of complementarity. LWBC investigated the progress of legal proceedings concerning extrajudicial executions committed by members of the military against civilians in order to determine if the Colombian government is capable or has the will to conduct these cases diligently and identify the most senior officials involved in these serious crimes. The report concluded that the Colombian state was satisfied by their processes for investigation and prosecution of these crimes, and LWBC was able to generate a constructive dialogue with the prosecutor's office of the CPI who has been studying the situation closely in Colombia since 2006.

Training Programs

Re-enforcement through Continued Training

Training is a component to all LWBC programs. It allows the exchange of expertise, capacity building and legal knowledge and is not only for lawyers but for all actors in the justice and civil society sector for human rights. Training programs are typically designed and implemented jointly by LWBC and its local partners. Participants in these courses expand their network of contacts and improve their access to information, thus enabling them to utilise new tools for advancing the cause of justice and human rights.

Colombia

Workshops with lawyers and other defenders of human rights have now been established in order to deepen local knowledge of international human rights law, a legal field which is largely absent from university courses in Colombia. The Colombian Association of Human Rights Lawyers (ACADEHUM) and

LWBC have developed a series of training workshops. To date, 211 lawyers, law students, Aboriginal leaders, court officials and even victims, have undertaken and completed these training workshops.

Workshops with Aboriginal Communities

During the year, five courses were offered in aboriginal communities addressing various topics such as the impact of the free-trade, challenges related to urban development centres, the right to health, the right to education and the right to prior consultation and informed consent regarding dealings with extractive industries and multinational companies. To date, 332 people have been trained, with 173 of these trainees being women.

Training the trainers on the International Criminal Court (ICC) and the Rome Statute

During the second seminar at the ICC, participants had the opportunity to broaden their knowledge of the legal implications of the Rome Statute in Colombia and how practitioners are able to use this legal tool in representing victims. Those who attended are now in charge of organizing their own workshops on this matter in order to share this information with more than 50 human rights lawyers in their respective regions.

Haiti

Training for Support and Assistance to Victims of Violence

This training has strengthened the capacity of the stakeholders at LWBC's Justice Center in Port-au-Prince, to accommodate victims of violence, assess their needs and participate in the psycho-social assessment of victims. As a result of this training, stakeholders have also learned to understand victim medical reports when carrying out assessments.

Awareness Training and Alternative Dispute Resolution

Following this training, participants developed a better understanding of mediation in general and the challenges associated with it. Today, stakeholders at the Justice Centre can identify and refer cases for mediation. A second training session on the subject has also been provided with more experienced mediators.

Training on the Role of the Criminal Defence Lawyer and of Universal Ethics

The objective of this training was to equip and strengthen the legal capacity of the stakeholders and the Justice Center's decentralized units, regarding the importance of the role of the defense counsel in a criminal trial.

Guatemala

Training Seminar for Trainers in Strategic Litigation

Over a number of days, sixty participants had partook in a seminar where they discussed various topics including the selection and analysis of emblematic cases in Guatemala and exchanged methods for strategic litigation on national and international levels.

International Seminar on Strategic Litigation of Human Rights

On 8 and 9 November 2011, sixty experts, lawyers from Spain, Guatemala, and South American countries exchanged ideas on good practice and lessons learned in the field of strategic litigation.

Advocacy Training

This training was addressed to the prosecutors of the Public Guatemalan Ministry responsible for prosecuting all cases of serious human rights violations. The training touched on the basic principles of effective advocacy and proposed many tips for different stages of criminal proceedings. The workshop included the running of a fictitious criminal case and the examination of a fictitious witness.

Training on Genocide

This training is for judges as well as prosecutors. The prosecution focused on the methods of investigation and decision-making criteria for the crime of genocide, international law and Guatemalan law.

Canada

Training in International Cooperation for Lawyers

In December 2011, LWBC carried out training for LWBC members interested in getting more involved with the organization. The training covered mission awareness, types of intervention promoted by LWBC and the development of the knowledge and skills required in working as a lawyers in an intercultural context.

Training on the Inter-American Human Rights System (ISHR) and the Property and Territorial Rights of Indigenous Peoples

In September 23, 2011, thirty people were gathered at the Quebec Bar school to attend training workshops on the ISHR. This training provided the opportunity to discuss current issues and benefit from the experience of international experts in this field as well as petitioners to the Inter-American Commission on Human Rights.

International Criminal Law and Humanitarian Rights

LWBC participated as a guest trainer for a workshop on international criminal law, humanitarian law and human rights. This was offered to Université Laval law students. The training allowed students to gain a better understanding of the ISHR and addressed any questions they may have in relation to ISHR courts.

Programs

Colombia Program

In a snapshot:

17 Lawyers whose work is directly supported by LWBC

35 Emblematic cases have been taken to court by three main partners of LWBC

10 missions completed by 8 international volunteers

481 lawyers, members of civil society, members of Aboriginal communities and legal advisors to Aboriginal organizations trained

My fight against the abuse of power and misappropriation was the best decision of my life. Although I saw a lot of sadness due to facing a great injustice that I deeply resent, my job allows me to live wonderful moments of hope, life and peace.

Dora Lucy Arias, a member of the Lawyers Collective José Alvear Restrepo, a partner supported by LWBC.

Activities and Achievements for 2011 - 2012

- Contributing to capacity building in litigation and advocacy for our local partners. The legal team at ONIC, the National Indigenous Organization of Colombia, are becoming more independent in working cases of disputes regarding the regional and national rights of Indigenous Peoples in Colombia.
- With the support of LWBC, nine lawyer members of the Colombian Association of Human Rights Lawyers, ACADEHUM, are providing free legal advice to civil society organizations. They document cases and implement capacity building activities for the targeted communities. They support partners through interventions and public statements. They also support the Aboriginal Legal Network ONIC.
- ACADEHUM has become a recognized player on issues relating to free exercise of the legal profession and the protection and promotion of human rights lawyers. LWBC has helped to increase the financial and technical capacity of its legal partners by providing human resources support, sharing experiences between the Canadian and Colombian lawyers, by training and by providing legal contributions, including arguments and submissions (*amicus curiae*) in order to facilitate the creation of a favorable human rights jurisprudence.

ASF Team in Colombia

Carlota Valverde, Head of Mission

Victoria Larroche, Legal Advisor

Josefina Peña, Director

Partners

Association of Colombian Human Rights Lawyers (*Asociación colombiana de abogados defensores de*

derechos humanos) – ACADEHUM

Lawyers Collective José Alvear Restrepo (*Colectivo de Abogados José Alvear Restrepo*) – CAJAR

National Indigenous Organization of Colombia (*Organización Nacional Indígena de Colombia*) - ONIC

Donors

The Department of Foreign Affairs and International Trade Canada for the project "*Access to justice for Aboriginal communities and other victims of conflict*".

European Commission for the "*Promotion of the International Criminal Court*" project implemented in collaboration with Lawyers Without Borders in Brussels.

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Haiti Program

In a snapshot

More than 700 beneficiaries have received assistance through legal aid services, including more than 150 receiving judicial assistance. The majority of these cases involved violence against women as well as prolonged detention

65 % of those assisted have been women with at least 10 % minors

20 % of those assisted have come from IDP camps

79 lawyers, jurists and trained interveners

Interveners and lawyers are giving free assistance to those most in need

13 international cooperation missions by 12 international volunteers

We thank LWBC greatly for allowing us to open doors that we would never have been able to open had it not been for their support.

Johanne, Haitian Aid Recipient

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Main Activities and Achievements for 2011-2012

- Construction and setup of the Justice Center at the Champ de Mars camp for displaced persons ; the Justice Centre has been assisting Haitians at the camp since 26 October 2011.
- Opening a second unit for the town of Delmas and providing free legal services to vulnerable people in this area where there are several camps.
- Acquittal and release of juveniles in pre-trial detention through collaboration with the Office of Citizen Protection and the Bar of Port-au-Prince to ensure representation of juveniles in detention.
- Increased awareness amongst displaced groups regarding human rights and the justice system in camps and civil society organizations.
- Contributed to the coordination of activities in the field of justice by participating in a work group with the Ministry of Justice on legal assistance.
- Awareness and information to vulnerable populations in Port-au-Prince on the services offered by LWBC and as well as information relating to their fundamental rights.
- Overall support of a collective against impunity in Haiti.

ASF Team in Haiti

Staff Team

Melinda Madueno, Head of Mission
Curie Alexandre, Logistics
Carmelle Dieudonné, Administrative Support
Patrice Florvilus, Head of Legal Aid and Assistance
Shirley Rameau, Administrator
Yolaine Rouleau, Field Advisor

Attorneys and Haitian Justice Services

Martine Alexandre, Jurist
Emmanuel Saint Brice, Social Worker/Intervener
Jean Réginald Cadet, Lawyer
Jean Robenson Chéry, Social Worker/Intervener
Marie Shella Edmaël, Jurist
Pierre Richard Francis, Social Worker/Intervener
Jems Gedeon, Jurist
Millids Guichard Jean, Social Worker/Intervener
Tarahnia Jean-Francois, Jurist
Richardson Junior Joseph, Social Worker/Intervener
Ronal Joseph, Jurist
Rachelle Paillant, Lawyer
Genel Pierre, Lawyer
Daguy Pierre, Lawyer
Williamson Rene, Lawyer
Agéna Rony, Lawyer
Stherson Senat, Social Worker/Intervener
Maniela Séjour, Jurist

Partners

Lawyers Without Borders Brussels
Bar Association of Port-au-Prince
Centre for International Studies and Cooperation (CECI)
Kay Fanm
City Hall of Delmas
City Hall of Tabarre
Ministry for Women and Women's Rights in Haiti (MCFDF)
Ministry of Justice and Public Security (Judicial System and National Police)
Office of Citizen Protection (OPC)
International Organization for Migration (IOM)
Solidarité Fanm Ayisyen (SOFA)
UNICEF

Donors

Ministry of Foreign Affairs and International Trade
Canada
Quebec Bar Association

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Guatemala Program

In a snapshot:

40 human rights strategic litigation cases have been supported

520 judges, prosecutors, lawyers and civil society members have undertaken LWBC training

2812 individuals, 1072 families, 127 communities and 8 associations have been supported by LWBC and its partners

16 international cooperation missions carried out by 18 international volunteers

The BJDH is a qualified law office made up of lawyers, assistants, Canadian volunteers as well as volunteers of other nationalities who contribute to the preparation and representation of a number of cases. LWBC has also brought a lot to Guatemala by establishing and maintaining dignified conditions not only for lawyers, but also for victims.

Edgar Pérez, founder and director of the Guatemalan Human Rights Law Office (BJDHG) supported by LWBC.

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Main Activities and Achievements for 2011-2012

- Historic successes have been achieved through the Guatemalan Human Rights Law Office (BJDHG) in both national and international courts including those mentioned on page 12 of this report.
- Enhancement of the legal capacity of BJDHG and other organizations of civil society, assisting them in their ability to pursue legal avenues.
- Development and submission, before national and international courts, of innovative arguments that have contributed to the shaping of national and international law and to the creation of a jurisprudence that supports the fight against impunity and respect human rights.
- Preparation of a strategic litigation guide that was derived from BJDHG's experience. This guide, designed largely to assist Guatemalan lawyers, will be distributed and shared with our partners in this country.
- Advocacy work to ratify the Rome Statute by the Guatemalan State.
- Advocacy work with the Canadian government and the general public to highlight the case of Jorge Vinicio Sosa Orantes, a Guatemalan and Canadian citizen arrested in Alberta and accused of participating in the massacre of Las Dos Erres. LWBC wants to ensure that he will be tried on those charges.

LWBC Team in Guatemala

Claudia María López David – Head of Mission

Astrid Garcia – Assistant Coordinator
Jose Gonzalez – Trainee
Ana Elisa Samayoa – Trainee

Partners

Archivo histórico de la policía nacional (AHPN)
Asociación Bufete jurídico popular de Rabinal
Asociación de abogados y notarios mayas de Guatemala
Bufete jurídico de derechos humanos en Guatemala (BJDHG)
Centro para la acción legal en derechos humanos – CALDH
Familiares de detenidos y desaparecidos de Guatemala – FAMDEGUA
Fundación Myrna Mack – FMM
Instituto de Estudios Comparados en Ciencias Penales de Guatemala – ICCPG
Oficina de Derechos Humanos del Arzobispado de Guatemala – ODHAG
Unidad de Protección de Defensoras y Defensores de Derechos Humanos – UDEFEGUA

Donors

Ministry of Foreign Affairs and International Trade Canada

Public Engagement Activities

LWBC considers its participation in awareness, information and training activities that take place in Canada, to be an important part of its mission. Whether it be as speakers or panelists, members of LWBC make efforts to engage the Canadian public on specific cases as well as on general topics of human rights.

During the past year, LWBC team members participated as trainers and lecturers at a number of public events including:

- The Ministerial Dialogue on the Americas, at Foreign Affairs and International Trade Canada (DFAIT)
- Annual Conference of the Canadian Council on International Law
- The Stabilization and Reconstruction Task Force (START) of DFAIT
- The 2012 Katia-Boustany Conference of the *Société québécoise de droit international* (SQDI)
- *Journées québécoises de la solidarité internationale* (JQSI)
- The conferences of the *Société des Relations Internationales de Québec* (SORIQ)
- *Le Séminaire d'approfondissement sur la consolidation de la paix de la Chaire Raoul-Dandurand*
- Annual Conference of the Canadian Association of Labour Lawyers (CALL)
- Workshops and lectures at the law schools of Université Laval, University of Sherbrooke, McGill University, the University of Ottawa and the University of Calgary
- In February 2011, LWBC also participated in special consultation sessions and public hearings on project Bill No. 29, an Act to establish the Access to Justice Fund, in the National Assembly of Quebec. LWBC has decided to officially support the bill and suggested to the Minister to

improve it in a way that it provides an opportunity to use funds for projects or activities that strengthen and diffuse Quebec's access to justice model.

Canadian Tour of Edgar Pérez

From 27 November to 2 December 2011, Edgar Fernando Pérez Archila, founder and managing lawyer of the Guatemalan Human Rights Law Office (BJDHG), toured Canada and travelled to Calgary, Ottawa, Montreal and Quebec. BJDHG's current work has focused on the case involving the massacre of Las Dos Erres. Mr. Perez is representing families and victims of the massacre. He is also involved in the case against Jorge Vinicio Orantes Sosa, a Canadian citizen currently held in Calgary who is accused of having participated in the massacre.

A press conference was held in Calgary which was attended by a number of media figures and several articles and reports were produced. In each of the other cities visited, Mr. Perez made eloquent presentations on same theme. In Calgary and Ottawa, LWBC relied on the presence of Mr. Ramiro Osorio Cristales, one of the few survivors of the Las Dos Erres massacre and now a Canadian citizen. In Ottawa, a meeting also took place with representatives from the Ministry of Foreign Affairs and International Trade Canada.

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Lawyers Without Borders Canada Team

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President of the Board of Directors and Executive Committee
Assistant General Counsel, Bell Canada

Iris Almeida-Côté

Treasurer
CEO - Montreal & International Trigone

Jean-François Bonin

Legal Counsel, The Office Francophonie, Justice in Official Languages and Legal Dualism, Department of Justice Canada

Pierre Brun

Lawyer, Melançon Marceau Grenier et Sciortino

Luc Côté

Lawyer, Senior Advisor in International Law

Fannie Lafontaine

Professor, Law Faculty of the Université Laval

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Lawyer, Paradis, Lemieux, Francis Law Firm

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Administration and IT Officer

Sylviane Puertas

Administration and Finance Director

Philippe Tremblay

Legal Affairs Director

Geneviève Villeneuve-Patry

Responsible for Communications and Fundraising

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LWBC Trainees

This year, LWBC hosted seven trainees

Sophie Beaudoin

Bar Internship, Quebec and Ciudad de Guatemala

Frantzer Dume

Managers Without Borders Internship, Quebec

Agustina Laboureau

Internship for the International Criminal Law and Humanitarian Clinic
Université Laval, Quebec

Tomás Salcedo-Albert

Training Institute of International Studies, Quebec

Julien Tremblay

Quebec

Fiorella Valladares

Internship for the International Criminal Law and Humanitarian Clinic
Université Laval, Quebec

Dominic Voisard

Bar Internship, Quebec and Ciudad de Guatemala

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International Volunteers

The international volunteers have worked to prepare witnesses and arguments, have written briefs, procedures and legal researches, have supported the development of a work methodology and have participated in the investigations and the formation and systematization of evidence.

In summary, the international volunteers are at the heart of LWBC's action and have contributed greatly to the legal and judicial successes achieved over the past year.

Stéphanie Bachand

Montreal, Canada

Christopher Campbell-Durufié

Montreal, Canada

Nicole Charron
Cantley, Canada

Marie-Claire Émond
Montreal, Canada

Cleveland Fairchild
Denver, USA

Gregory Krupa
Eugene, USA

Fannie Lafontaine
Quebec, Canada

Denis L'Anglais
Quebec, Canada

Janine Lespérance
Shediac Bridge, Canada

Danielle Mongeon
Gatineau, Canada

Andréa Morrison
Montreal, Canada

Marie-Claude Picard
Gatineau, Canada

Francisco Reina
Montreal, Canada

Léa Réus
Paris, France

Marylène Robitaille
Montreal, Canada

Pierre Rousseau
Sooke, Canada

Clémentine Sallée
Montreal, Canada

Hugues Surprenant
Montreal, Canada

Javier Torres
Quebec, Canada

Marcela Valdivia
Montreal, Canada

Nadezdha Vásquez
Lima, Perou

I met daily with Colombian lawyers whose quality and human courage were a huge source of personal and professional inspiration. As a result, I left Colombia more determined than ever to continue working in human rights.

Christopher Campbell-Duruflé
International Volunteer, one five-month mission in Colombia

Working on solid cases with local stakeholders, attend training sessions on international law, being a direct witness to the successes and the setbacks of a justice system in transition; it is all of these experiences which have made me a better lawyer.

Clémentine Sallée
International volunteer in Guatemala, seven-month deployment

The missions I carried out on the ground made me realize that ideals and common goals are shared amongst many, even though we live on opposite sides of America. I was able to see that we both felt the privilege of working in this profession. The need for access to justice is universal ... without borders!

Danielle Mongeon
International volunteer in Haiti, two two-week missions in Haiti

LWBC University Network

Over the course of 2011 and 2012, LWBC have relied on the collaboration of four law faculty academics, each hailing from different universities (Université Laval, University of Montreal, University of Ottawa and University of Sherbrooke). These four academics have greatly highlighted the work of LWBC and have raised awareness amongst the legal community of human rights law.

LWBC wishes to acknowledge the work of the students who have participated in various LWBC activities whether it be organizing events to raise awareness or funds, or assisting in legal research.

LWBC also continues its collaboration with the University of Toronto, Faculty of Law's International Human Rights Program, the Université Laval's International Criminal Law and Humanitarian Clinic, and the University of Quebec in Montreal's International Clinic for the Defense of Human Rights (CIDDHU).

Members of the University Network

Myriam Fortin

Coordinator of the University Network

Simon Blais

President of the University of Sherbrooke

Marilou Bordeleau

President of Université Laval

Raphaëlle Ferland

President of the University of Ottawa

Mathilde Rochefort

President of the University of Quebec in Montreal

LWBC-ULaval organize a fundraising event!

On March 22, 2012, LWBC and Université Laval joined forces to organize a fundraising wine and cheese night. The event was an outstanding success with 120 guests and a total of \$2,750 raised. The funds raised from this event were then provided to the Digna Tierra legal group in Colombia, who were consequently able to send, in March 2012, two lawyers to a hearing before the Inter-American Commission of Human Rights (IACHR) regarding the human rights issues surrounding mining industries in the Americas and those affected by their activity.

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LWBC Volunteers

Our Thanks to

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Financial Summary

Financial Statements and Audits

LWBC's financial statements are audited by chartered accountants Raymond Chabot Grant Thornton.
Financial Year - 1 July to 30 June

Results

2012

2011

REVENUES

Member Contributions

Public Contributions and Training Activities

Fundraising Activities

Funding Sources and Donors

Amortization of Deferred Contributions related to Capital Assets

TOTAL REVENUES

EXPENSES

Programs
Other Projects and Activities, Administration & Services

TOTAL EXPENSES

Excess (deficiency) of Revenues over Expenses
Unrestricted Net Assets – Beginning of fiscal year
Unrestricted Net Assets – End of fiscal year

Balance Sheet **2012** **2011**

ASSETS

Current Assets
Cash
Receivables
Pre-Paid Expenses
Capital Assets

TOTAL

LIABILITIES

Short-term Liabilities
Payables
Deferred Contributions
Deferred Members Contributions
Contributions Related to Capital Assets
Unrestricted Net Assets

TOTAL

The Pie Chart (Left)

Funding Sources

DFAIT Haiti
DFAIT Guatemala
DFAIT Colombia
UE CPI
Fundraising
Members
Others

The Pie Chart (Right)

Distribution of Funds

Haiti
Guatemala
Colombia

Principal Contributors

LWBC programs in Colombia, Guatemala and Haiti are mainly funded by the Global Peace and Security Fund (GPSF) and The Stabilization and Reconstruction Task Force (START), both START and GPSF being initiatives of the Department of Foreign Affairs and International Trade (DFAIT). Project financing for the International Criminal Court (ICC) program in Colombia was awarded to Lawyers Without Borders in Brussels with up to 80 % funding from the European Instrument for Democracy and Human Rights (EIDHR).

Other contributors for this program include international law firm McCarthy Tétrault, the Quebec Bar Association and Fujitsu. All of whom have worked throughout the year to advance the cause of human rights. LWBC is very grateful for their tremendous support.

2012 Fundraising Concert

In March 2012, approximately 350 people gathered at Club Soda in Montreal for the 2012 LWBC fundraising concert. The event was a huge success and raised over \$100,000.

Presided over by the Honorable Nicole Duval-Hesler, the Chief Justice of Quebec and hosted by Gildor Roy, the event was a variety show of all sorts with impressive artistic performances from a number of lawyers and judges. The fourth edition of LWBC fundraising concert was, once again, a success that has mobilized the Quebec legal community to the cause of human rights. The profits raised during this colorful evening have been an immeasurable contribution to the international efforts of LWBC.