





# **NEWSLETTER**



# A Note from Tejal Jesrani

Director, TrialWatch Project at Columbia Law School Human Rights Institute

This year has been an inspiring period of growth for the TrialWatch clinical network, which is dedicated to empowering the next generation of advocates for fair trial rights and the rule of law through clinical legal education. We welcomed five new university partners and trained more than 100 student trial monitors across Uganda, the Philippines, Indonesia, South Africa, the United States and Thailand. Together with lawyers and community organizations, we worked to make court proceedings more transparent and fair—transforming observation into protection and advocacy. Our students and monitors were present in courtrooms, asking fundamental questions: Was the process fair? Were rights respected?

At a time when the rule of law and civic space face unprecedented challenges, bearing witness, documenting violations with neutrality, and countering misinformation with facts have never been more vital. Today, the TrialWatch clinical network stands as a truly global community, grounded in local knowledge from around the world. Whether you've partnered with us for years or are just discovering our work, we invite you to explore this newsletter for case highlights, impact stories, and opportunities to connect. Above all, we're incredibly thankful to our partners and colleagues around the world for their solidarity and commitment in exposing unfair trials and fighting for the rights of those most vulnerable to the weaponization of their legal systems.

# **TrialWatch Clinical Network**



The Columbia Law School TrialWatch Clinical Network is part of the Clooney Foundation for Justice's global initiative to monitor criminal trials and advance fair trial rights. It involves students and faculty in trial monitoring, human rights analysis, and advocacy to strengthen judicial accountability worldwide.

Monitoring

This year the network monitored 15 criminal trials in 6 countries, with observers present for over 50 hearings

### What we saw

Fair trial and other violations including prolonged pre-trial detention, speech-related charges under vague laws, and adjournments that unfairly delayed proceedings.

### Why it matters

Our data can inform advocacy with courts, ministries, and international mechanisms.

#### **Themes**

Many different crimes are weaponized against journalists and human rights defenders around the world. Some we have seen are sedition for symbolic protest (Thailand), terrorism-financing to criminalize humanitarian work and journalism (Philippines), defamation to punish sexual violence survivors who speak out (Indonesia), and treason to silence political opposition (Uganda).

# **Training and Clinics**

# In-person and virtual trainings

The TrialWatch team at Columbia Law School has trained 148 students on trial monitoring, fair trial and freedom of expression standards. Of these, 110 joined in-person sessions in Uganda, the Philippines, and Indonesia, and 38 completed our virtual training in South Africa and Thailand.

### **Clinical Partners**

Since February 2025, TrialWatch has launched five new partnerships with university clinics in <u>Uganda</u>, <u>Philippines</u>, <u>Indonesia</u>, South Africa and <u>Thailand</u> (<u>Makerere University</u>, <u>Ateneo de Manila</u>, <u>Atma Jaya Catholic University</u>, <u>University of Pretoria</u> and <u>Thammasat University</u>). These clinics make monitoring sustainable by embedding it in course credit, mentorship, and faculty leadership.





# A STUDENT VOICE FROM A CLINICAL PARTNER

"It was a wonderful learning experience. It's certainly mind blowing to see how the process of dispersing justice in the community comes to reality. I feel like I can now criticize and express my knowledge about judicial processes and the need for judicial independence sufficiently. This is something that I would not have otherwise learned without being a trial monitor."

— Student monitor, Makerere University

# **Country Highlights**

# Uganda

Students from Makerere University monitored four cases emblematic of how criminal law is used to stifle opposition ahead of the country's 2026 elections. In one case, for instance, 21 individuals were arrested during a campaign event amid clashes with security forces; they now face charges such as common nuisance and traffic violations. In another case, an opposition leader was tried before a military tribunal despite his civilian status (a practice the Supreme Court later found unconstitutional). The case was transferred to the civilian courts, but the defendants remain in detention on treason charges, in what local partners describe as a politically motivated prosecution.

# **Philippines**

Ateneo de Manila students are monitoring cases that reveal the systematic use of criminal law to silence journalists, environmental defenders, and civil society actors. One case involves investigative journalist Frenchie Mae Cumpio and human rights defender Mariel Domequil, arrested in a midnight raid and charged with illegal weapons possession (charges the defense alleges to be based on fabricated evidence). Another concerns a journalist and labor organizer detained in a 2019 raid and still awaiting pre-trial proceedings. A third case involves two young human rights defenders who were abducted by government forces, held incommunicado, and later charged with criminal defamation after publicly exposing the government's actions.



### **Indonesia**

Atma Jaya students monitored two cases highlighting the criminalization of survivors of gender-based violence and critics from the independent media. In one case, a journalist and news director was charged with obstruction of justice under anti-corruption laws after airing media content critical of a government investigation. Students also compiled a database of 2340 cyber/defamation prosecutions to map patterns, set monitoring priorities, and inform advocacy.

### **South Africa**

Our partner clinic in South Africa serves as a regional hub in which students from the <u>University of Pretoria</u> monitor trials and support advocacy efforts, currently focusing on Zimbabwe. In one case, for instance, a journalist was detained after airing interviews critical of the president and charged under cybercrime laws, raising concerns about reprisal for independent reporting. Students also developed proposed advocacy strategies to bring attention to the unfair prosecution of nine peaceful protestors arrested outside a courthouse in Zimbabwe.

# A MESSAGE FROM ATENEO DE MANILA

The clinic is not just about learning the law—it's about standing with those whose rights are under threat. By equipping advocates and future lawyers to monitor trials, we're building a frontline of accountability for human rights defenders, activists, and marginalized communities – both a counterculture to impunity and a culture of upholding fair trial rights."

-Billie Blanco, AHRC's Internship Director



### **Thailand**

In Thailand, the Columbia Law School Human Rights Clinic is monitoring cases involving sedition and the lèse majesté law (defamation of the monarchy). One case has targeted nine individuals who participated in a cultural event celebrating Malay traditions; they have been charged under criminal conspiracy and national unity laws for allegedly promoting separatism, despite the event being non-political in nature. We are also working with <a href="https://doi.org/10.1001/jhammasat.university">Thammasat University</a> students to monitor ongoing defamation cases.

Beyond monitoring in Thailand, the TrialWatch team at Columbia Law School engaged in advocacy activities including the submission of an amicus curiae brief to the Supreme Court, briefing UN Special Rapporteurs on freedom of expression and freedom of assembly, and engaging on EU human rights diplomacy tied to trade negotiations.

The TrialWatch team at Columbia Law School also published a <u>Fairness Report</u> on the case of Katanyu Muenkhamruang "Pan", who was sentenced to two years in prison under sedition and cybercrime laws for social media posts announcing a peaceful protest, and will soon publish a Fairness Report on the "NDM case" involving 13 pro-democracy activists prosecuted nearly a decade after participating in anti-military rule protests.

# Research and Advocacy

Our research and advocacy deepened this year with "Pressing Charges," <u>a report</u> and accompanying <u>interactive</u> <u>database</u> on which we collaborated with the Clooney Foundation for Justice's TrialWatch team and National Law University Delhi, and which documents more than 400 criminal cases against journalists in India from 2012 to 2022 and is already informing litigation and policy debates.

The TrialWatch Team at Columbia also built a second India dataset with 350+ criminal defamation cases that tracks who files, who is targeted, the provisions used, time to disposition and outcomes. Using these data, we have begun drafting a paper on criminal defamation that analyzes patterns across jurisdictions and proposes concrete reforms that courts and lawmakers can adopt to prevent misuse.

In parallel, we are finalizing a global report on criminal SLAPPs, which aims to fill gaps in understanding how criminal provisions are being used as tools of intimidation. Currently, there is limited guidance for judges on how to identify these abusive prosecutions early. Our report will define what counts as a criminal SLAPP, set out indicators of abuse, give examples on impact across regions, and provide remedies that courts, prosecutors, and regulators can apply in real cases.

# A MESSAGE FROM CLOONEY FOUNDATION FOR JUSTICE

"Thank you for being part of this community. At TrialWatch, we are delighted to partner with the next-generation of human rights lawyers around the world, and it is integral to our efforts to defend those being persecuted for their speech. We look forward to learning with you and from you, and to meeting you in courtrooms and classrooms in the months ahead."

—Stephen Townley, Legal Director of TrialWatch at CFJ



# **Success Story**

## **Peaceful Assembly in Malaysia**

Malaysia's Peaceful Assembly Act criminalized failure to give five days' advance notice of a peaceful protest to police. In July 2025, the Federal Court struck down this provision, finding that it was disproportionate restriction on the constitutional right to assemble peaceably.

## How TrialWatch helped

The Clooney Foundation for Justice's TrialWatch initiative filed an amicus curiae brief alongside Malaysian human rights organization SUARAM drawing on comparative constitutional practice and international standards to show that criminalizing an administrative notice rule is unnecessary and rights-restrictive where less intrusive measures are available. The Malaysian Federal Court expressly noted that it was "convinced in particular by the argument advanced by counsel for the amici curiae, The Clooney Foundation for Justice and SUARAM," in concluding that criminalization was disproportionate, showcasing how amicus engagement and the exchange of good practices across jurisdictions can help courts adopt rights-respecting approaches to peaceful assembly.

### What comes next?

### **Events and Convenings**

In February 2026 we will host the TrialWatch Global Forum, bringing partners from all around the world together for the first time. We will also be convening a judicial workshop on criminal SLAPPs in Bangkok to serve as a forum for discussing lawsuits filed in bad faith.

#### **Case Submission**

You can send trials that may benefit from independent monitoring. A short note with case name, charges, next hearing date, and a contact person is enough for a first review.

### **Collaborative Writing**

Have an idea for a brief, article, or dataset we could build together? Share two or three lines on the core question, why it matters, and any cases or data you have seen. We welcome co-authored op-eds, policy notes, academic papers, and evidence-based reports.

#### **Become a Monitor**

Join an online training on trial monitoring and fair trial standards, bring our case modules into your clinic or seminar, or host a joint methods session on data collection and courtroom observation.

### **Stay Connected**

Feel free to forward this newsletter to colleagues and follow our updates for release dates, trainings, and new datasets. For any questions, please contact us at trialwatch@law.columbia.edu





