



AVOCATS SANS FRONTIERES
France

September 2009
Newsletter

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Editorial

Lawyers Without Borders France didn't have any break during summer with the continuation of all its activities notably in Cambodia with the *Duch* trial, all the more so as the participation of the victims is being called into question, reconsiderations to which we firmly opposed ourselves.

Our planning for this last semester is particularly booked, all the more so as we just got the financial agreement for the young lawyers training project in Laos from the European Union.

I hope the energy of our actors is intact to fill the missions waiting for them. Don't forget our elective General Assembly on Saturday 24th October. Our governing board needs to renew itself enough to stay representative and up to the work and stakes of our association. The deadline to apply is by 14th October included. I strongly invite those who want to get involved into Lawyers Without Borders to manifest themselves.

François CANTIER,
President of LWB France

REINFORCEMENT AND DEVELOPMENT OF THE LAWYERS WITHOUT BORDERS MOVEMENT

The first Lawyers Without Borders association was created in 1992 in Belgium. After the launching of the first substantial operation « Justice for all in Rwanda » in 1996, the movement developed in other countries.

In France, Lawyers Without Borders (LWB) France was created by François Cantier in 1998. Other national LWB associations were created during the same period: Mali, Italy, Canada...

To date, through these national associations, the movement asserted its efficiency in international solidarity in Law & Justice. The strong solicitations towards the movement make a larger cohesion and a better general coordination necessary.

The necessity to reinforce the movement's identity and to think its development to help vulnerable populations better, conducted to the elaboration of a three-year project supported by a partnership with Clifford Chance, one of the biggest law firm in the world.



C L I F F O R D
C H A N C E

Objectives :

- The edification of a shared vision, through the edition of a common charter.
- Sharing of tools and experiences for a better development of the different LWB.
- A better coordination of interventions and the development of joint activities if necessary.
- An improved presence of the network at the international level, in the development cooperation area especially
- The development of the network, particularly in the areas where LWB associations are not present yet but access to law and justice is important.

Stage of progress of the project :

- Lawyers Without Borders France, at the origin of this initiative, met the different Lawyers Without Borders Movement associations to present the project
- Important suggestions on the way to build the Lawyers Without Borders Network have been gathered. Propositions concerning the action plan and the functioning of a management and consultation board are being developed.
- **Currently the first LWB meeting which is meant to take place during fall 2009 in Paris, is being prepared.**

Beaulieu-sur-Dordogne celebrates Human Rights

26.09.2009 : launching of the Human Rights festival which will take place in June 2010 in Beaulieu-sur-Dordogne

Launching reception at Beaulieu-sur-Dordogne City Hall with elected officials and Lawyers Without Borders France representatives. This festival will be celebrated to:

- ◆ Increase public awareness of human rights issue and mobilise people
- ◆ Present LWB France action and generate support
- ◆ Offer a moment of sharing on a solidarity land



CAMBODIA: The trial in front of the ECCC continues



REMINDER...

KAING GUEK EAV, SAID «DUCH», FORMER HEAD OF IMPRISONMENT AND TORTURE CENTER S21, RESPONSIBLE OF THE KILLING OF ALMOST 20 000 PEOPLE, IS CURRENTLY JUDGED IN FRONT OF THE EXTRAORDINARY CHAMBERS IN THE COURTS OF CAMBODIA (ECCC), ACCUSED OF CRIME AGAINST HUMANITY, WAR CRIME, TORTURE AND HOMICIDE.

In June, the hearings referred to the armed conflict question to determine whether Duch could be held responsible of war crime. Duch was heard on the functioning of S21, Prey Sar (the reeducation camp in charge of discharging insurgents) and of Choeng Ek (the execution centre placed under the authority of S21). In July, the hearings of the S21 survivors as well as of previous Duch's subalterns took place.

The victims' hearings, direct or indirect victims of S21, represented by LWB France Lawyers, have started on the 17th of August. The French LWB France Lawyers are taking turn in Phnom Penh to ensure the defence of 28 victims alongside their Cambodian colleagues. The place given to the victims during the trial represents a historic first in the functioning of an international special court. Given the administration difficulties it creates, their presence is today put into question. However, the victims and their lawyers intend to defend their right to participate to the trial, as planned in the ECCC internal rules.

« Victims of the Cambodian tragedy must be defended by independent lawyers; it's the principle for a fair justice. In front of the ECCC, the victims have as much or even more than others the right for those principles to be strictly respected in order for their voices to be carried and heard commensurate to the sufferings they bore » - François CANTIER, LWB France Pdt (exerpt from the 31.09.09 press release).

As part of the *Strengthening of local actors' capacities, training of young Cambodian lawyers on Human Rights and Defence rights* project, LWB France continued its young Cambodian lawyers training activities. In addition, a raising awareness action to Law and Justice towards children was carried out in partnership with *l'Ecole des Droits de l'Homme* and *Enfants d'Asie*, in six Cambodian orphanages.



Justice Tours in Mali

As part of the access to law and justice pilot project, initiated by LWB Mali in partnership with LWB France, and following the first judiciary tour that occurred in autumn 2008, a **second tour took place from 15th June until the 3rd July in Ségou, Sikasso, and Koulikoro.**

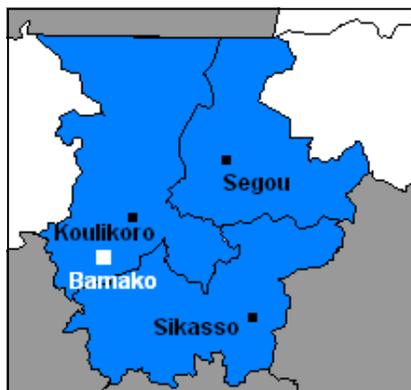
LWB Mali and LWB France lawyers made this tour jointly, so they could:

- ◆ take in charge cases of detainees who don't have access to any lawyer
- ◆ give free judiciary advices to the population
- ◆ organize training and raising awareness sessions on Human Rights and criminal procedures to judiciary actors

This project received a notable success within the judiciary community in all 3 cities.



The follow-up of the identified cases needs to be done by Malian lawyers. This pilot project will come to an end in November 2009. The goal is to draw lessons from this experience to implement a wider project on Malian territory.



« PROCAT » PROJECT : Fight against torture in Nigeria

The new fight against torture, a three-year project in Nigeria is entering into its implementation phase. This project involves Kaduna, Kano, Lagos and Plateau states. A local office will ensure the monitoring of the project from Abuja.



LWB Nigeria colleague, Executive Secretary Human Rights Institute, National Bar Association Representative, LWB France Director, LWB Nigeria Policy Officer

In August, the annual conference of the Nigerian Bar Association, the main partner of the project, took place. During this conference week one day was devoted to torture in Nigeria. The PROCAT project was presented by NBA at this occasion.

In September, the hiring of local staff will be completed, as well as the setting up of the local office in Abuja, with the arrival of the head of mission Hélène Caby. The setting up of the project will enable to speed up the organization of the first activities, which will start in autumn 2009.



Projet carried out by LWB France, in partnership with Legal Aid Council of Nigeria (LACON) and Nigerian Bar Association and financed by the European Commission.



INTERNATIONAL
OBSERVATORY
FOR LAWYERS

LWB France creates the World Observatory for Threatened Lawyers

More information on : <http://observatoire-avocats.org>

Everyday, around the world, lawyers are being threatened, imprisoned, tortured, murdered or forced to disappear owing to their work. Lawyers defending Human Rights are all the more exposed to retaliations as they are likened to their clients, or to the case they defend.

The creation of the Observatory is in line with the "Les Avocats au service des Avocats" project, financed by the European Commission and carried out by a consortium composed of : Lawyers Without Borders France, Conseil National des Barreaux (France), Consiglio Nazionale Forense (Italie), IConsejo General de la Abogacia Espanola (Espagne) and Barreau de Paris.



Les Avocats au service des Avocats

This project is supported by the European Union. The content of this document doesn't reflect the position of the European Union.

This Observatory has a double objective:

1. To list lawyers victims of threats, pressures, tortures, disappearing and other attacks on their moral or physical integrity around the world
2. To bring lawyers judiciary, moral and/or material support to victim

THE OBSERVATORY LISTS SITUATIONS OF THREATENED LAWYERS AROUND THE WORLD:

- By monitoring the situation of the Profession
- By being directly alerted by:
 - Lawyers themselves or their family.
 - The Profession (the Bar...).
 - Local or international NGOs.
 - National or institutional public institutions.
 - Intergovernmental organizations.

THE OBSERVATORY ACTS FROM THE ASSOCIATION HEADQUARTERS BY :

- Sending information to the Bars and lawyers professional organizations around the country, as well as to all people acting to protect lawyers in order to be able to take care of and rapidly support the threatened lawyer.
- Sending alerts to the Bars, national and international political authorities, local or international Human rights associations.

THE OBSERVATORY ACTS IN THE FIELD BY :

- Sending missions of lawyers on the ground to support the lawyer Profession in general which is subjected to structural threats.
- Sending missions of lawyers on the ground bringing a judiciary, moral and/or material support to one or more threatened, imprisoned or judged lawyers because of their involvement to defend Human Rights.

THE OBSERVATORY ENSURES THE MONITORING OF LAWYERS' SITUATION BY :

- Accompanying the lawyer, whose protection is all the more necessary as the existence of the threat has been made public
- Elaborating sustainable solutions all the profession will benefit from in the country.

THE OBSERVATORY PUBLISHES AN ANNUAL REPORT ON LAWYERS' SITUATION AROUND THE WORLD BY :

- Reporting on lawyers taken in charge by the Observatory (presentation of the situation, of the undertaken actions and of the obtained results).
- Redacting country sheets presenting the political context, the rule of law situation and the situation of the Profession in the country.

LWB France is supported by the European Union, has consultative status with the UN and the IOF - LWB France is supported by the French Ministry of the Foreign Affairs, the French Prime Minister, the French National Bar Association, the Conference of the Bar Presidents, the Bar of Paris et and other French Bars, regional and departmental councils, as well as municipalities- Clifford Chance (privileged partnership), Allen & Overy, Microsoft and the Human Rights School are in partnership with LWB France.



ORGANISATION
INTERNATIONALE DE
la francophonie



CLIFFORD
CHANCE

ALLEN & OVERY
Microsoft





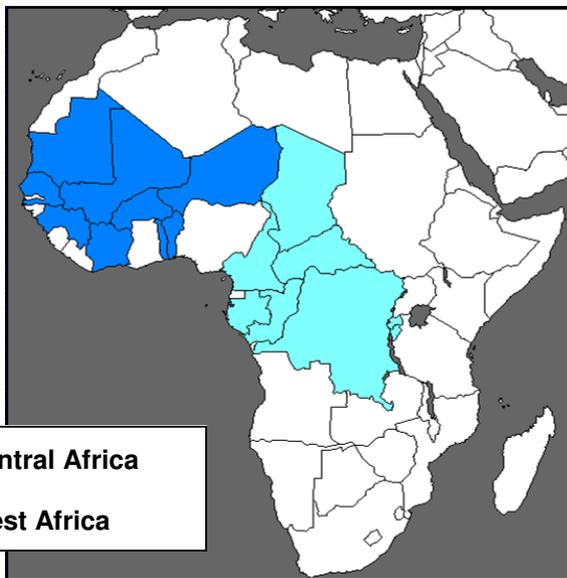
Train the Trainers session in French-speaking Africa

Launching of the activities in Central Africa

This project, already implemented in West Africa, aims to create a network of trainers/defenders of Human rights in the different areas, by reinforcing the capacities of judiciary actors in terms of teaching and judiciary techniques.

The first training session in Central Africa will take place from the 29th of September until the 5th of October in Brazzaville. It will gather 25 participants from 8 Central Africa countries: Burundi, Cameroun, Congo, Gabon, DRC, CAR, Rwanda, and Chad.

Map of Intervention areas in
French-speaking Africa



Trainings of LWB France

The tools of the Lawyer in the international field**
8th and 9th of October 2009 (Paris - Allen&Overy)

Objectives : Identifying the main concepts and mechanisms enabling to draw up and implement rights' defence strategies in an international context.

Linking of universal and regional Human Rights protection mechanisms10th of October 2009 (Paris - Allen&Overy)**

Objectives : Distinguishing the different Human Rights instruments and protection levels specific to Africa.

Train the Trainers—Reinforcement *
5th, 6th and 7th of November 2009 (Paris- Clifford Chance)

Objectives : 2nd level training session aiming at reinforcing the skills and animation methods of the participants.

Defence in front of International Criminal Courts **
18th, 19th, 20th of November 2009 (Paris- Clifford Chance)

Objectives : Identifying and differentiating the constitutive elements of crimes and understanding the procedure in front of International Criminal Courts.

Universal Jurisdiction**
21st of November 2009 (Paris- Clifford Chance)

Objectives : Understanding and knowing how to use the universal jurisdiction mechanisms in States' internal justice and international criminal justice.

Information and registration :
05.34.31.17.83

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Training held by practitioners specialised in educational engineering and having experience in the use of international Legal instruments and intervening before International Courts.



Events Program

Information on 05.34.31.17.83



- 10 sept Conference on « Relief work and Propaganda » at Toulouse Law University
- 11-12 sept “Union Internationale des Avocats” (UIA) Seminar on « International Criminal Law » in Biarritz
- 17-19 sept Conference of the GESICA network (Lawyers firms network) in Montpellier
- 04 oct International Bar Association Annual Conference
- 14-18 oct International network of Lawyers CONSULEGIS autumn conference in Toulouse
In this framework, a conference will be given by LWB France on the 16th of October
- 27 oct “Union Internationale des Avocats” Conference in Seville
- 30 oct-01 nov “Syndicat des Avocats de France Conference” in Lille
- 5-6 nov “Association des Avocats Conseils d’Entreprises” (A.C.E.) 17th Conference on « Innovate to develop » at the Centre des congrès Pierre Baudis in Toulouse.

Thank you for reading this message, the Head office team.

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