



LAWYERS WITHOUT BORDERS
FRANCE

2008 ACTIVITIES' REPORT



Vision: a world of justice and liberty

Mission: bring right protection to the poorest

Word from the President



Here is the report of our activities for 2008.

Exceptional year because it is that of our 10th anniversary; so much ground has been covered, so much progress made and first of all on ourselves: changing from the stage of a being a nice and generous group to an organisation still both convivial but professional in its actions for the service of the citizens was and still remains a severe test.

It is in the long-term that we have constructed, by favouring the method and the values that stimulate us, compared with short-lived amazing deeds.

It is probably why several hundreds of people responded to our appeal and have participated in the various events that we had organized for this celebration, on 25th October 2008.

It also was the opportunity for us to announce and to launch our new project concerning The Lawyers Observatory threatened because of their professional duties, conducted in cooperation with the National Bar council; "Lawyers at the service of Lawyers" such is the title of this programme financed by the European Union which will be established from this beginning of 2009.

This same day, present around the Association's voluntary "actors" were its employees with our Director Hugo Moudiki JOMBWE; it is just as much the quality of their work which harmoniously take over that of the Association's members which is at the root of our successes. This year 2008 we have identified about a hundred voluntary participants representing about 18 000 hours of work.

With the announcement on 29th December 2008 of the procurement of a new funding from the European Union over the eradication of torture in Nigeria, the year 2009 will be just as rich in actions.

Let us suppose that the rallying of all our members and our supports will make it possible for us to meet its new challenges and to keenly start a new decade. »

François CANTIER, President founder of Lawyers Without Borders France

LAWYERS WITHOUT BORDERS FRANCE	5
Presentation of the association	5
<i>Its creation</i>	<i>5</i>
<i>Its history</i>	<i>6</i>
<i>Its motto</i>	<i>6</i>
<i>Its charter</i>	<i>6</i>
The partners	7
<i>The financial partners</i>	<i>7</i>
<i>Ressources distribution</i>	<i>8</i>
The actors	9
<i>The office members</i>	<i>9</i>
<i>Headquarters team</i>	<i>9</i>
<i>The volunteers</i>	<i>9</i>
<i>The members</i>	<i>9</i>
THE PROJECTS	10
In Nigeria	11
1. <i>Why LWB France in Nigeria ?</i>	<i>11</i>
2. <i>Description of the action</i>	<i>11</i>
3. <i>Achievements in 2008</i>	<i>11</i>
4. <i>Prospects in 2009</i>	<i>13</i>
5. <i>Partners of the Nigeria project</i>	<i>13</i>
6. <i>Members of the Nigeria team</i>	<i>14</i>
In French-Speaking Africa	15
1. <i>Why LWB France in French-Speaking Africa ?</i>	<i>15</i>
2. <i>Description of the action</i>	<i>16</i>
3. <i>Achievements in 2008</i>	<i>17</i>
4. <i>Prospects in 2009</i>	<i>18</i>
5. <i>Partners of the French-Speaking Africa project</i>	<i>18</i>
6. <i>Members of the French-Speaking Africa team</i>	<i>18</i>
In Mali	19
1. <i>Why LWB France in Mali ?</i>	<i>19</i>
2. <i>Description of the action</i>	<i>19</i>
3. <i>The achievements in 2008</i>	<i>20</i>
4. <i>Prospects in 2009</i>	<i>22</i>
5. <i>Partners of the Mali project</i>	<i>22</i>
6. <i>Membres of the Mali team</i>	<i>22</i>
In Colombia	23
1. <i>Why LWB France in Colombia ?</i>	<i>23</i>
2. <i>Description of the action</i>	<i>23</i>
3. <i>The achievements in 2008</i>	<i>23</i>
4. <i>Prospects in 2009</i>	<i>24</i>
5. <i>Partners of the Colombia project</i>	<i>25</i>
6. <i>Members of the Colombia team</i>	<i>25</i>

<i>In Cambodia</i>	26
1. <i>Why LWB France in Cambodia ?</i>	26
2. <i>Description of the action</i>	26
3. <i>The achievements in 2008</i>	27
4. <i>Prospects in 2009</i>	30
5. <i>Partners of the Cambodia project</i>	31
6. <i>Members of the Cambodia team</i>	31
EMERGENCY INITIATIVES	33
<i>Emergency initiative in China</i>	33
1. <i>Why LWB France in China ?</i>	33
2. <i>Description of the action</i>	34
3. <i>The achievements in 2008</i>	34
4. <i>Prospects in 2009</i>	35
5. <i>Partners of the China project</i>	35
6. <i>Members of the China team</i>	35
<i>Emergency initiative in Lybia</i>	36
PROFESSIONNAL AND CONTINUOUS TRAINING	37
<i>The professionnall training of those involved locally</i>	37
1. <i>The trainings occur on two axes</i>	37
2. <i>The training programme includes three important subjects</i>	37
<i>LWB France training: achievements in 2008</i>	39
1. <i>Calendar of the trainings provided in 2008</i>	39
2. <i>Report of the 2008 training initiative</i>	40
<i>LWB France training: prospects for 2009</i>	41
1. <i>Training calendar arranged for 2009</i>	41
2. <i>Consolidation of the staff's competence</i>	42
2008 EVENTS	43
<i>January: Annuel conference of the IBC in Brazzaville</i>	43
<i>March: Conference to the Midi-Pyrénées regional council</i>	44
<i>May: Conference of NGOs and OSCs of the IOF in Québec</i>	44
<i>June: General Assembly of the presidents of the bar conference in Marseille</i>	45
<i>June: Days of the associations of the Bar of Paris</i>	45
<i>June: Conference at the media library of Toulouse</i>	46
<i>July: World Forum of Human rights in Nantes</i>	46
<i>July: Conference organised by the ABA in Vienna</i>	47
<i>August: annual meeting of the IAYL in Paris</i>	47
<i>October: National convention of the lawyers in Lille</i>	48
<i>25th october: the 10 year anniversary of LWB France</i>	48
<i>10th december: the 60th anniversary of the UDHR</i>	50
2009 Prospects	51



« Là où la défense n'a plus la parole »¹

Presentation of the association

Its creation

The first association **Lawyers Without Borders** was created in 1992 in Belgium by lawyers from various countries keen to enforce human rights. The aim of this association was to stand up for anyone whose fundamental rights are not respected and who are not given the assistance of a free and independent lawyer.

The first substantial action was conceived and implemented following the genocide committed in Rwanda in 1994. Several European, American and African lawyers have thus taken part in the trial for a fair justice for the victims, as well as for the accused persons.

François Cantier, Toulouse lawyer, took the initiative in 1998, to found **Lawyers Without Borders France (LWB France)**.

In 2008, LWB France has celebrated its 10 years of actions. So, for 10 years, LWB France has contributed to the expansion of the initial concept by facilitating the partnership with the local actors, so that the role of protection, the right for a fair lawsuit and legally constituted state are strengthened.

Registered with the Prefecture of the Haute-Garonne in France, it is governed by the French law personal to the associations and enjoys as such of legal entity. Today, LAWYERS WITHOUT BORDERS FRANCE includes some 800 members, among which are lawyers who are individual members, but also the majority of the Order of French lawyers and the institutions that are representative of the profession of lawyer in France. It benefits from the support of the French National Bar council and the Conference of the French Presidents of the bar and maintains close relations with the international organisations of lawyers.

Its members have also managed to gain the trust of the national and international organisations in the field, with which partnership relations have been established.

Its history

¹ « There when the defence can no longer speak »

- 1992** The movement Lawyers Without Borders is created in Belgium
- 1998** Creation of the French branch of the association – Lawyers Without Borders France (LWB France)
- 2004** LWB France obtains the Special Consultative status with the Economic and Social Council of the United Nations Organisation
- 2005** In April, the International Organisation of the Francophonie (IOF) granted the Consultative Status to LWB France in recognition for its activities in partnership with the local actors from French-speaking countries
- 2005** In September, LWB France is elected at the presidency of Non-governmental Organisations of the “Human Rights” sector at IOF.
- 2007** The Economic Interest Lawyer group has decided to create an emergency Fund for defence
- 2007** The award of the Human Rights Prize, granted by the Consultative Bar Council of Europe and presented to LWB Belgium
- 2008** LWB France celebrates its tenth anniversary. The permanent observatory for lawyers’ protection is launched for this occasion on October 25th, 2008

Its motto

Provide right protection to the weakest.

So, LWB France bases its activities on:

- Presumption of innocence
- The right for all to be defended by a free and independent lawyer
- The right for all to a fair lawsuit

Enforce human rights across the world, by assuring the protection of all. In Asia, Africa, Latin America and Europe, LWB France develops support programs to help towards the reconstruction of a state under the rule of law and the recognition of the right for justice without borders.

Its charter

Lawyers Without Borders France rallies around the common values of lawyers, jurists and other professionals determined to take action for the respect and the development of fundamental rights.

Lawyers Without Borders France strives for the right for a fair lawsuit and for every one’s access to knowledge and protection of civil, political, social, economic and cultural rights through the services of a free and independent lawyer and bears particular attention to the rights and the protection of the most vulnerable groups and people.

Lawyers Without Borders France has the ambition to intervene in any place where someone is threatened in the practice of his or her fundamental rights and cannot have by his or her side a free and independent lawyer.

Lawyers Without Borders France bases its action on the presumption of innocence, every one’s right to a free and independent lawyer and the oath of the lawyer to assure the defence without any prejudice or discrimination.

Lawyers Without Borders France works for the recognition and the respect of the lawyer’s role, in accordance with the Principles relating to the role of the bar adopted by the Assembly of United Nations at the Congress of Havana on 7th September 1990, which defines its freedom, its independence, its ethical obligations, the safety guarantees and the necessary means in the practice of its function.

Lawyers Without Borders France takes part through its existence and the actions that it accomplishes towards the protection of the fundamental rights, the establishment and reinforcement of the State under the rule of law and in the fight against impunity.

Lawyers Without Borders France is not a replacement for the local lawyers or for their organisations, within which it has no vocation to compete, but intervenes on their behalf and with their consent when they are in trouble because of their professional activity. It establishes and supports them through fraternal relations. So, it acts only when its action strives to strengthen the skills of the local actors.

Lawyers Without Borders France refrains from any participation in actions that may compromise its independence, that of the lawyers or its values and principles. Consequently, its acts regardless of any membership within some pre-existing political, religious, philosophic groups.

All those who those who act on behalf of **Lawyers Without Borders France** subscribes unconditionally to the asserted principles here and respect them in their actions and statements.

The partners

The financial partners ²

Institutional partners:

French Embassy in Cambodia and in Nigeria, Ministry of Foreign Affairs, International Organisation of the Francophonie, Prime Minister, European Union



Semi-autonomous Regions:

Regional Council (Midi-Pyrénées, Pays de la Loire)



District Council (Haute-Garonne)



Town Councils (Balma, Paris, Toulouse)



Lawyers' Organisations:

Conference of the Presidents of the bar, National Bar council, Order of Lawyers of Agen, Albi, Amiens, Auch, Belfort, Béthune, Blois, Bordeaux, Brive, Chartres, Clermont Ferrand, Colmar, Dieppe, Dijon, Grenoble, Lille, Lyon, Marseille, Meaux, Nancy, Paris, Poitiers, Rennes, Rouen, Tarbes, Toulouse, Tours, Troyes, Valenciennes, Versailles, Epinal, Val-de-Marne and Val-d'Oise³



Law firms:

Clifford Chance (Privileged Partnership) and Allen and Overy

² The partners are listed in alphabetical order.

³ The logos return to the orders having brought a subsidy besides the contribution.

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

ALLEN & OVERY

Private enterprises and sponsorships:

Banque Courtois, Banque Populaire, Falcou, Leclerc Rouffiac, Microsoft France, Stade Toulousain, Ricard company

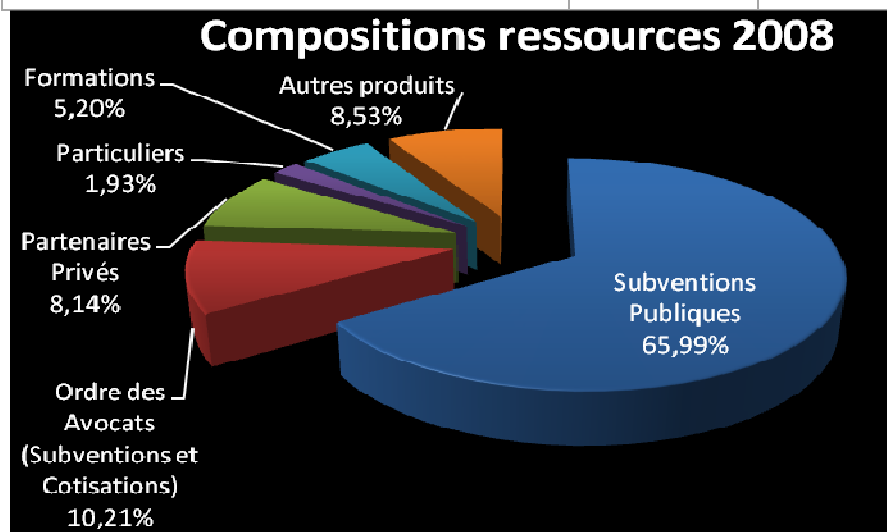


Resources Distributions

In 2008, the financial partners supported the association up to 675 625,00 euro.

Descriptions	Amount	%
Public Grants	445869.00€	65.99%
Order of lawyers (Grants and contributions)	68980.00€	10.21%
Private partners	55000.00€	8.14%
Private individuals	13034.00	1.93%
Trainings	35142.00	5.20%
Other products	57600.00	8.53%
Total 2008	67565.00	100.00%

Contributions 2008:	Number	Amount
Private individual	150	9819.00€
Bar (Except for partners funding)	25	12410.00€
Partner Bar Funding (increased valuation contribution)	12	6000.00€
Total 2008	187	28229.00€



The actors

Office members

President:

François CANTIER (Toulouse Bar)

Treasurer:

Fabienne TRUSSES-NAPROUS (Tarbes Bar)

Secretary:

Gérard DUPUY (Jurist)

Headquarters team

Director :

Hugo MOUDIKI JOMBWE

Finance manager:

Alexandre CROIZIERS DE LACVIVIER

Communication manager:

Elodie HERISSON

Coordinator for Africa :

Alix ARQUILLIERE

Coordinator for Asia :

Caroline VAUTRIN, Bénédicte BOURGEON and Aurélie CEBE

Coordinator for Latin America and responsible for training:

Sylvia MOREIRA

Trainees: Lucas CHEF, Jérémie COQUIN, Julia HERAUT, Séverine LACROIX, Cécile LAVERGNE, Stephan LOPEZ, Benoît MARAVAL, Simon MBARGA, Andréa MAURIERES, Ugette PETILLION NGASSA, Lydia PACHECO, Joséphine ROUX, Cindy UBIEDO, Elvire VARO and Lindsay VERHERE.

The volunteers

The involvement of volunteers is the original source of the activities of the association.

For the year 2007, about 70 people got involved in the activities of LWB France; for a total of about 16.000 work hours.

For the year 2008, the number of volunteers reached over a **100 people**; for an agreed work time of **18.000 hours** to the association.

	2008	2007
number of volunteers	100	70
work hours	18 000	16 000

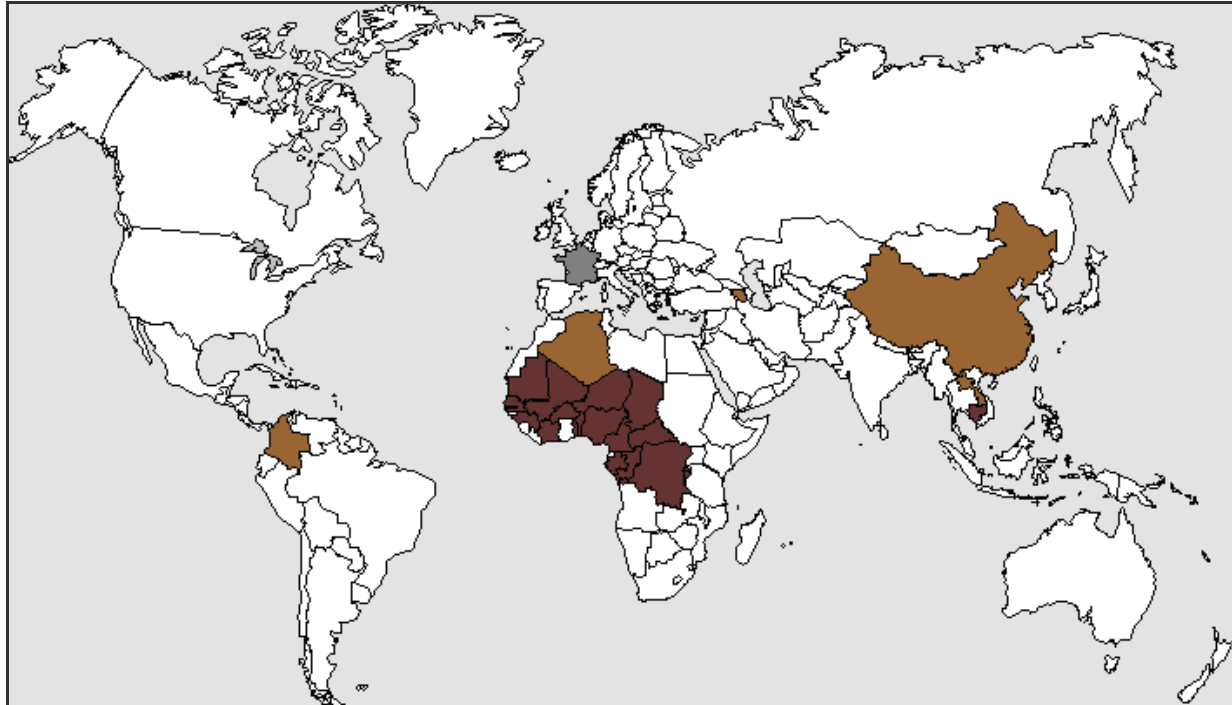
The members

LWB France counts **799 members** at all times since its creation in 1998.

Currently 141 physical people have paid a contribution in 2008.

	2008	2007
individuals	141	123
bars	30	25

THE PROJECTS



Projects in progress



New projects

Projects in progress 2009:

- Nigeria
- Cambodia
- French-speaking Africa :

West Africa: Benin, Burkina Faso, Ivory Coast, Guinea, Mali, Mauritania, Niger, Senegal, Togo

Central Africa: Burundi, Cameroon, Congo Brazzaville, Gabon, Central African Republic, Democratic Republic of Congo, Rwanda, Chad

New projects 2009:

- West Africa
- Algeria
- Armenia
- Colombia



⁴

⁴ These three countries meet within the « Lawyers at the service of lawyers » project.

In Nigeria

SUPPORT AND HELP FOR THE LAWYERS OF THE ACCUSED PERSONS INCURRING THE CAPITAL PUNISHMENT OR OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT



Marking the beginning of the commitment of LWB France in Nigeria, the death sentence of **Amina Lawal in 2003** (photo opposite) through stoning is telling of the difficulties of the Nigerian justice.

Besides the violations of the rights protection and the right for a fair lawsuit, **death penalty** is always mostly pronounced. Around 500 to 700 Nigerian prisoners would currently be in the death corridor and this despite of the moratorium established in 2004. Finally, the sentences pronounced by the charia courts: **whipping, amputation, and stoning** represent in the eyes of the United Nations Convention against Torture (CAT) ratified by Nigeria cruel, inhuman and degrading treatments.

1. Why LWB France in Nigeria?

At the request of Nigerian colleagues which was expressed through institutional organisations such as Legal Aid Council of Nigeria (LACON), the Legal Aid Bureau and the Nigerian Bar Association (NBA), the intervention of Lawyers Without Borders France, in partnership with Lawyers Without Borders Canada, aim to facilitate the actual implementation of the fundamental rules for fair a lawsuit and for the respect of human rights, planned by the Nigerian Constitution and the international legal instruments that protect the human rights ratified by Nigeria.

2. Description of the action "Promotion of international legal instruments, the rules for a fair lawsuit and for rights protection"

LWB France follows the Nigerian lawyers who take care of the defence of the prisoners detained in unfair custody or exposed to capital punishment and to cruel, inhuman and degrading treatments. This practical support is completed by awareness-raising activities as well as training on fundamental rights as a subject, not only for the intention of the lawyers, but also for all the actors of the judicial system: magistrates, policemen, prison staffs. These actions tend to facilitate the construction of a fairer and more coherent legal system as well as the emergence of a case law, which helps in pushing aside the arbitrary verdict of capital punishment or of sentences that constitute a cruel, inhuman and degrading treatment.

The objectives are to:

- **promote the respect for fundamental rights and the use of international legal instruments that protect human rights,**
- **facilitate and strengthen the legal aid system (Legal Aid Council), which makes it possible for the most deprived to have access to the law by offering a practical support to the lawyers.**

3. Achievements in 2008

This first program spread over two years covered the period of October 2006 - October 2008. The second year of the project began in October 2007 through an evaluation mission of a month and a half in order on the one hand, to review the activities of LWB France and their concrete results, and on the other hand to establish a thorough discussion with the local actors: clarify the needs and the expectations of our local partners, introduce to the whole of the Nigerian civil society and envisage new collaborations.

This mission has aroused a critical reflection on our activities and has made the necessary adjustments possible to improve the impact of our actions. The systematic revision of the cases followed by the lawyers of LWB France in association with the local lawyers, along with the request of a permanent presence of the LWB lawyers France from our partners, has resulted in the implementation of a systematic follow-up mechanism, through tools such as a computer database and

the relay of a Nigerian lawyer as a legal assistant for the project. This plan has made the monitoring of each step of the procedure and the support of the local lawyers possible.

On the other hand, this mission was the opportunity to introduce LWB France and its actions to the local NGOs involved in the protection of human rights in order to consider some actions to promote access to justice and the protection of human rights. It was also about deepening the relationships with our existing partners, such as the Legal Aid Council of Nigeria (LACON) and the National Bar Association (NBA), to define, depending on their needs, the modalities of our cooperation from 2009, both in terms of legal aid and support for pro bono counsel, and in the training of judicial actors.

This statement about the presence of LWB France on the ground by the sides of the local actors was strengthened through a research assignment on death sentences. For almost two and a half months, our delegate in charge of the mission has visited all the prisons detaining prisoners that have been sentenced to death, has met with the lawyers, the prison staff and the inmates; this in an attempt to identify those sentenced to death and to obtain a thorough view of the issue that is capital punishment in Nigeria.

This is why the 3 training missions and the case monitoring that took place in November 2007, March and July 2008, have paid particular attention to those that have been sentenced to death. Following the investigation mission, it has been decided, in consultation with the local partners, to intervene in Kaduna and Lagos in the Kiri Kiri prison, with respectively 12 and 10 people sentenced to death.

Legal assistance

- **Case Monitoring** - During the project, LWB France has identified 121 inmates for whom a particular monitoring has been established in 6 prisons.
- **Participation in an information campaign on free access to a lawyer during an arrest.**

Capacity strengthening of local actors

- **The lawyers' training** - These training sessions continued during the second year of the project in:
 - Ibadan, on 12th and 13th November 2007
 - Kaduna on 10th and 11th March 2008
 - Lokoja on 15th and 16th July 2008Thanks to these trainings, all the lawyers of LACON have been trained in human rights.
- **The round tables of the judicial actors** - They meet a triple objective:
 - to present the project and the course of action of LWB France,
 - to lead the judiciary actors to address together the weaknesses of the judicial system and to propose some solutions,
 - to encourage the setting up of regular meetings to facilitate discussions and consultation between actors of the judicial system.

Each panel has taken into account the particularity of the local context. Round tables generally meet all the representatives of the judicial system, i.e. the lawyers, whether they are from the Legal Aid Bureau or from private firms, the Prosecutors from the public prosecutor's department and from the Headquarters, police officers and the prison staff.

The end of the project has been marked by a closing conference on 2nd October 2008 which has brought together more than fifty judicial actors in Abuja, representing both the lawyers of LACON and of the NBA coming from about ten states, as well as some NGOs, members of the National Assembly, some representatives from the Ministry of Justice and some sponsors involved in the area of access to the law.

The work accomplished during the two years of this first project and the discussions conducted with the local judiciary actors have led to the development of two projects: one on the fight against torture and the other on the fight against the enforcement of death penalty. In 2009 is the beginning of the project of the fight against torture.

4. Perspectives for 2009: "promotion and implementation of the United Nations Convention against Torture in view of its full benefit for the person subject to trial and the Nigerian civil society"

Designed thanks to the analyses from field evaluations missions of the first project, the action "promotion and implementation of the UN Convention against Torture in view of its full benefit for the person subject to trial and the Nigerian civil society" benefits from the financial support of the European Commission as part of the European Initiative for Human Rights.



Nigeria has ratified the CAT in 2001. However several obstacles remain regarding the effective implementation of the Convention. LWB France regularly notices ignorance or poor use of the implantations of the CAT by those in the judiciary and police profession, because of a lack of information from these professions, the lack of communication between them and a trivialization of certain ways that do not respect human rights.

This is about the fight against torture and other cruel, inhuman and degrading treatment, through two major axes:

1. Promote the knowledge and application of the United Nations Convention against Torture (CAT) through the world of justice.

The actions will consist of:

- training and raising the awareness of the local judicial actors in the effective implementation of the CAT (training sessions and roundtables in order to train 500 local actors of the judicial life),
- raising the awareness of the general public (talk with the community leaders and the general public, information campaign).

2. Contribute towards the access to law and justice for vulnerable populations and contribute to stigmatization and reduction of torture and mistreatment inflicted across the whole judicial chain.

The actions will consist of providing legal aid to those victims of torture and ill treatment. Thus, *pro bono* lawyers will assure the assistance of those in custody and the defense of the people in custody and those convicted:

- assistance to approximately 1,500 people in custody,
- assistance to approximately 500 people remanded in custody while waiting for trial
- implementation of appropriate remedies for the benefit of convicts facing a cruel sentence,
- in the most severe cases, the police and administrative staff responsible for torture should be prosecuted and claims for compensation will be introduced.

Expected results:

- About 1000 to 1500 people in custody are assisted by a lawyer.
- About 400 to 500 people remanded in custody are assisted by a lawyer in view of the implementation and adjudication of the case and, if appropriate, their release or acquittal.
- Approximately 500 actors from the legal life are trained and made aware of the CAT and to a more restrictive application of the death penalty.

5. Partners of the Nigeria project

- LWB Canada
- Nigerian Bar Association (NBA)
- Legal Aid Council of Nigeria (LACON)

With the technical and logistic support of:

- Clifford Chance Paris

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

With the collaboration of:

- The Constitutional Rights Project
- Justice and Human Empowerment Center (JAHEC)

With the financial support of:

- The European Commission
- The Bar of Paris



6. Members of the Nigeria team

Catherine MABILLE, In charge of the project (until February 2008)

Ivan PANEFF, in charge of the project (since February 2008)

Alix ARQUILLIERE, Project coordinator

Sabah BOUMESLA, representative

Ziyad CLOT, representative

Emilie DE VAUCRESSON, representative

Constance DEWAVRIN, representative

Jean-Sébastien MARIEZ, representative

Mathieu ODET, representative

Cécile OSTIER, representative

Haiba OUAISSI, representative

Delphine MAMOUDY

Lydia PACHECO

Valérie BECKER

Dominique CHARLES

Loïc GUERIN

Clémence HERAULT-DELANOE

Aurélie LUBOT

Lionel NJEUKAM

Gaëlle MAUGIN

Dako MOZAGBA

Eleonore PEIFFER

Elise THIEBAUT

Avelina VIEIRA

Michael Samol

In French-Speaking Africa

CAPACITY BUILDING OF THE PROTECTORS OF HUMAN RIGHTS IN FRENCH-SPEAKING AFRICA

FORMATION DE FORMATEURS AUX DROITS DE L'HOMME

**Formation à la technique juridique :
Instruments Juridiques Internationaux
protecteurs des droits de l'Homme
et Juridictions Pénales Internationales**

**AFRIQUE CENTRALE
AFRIQUE DE L'OUEST**

The action joins in a general context of massive violations of the Human Rights amongst which women and the children are the main victims. The lack of knowledge of Human Rights by the populations and the vulnerability within which the defenders are themselves, represent a major obstacle for the development of the culture of Human Rights.

Strengthen in a significant way the capacity of the Human Rights supporters to ensure a better protection of citizens through a solidarity network and a more systematic use of all instruments and international procedures for the protection of Human Rights in order to promote a broad transmission of principles, values and tools which make it possible to strengthen the state under the rule of law, democracy and peace.

1. Why LWB France in French-Speaking Africa?

Lawyers without Borders France perceive training as a privileged tool for strengthening and empowering local actors. From the first trainings about the legal instruments defenders of Human Rights organised in France after the creation of the association in 1998, several colleagues coming from Africa have always taken part. LWB France has always wished for the possibility to organise such training on site in Africa for greater access and especially with the multiplier effect from a pool of local trainers.

On the other hand, LWB France has also part actively in the process of establishing the International Criminal Court (ICC) as well as in the creation of the International Criminal Bar to which it belongs. Several members of LWB France have experience in defence before the International Criminal Tribunals, or more broadly in the legal treatment of international crimes and serious Human Rights violations.

As from 2003, with the aim of sharing experiences and know-how, LWB France has set up training so that the actors protecting Human Rights can adapt themselves to very specific ICC procedure which makes it possible to charge for crimes of genocide, crimes against humanity and war crimes.

The first training sessions, although they took place in France, have aroused the interest of several African lawyers and jurists. At their request, in 2005 some training sessions on the ICC and the international legal instruments defenders of the Human Rights in Congo Brazzaville, in Mali and Senegal have been organized. The success encountered in the three countries has confirmed the scale of demand and the needs in this field.

That is why LWB France, with the support of the International Organisation of the Francophonie, and in close collaboration with the bar, local lawyers associations and the NGOs in the francophone world, is implementing a comprehensive training programme of instructors in West Africa and Central Africa. Ultimately, it is a question of training approximately 160 lawyers and other supporters of Human Rights coming from about twenty countries of Central and West Africa⁵, including a core of twenty instructors in each sub-region capable in turn to increase the impact of this training.

⁵ List of countries concerned for West Africa: Benin, Burkina Faso, Ivory Coast, Guinea, Mali, Mauritania, Niger, Senegal, Togo - List of countries concerned for Central Africa: Burundi, Cameroon, Congo Brazzaville, Gabon, Central African Republic, Democratic Republic of Congo, Rwanda, Chad

The training of trainers program to the ICC and international legal instruments protecting Human Rights is motivated by:

- a strong demand to cope with massive of Human Rights violations,
- the need to consolidate the knowledge and practices of African legal actors about international legal instruments and the functioning of the ICC in order to make a response tailored to address these violations possible,
- an insufficient number of training for a very high demand,
- the need to encourage the linking and networking of the supporters of Human Rights and of the NGOs of these two sub-regions.

2) Short description of the action

The first training on the International Legal Instruments protecting Human Rights and on the International Criminal Court, although taking place in France, have aroused the interest of several African lawyers and jurists. Some were able to travel to take part in these programmes in France, such as lawyers from Mali, Senegal, Togo, Algeria, Congo and Ivory Coast, but many were not able to come because of the distance and the cost it entailed.

The implementation of an interregional project was seen as the best solution to:

- meet the needs in terms of intensification the capacities of local actors,
- develop more efficient network-relations between legal actors of the same region,
- allow all the local actors involved to make the most of these tools and procedures,
- generate multiplier effects which stretch the autonomy of the local actors.

It involves setting up a dual curriculum to instructors' training to international legal instruments protecting Human Rights and the International Criminal Court, one in Central Africa, the other in West Africa in 4 stages:

Step 1: instructors' training to teaching methods - 7 days

Designing and conducting effective and tailored training activities to the target group(s)

- Brazzaville, Congo
- Cotonou, Benin

Step 2: instructors' training to legal technique - 7 days

Controlling the use of international legal instruments protecting Human Rights and the procedures of the International Criminal Court.

- Yaounde, Cameroon
- Bamako, Mali

Step 3 : Consolidating the teaching methods - 3 days

Consolidating his/her skills in animation methods, mastering work within a network and within a multicultural environment.

- Dakar, Senegal
- Libreville, Gabon

Step 4: Support and Assessment - 3 days + 2 days

- 2 training sessions of 3 days each provided by the trainees-instructors supported by the instructors of LWB France.
- 1 session grouping of 2 days, which will be held following the last training support session.
- The training and consolidation sessions' venues will be decided later in consultation with the trainees-instructors.

3) Review of the actions carried out in 2008: "Training of trainers interregional to international legal instruments protecting Human Rights and the International Criminal Court"



The first stage of this project in the sub-region of West Africa, that is, training in teaching methods, was organized in December 2007 with the support of the IOF. It has brought together 19 lawyers and Human Rights protectors, involved within local organizations from civil society and/or their respective Bar, coming from the 9 countries of the target area in West Africa.

Photo: opening ceremony of the first session for West Africa in Porto-Novo in Benin, in December 2007

The second session for the region of West Africa took place between the 11th and 18th December 2008 in Bamako in Mali. It was about "the use of international legal instruments protectors of Human Rights and the international penal justice".

The specific objectives of this session were:

- training lawyers and Human Rights protectors to using the international legal instruments and the procedures of the International Criminal Court,
- putting together a group of people resources capable in turn to provide training within their respective countries,
- facilitating the implementation of a regional network of interdependent, protective and responsive instructing lawyers and protectors of human rights.

The content of the session was structured around the following key elements:

- How to look at the four main areas in historical and methodological perspective:
 - Classic public international law
 - International Humanitarian Law
 - International law for Human Rights
 - The International Criminal Law
- The main instruments protectors of human rights and the existing mechanisms
- The International Criminal Court and ad hoc tribunals
- The Human Rights protection System in Africa

In the opinion of the trainees the objectives of this session have been met:

- The trainees have acquired knowledge and skills in using the internal law and the international legal instruments protecting human rights.
- The trainees have acquired knowledge and skills on the functioning of the international criminal justice. They have developed their ability to intervene before these courts.
- The trainees have consolidated the knowledge and skills acquired during the training of the instructors "the fundamentals." They have proven their ability to conduct training.



Photos: progress of the 2nd training session for the group of West Africa in Bamako, December 2008

4) Outlook for 2009

The project carries on in 2009. Planned for the year are:

- Stage 3 of the West Africa group: instructors training, consolidation session in April in Senegal.
- Stage 1 of the Central Africa group: instructors training, "the fundamentals", in Congo Brazzaville
- Stage 2 of the Central Africa Group, training in international legal instruments protecting Human Rights and in international criminal courts.

All these stages will be influenced by the concern to consolidate the network structure of the protectors of Human Rights in Central Africa and West Africa.

5) Project Partners Francophone Africa

- Central African League for Human Rights
- Lawyers Without Borders – Mali

Ligue centrafricaine
des droits de
l'Homme



AVOCATS SANS FRONTIERES
MALI

With the financial support of:

- The French Ministry of Foreign and European Affairs
- The International Organisation of the Francophonie
- The Midi-Pyrénées regional Council



6) Members of the French-Speaking Africa team

Marie-José CANTIER-HERRMANN, Project Leader
 Caroline LAMBERT DE CESSEAU, Instructor
 Françoise MATHE, Instructor
 Seydou DOUMBIA, Instructor
 Philippe MORICEAU, Instructor
 Hugo Moudiki JOMBWE, Instructor
 Alix ARQUILLIERE, Project Co-ordinator

In Mali

LEGAL TOURS IN MALI: ACCESS TO LAW AND JUSTICE FOR THE VULNERABLE POPULATIONS CITIES OF KOULIKORO, SEGOU AND SIKASSO



A number of shortcomings in the judicial system of Mali have pushed LWB Mali to develop this project of which LWB France is a partner.

In fact, citizens' ignorance of their rights is widespread, and this is especially true for rural populations.

In addition, Mali has less than 275 lawyers for almost 14 million inhabitants.

1. Why LWB France in Mali?

The most deprived communities do not have access to justice because they do not know how or with whom to assert their rights. The very confession of the Ministry of Justice "legal aid remains a wishful thinking" and the law on Legal Aid assistance remains unknown. The communities' needs for information regarding their rights are therefore major. It is the same in terms of having access to a lawyer for both the prisoners and for the community in general.

The regions of Koulikoro, Segou and Sikasso illustrate perfectly these problems in terms of access to law and justice: they have been privileged because they have recorded a relatively high crime rate and a very limited presence of lawyers.

The courts of Segou and Sikasso have only 3 lawyers each, while no lawyer is actually settled in the Koulikoro. For some 280 people held in prisons of the 3 regions, access to counsel is not guaranteed and the rights of the defense may be violated. Litigants in these regions have both need legal advice and service of legal aid. These three regions are therefore pilot phases of the project before its extension throughout the country.

2) Short descriptif of the action

LWB France and LWB Mali intend to promote access to law, especially for prisoners and the most underprivileged people through a consolidation of the legal aid to prisoners to ensure that the most underprivileged people have access to a lawyer.

The project aims to consolidate the state under the rule of law by contributing to equal access to law and justice for the underprivileged communities with the presence of free lawyers in the three cities of the project.

It is about informing the detainees and defendants about their rights and duties and about raising their awareness, as well as those involved in the legal system (lawyers, magistrates, police officers and the prison staff), about respecting Human Rights. This mechanism will therefore contribute to the consolidation of legal aid ensuring access to law and justice and the respect for their fundamental rights.

By promoting access to justice for prisoners and communities, especially the most deprived, the project of Lawyers Without Borders Mali intends to provide legal aid to:

- ensure that detainees have access to a lawyer and the right to a fair trial,
- answer the questions of citizens regarding legal matters and guide them in their legal efforts so as to make the law accessible and comprehensible to the communities that are the least educated and the most economically deprived,
- raising the awareness of individuals about the access to law and justice and about respecting fundamental rights.

To create a synergy around these actions and strengthen the capacity of local actors, LWB Mali and LWB France also offer to:

- educate and train those involved in the judicial aspect to the benefit of legal aid, the rights of defense and right to a fair trial and about Human Rights in general,
- promote the dialogue between the lawyers, magistrates, police officers and the prison authority to pay special attention to respecting fundamental rights.

3) Review of the activities carried out in 2008: "The legal Tours in Mali"

In 2008, the first legal tour has been organized:

- From the 06th to 10th October in Koulikoro
- From the 13th to 17th October in Ségou
- From the 1st November to 22nd November in Sikasso.

The activities conducted during this first legal tour have been:

The legal consultations for the prisoners:

These consultations have revealed serious situations. Several prisoners were remanded in custody for a length of time that widely exceeded the legal period. Others have been charged without ever being questioned by the investigating judge and that for many months or several years. There is every reason to believe that "the interrogation of the first appearance" only served to confirm the investigation report.

The remand in custody has not been renewed within the legal time limits and some prisoners are therefore in illegal custody.

The practical methods of the exercise determining the grounds to appeal are unknown to the prisoners or inaccessible to them. Several of them report that a member of their family must contact a public writer in order to write a letter expressing their will to appeal or that they, themselves, should pay the



Photo: free legal consultation session at the Segou prison

same amount to get the court registry or the short-stay prison to draft a right to appeal; and yet they must in addition pay the "administration fee" in order to be able to move from the enclosed space of the prison to the Registry office.

Have also been reported, some cases where the maximum legal period had been exceeded the statutory maximum, even when the qualification is correct.

There were many cases where the summons did not progress, leading to several hearings and as always an obstruction of prisons.

The arguments or to direct defense at the bar:



Photo: during the hearing of Tuesday 07th October 2008 in Koulikoro

Overall, the judges have recorded the abuses that were observed and have expressed their determination to resolve these. During hearings, the debates have been long but well conducted. The LWB lawyers have assisted the prisoners whose cases had been chosen during prison visits because of their symbolic nature.

The plaintiffs have also benefited from free legal advice from a lawyer of LWB Mali.

The communities' consultations

In Koulikoro, on the 08th and 09th October 2008, the population has been invited by postings, written and spoken press releases, and radio interviews.

In addition to workers in situations of social conflict with their employer, a local company as well as several women has also responded to the appeal.

In Segou, the 15th and 16th October have been devoted to free legal advice to the communities. In addition to the printed and spoken media, the network leaders of traditional communicators were asked to raise the awareness of the community.



Photo: Free legal consultation with the Koulikoro communities

The launch of consultation activities has been the subject of a ceremony, which was chaired by the Prefect of the circle surrounded with politicians (the city Mayor, the President of the Regional Assembly).

In Sikasso, the lessons learned for the mobilization of the populations in the first two cities have made it possible to strongly involve local radio stations and civil society's organisations. The consultations themselves have wrapped the 19th and 20th November 2008 in the Conference Room within the premises of the prefecture. The launching ceremony of the consultations has also been chaired by the Prefect of the circle, surrounded by the elected members amongst whom the Mayor of the city.

The conference discusses raising the awareness of those involved in the legal system.

In Koulikoro, where it was chaired by the Governor's cabinet director, the theme presented by the representative of LWB France was: "The procedure that protects human dignity, based on the abuses observed and in the light of both international instruments and of the Malian constitution who applies it. The prosecutor, representing the Minister for Justice, was present.

In Segou, the governor has insisted to open the conference, in the presence of the presiding judge and the state prosecutor. Six other judges have taken part in discussions on the theme "Access to law and justice" introduced by the LWB France representative and set out by the lawyer, Mr. Brahima Kone, president of the Malian Association for Human Rights.



Photo: launching ceremony of the consultations chaired by the circle Prefect in the "Malick Coulibaly" room of Segou

In Sikasso, "The presumption of innocence" was presented by the lawyer, Mr. Mohamed THIAM from LWB Mali in the conference room of the Circle Council. The Governor of the region chaired the opening ceremony of the conference debate.

Each of the three debates have been able to raise around 120 to 150 people consisting of representatives from civil society organizations, heads of technical services, administration and justice. All this was made possible through the support of various governorates in mobilizing communities.

4) Prospects for 2009: maintaining the activities of the Legal Tours in Mali

The action continues in Mali in 2009 covering on the programm:

- The second legal round in the cities of Segou, Koulikoro and Sikasso. This tour will focus on the training towards the respect of the rights of people who are arrested or detained of those involved in the legal system. It will bring together judges, lawyers, prosecutors, police officers and prison administration staff. Will also be conducted, legal consultations in prisons and among the communities as well as the direct defense of chosen cases held before the courts and tribunals.
- The monitoring of cases identified during the various legal tours: lawyers from Mali has conducted this monitoring based on the project's three pilot sites in order to help put an end to the abuses recorded in terms of custody.

In addition, discussions with various parties actively involved with justice and development cooperation in Mali led to consider the development of a strategic action plan over a period of 3 to 5 years aiming to help reinforce the State under the rule of law in Mali.

5) The partners of the Mali project

Lawyers Without Borders – Mali



We welcome the involvement of the whole team of LWB Mali. Thank you especially to the lawyer Mr. Karembé Hamadi, President of LWB Mali and Dominique Konaté, Project Coordinator at the Headquarters of LWB Mali.

6) The members of the Mali team

Jean Claude Nicod, Project leader
Baïdy NIANE, Representative
Elisabeth PETITJEAN, Representative
Catherine ARDONCEAU, Representative
Nicole CAUSSADE, Representative

7) With the financial support of

- European Union /Ariane
- Bar of Bordeaux



In Colombia

PROTECTION OF THE RIGHTS OF DEFENSE AND SUPPORT IN THE LEGAL PROFESSION



The context in Colombia is marked by an armed conflict that has been going on for over forty years now and is characterised by the great number of violations of the international humanitarian law. Colombian lawyers, the main guarantors of access to law and justice for the whole of the population are particularly at risk in such a context; they are associated to the causes that they advocate and become targets for military and paramilitary groups who confront each other.

1. Why LWB France in Colombia?

Lawyers Without Borders France is present in Colombia since 2001, at the request of Colombian lawyers threatened in their professional practice.

Since January 2005, Colombia has changed its system of criminal procedure. The country has moved from an inquisitorial system of criminal procedure to an accusatorial system of criminal justice. The implementation of the new Code of Criminal Procedure is progressive in the country, year by year. While the lawyers of the “*Defensoria Publica*”⁶ have been trained to prepare for the enforcement of the new system of criminal procedure, it has not been the same for independent lawyers who did not receive any training or appropriate documentation.

2. Short description of the action

The action in Colombia aims to improve security, independence and the training of lawyers as well as obtaining recognition from the authorities and the civil society, of the legitimacy of their function and the need to ensure a special protection because of their role in the development of the State under the rule of law.

Since the beginning of the intervention in Colombia, the real initiative resulted in:

- The organisation of international projects of census, support and assistance to the lawyers threatened.
- The creation of the house counsel as a vital centre for the institutional growth of the profession.
- Building a network of partner associations in the implementation of activities and for the development of the profession
- The intensification of the capacities of the independent lawyers with the organisation of training sessions on the international legal instruments and the criminal justice system.

3. The achievements in 2008

2008 has been the year of the reassignment of activities between Lawyers Without Borders France and the establishment of the Law Centre in Colombia. As a matter of fact, while carrying on with the activities planned, namely assistance to the lawyers and training on the new system of criminal procedure, LWB France has ceased its activities on 31st December 2008.

In 2008, training sessions have been organised in the areas where the new Code of Criminal Procedure was meant to come into force. 10 districts were concerned: San Andrés y Providencia, Arauca, Montería, Quibdó, Pamplona, Riochacha, Sincelejo, Yopal, Bucaramanga and Pasto.

On the 250 enrolled, 229 have actually taken part in the training sessions. 200 have obtained their certificate of attendance, with a male and female proportion of 71% and 29% respectively. Note that

⁶ Defensoria publica or Defensoria del pueblo : public organisation

100% of participants have been satisfied with the training, its theme, its duration, the methodology used and the quality of the documentation given.



With these 2008 sessions, it is more than 800 lawyers who have been trained in three years following the adoption of a new Criminal Code of Procedure replacing the classic inquisitorial criminal procedure in force in the Latin countries, the criminal procedure known as "accusatory" of Anglo-Saxon type. The unanimous satisfaction index shows that the training has been perfectly tailored to meet the needs of liberal lawyers. Such a match helps to strengthen the rule of law and access to justice. Through the trained practitioners, it is the entire population and especially the most vulnerable individuals (children, women, relocated people, economically deprived people, etc.) who benefit.

4. Prospects for 2009

2008 marks the end of the direct presence of LWB France in Colombia. The results of this intervention since 2001 are important:

- Creation of a databank about the lawyers, who have been threatened, murdered or have disappeared.
- Creation of several defence and lawyers protection projects: technical and material assistance to a large number of lawyers going as far as exfiltration for the extreme cases.
- Creation of an international emergency network capable of intervening when necessary. The Observatory for lawyers' protection recently created by LWB France has its inspiration from this first mission.
- Training of about 800 lawyers in the new criminal procedure system set up place.
- Creation of several publications: annual reports on the lawyers' situation (2003 and 2008), publications on the rights of the defence and the professional bodies, and the Code of Criminal Procedure commented.
- Creation of a Law Centre to serve lawyer's associations.



As of 2009, the interventions and projects in Colombia will be managed by the **"fundacion abogados sin fronteras en Colombia"**, a structure of the Colombian law.

This has been made possible through the achievement of work done throughout the project and particularly in 2008.

The Law Centre, the emergency network and documentation will be managed by this structure, which can also develop new projects.

5. The partners of the Colombia project

The project has received financial support from:

- French Prime Minister
- French Ministry of Foreign and European Affairs
- The town council of the city of Paris
- The National Council of Bars
- The Bar of Lyon, Marseille, Val-de-Marne, Angers, Nantes, Bobigny, Rouen and Essonne.



6. Members of the Colombia team

Françoise MATHE, Voluntary Project Leader
 Sylvia MOREIRA, Project Coordinator
 Pascale TAELEMAN, Voluntary Representative
 Flor TERCERO, Voluntary Representative
 Claudio PANDOLFI, Voluntary Argentinian Representative
 Adriana GONZALEZ, Voluntary Colombian Representative
 Hélène DIRIBARNE, Voluntary Representative
 Benoît ROUSSEAU, Voluntary Representative
 Pedro MAHECHA, Voluntary Representative

7 members of the projects are employed in Colombia in 2008.

Julia MORA, field co-ordinator
 Pedro MAHECHA, Lawyer
 Natalia ERAZO, coordination Assistant
 Hasbleidy MUNOZ, accounts secretary
 Security : Diego ERAZO, Diego ARDILLA and Juan Camilo VILLEGAS

In Cambodia

RE-ESTABLISHING THE STATE UNDER THE RULE OF LAW THROUGH THE INTENSIFICATION OF THE LAWYER'S PROFESSION



The will of LWB France in Cambodia, as elsewhere, is to consolidate the local competence and empower those involved in the judicial system.

In partnership with the Bar Association of Cambodia and the CLPT, Lawyers Training School in Cambodia, LWB France provide student-lawyers every year with a full legal training, both at National Law level as well as at the international conventions ratified by the country.

Since 2005, two training sessions are organized through the International voluntary expert members.

1. Why LWB France in Cambodia?

- Two decades of civil war, which began with the crimes of the KR, have deprived Cambodia of its intellectuals and the majority of its lawyers.
- The Centre for lawyers Professional Training must face a growing number of young jurists who wishing to access the legal profession.
- The state legal aid system encounters malfunctions. Almost all the lawyers are based in the capital, very few of them work in the country town. This has serious consequences: slow procedures, illegal pre-trial detention...
- The legal context is evolving especially in the context of a judicial reform of the legal system initiated in 2003, which projects the adoption of 8 new fundamental laws.
- The establishment of the Extraordinary Chambers within the Courts of Cambodia makes it necessary for Cambodian lawyers to become familiar with the international criminal law and with the International Legal Instruments for Human Rights protection.

2. Short description of the action

Since 1998, LWB France and the Bar of Cambodia take part in conferences and joint work meetings. At the outset, the Bar of Cambodia has expressed its interest in the activities conducted by LWB France.

Since 2005, LWB France takes part in the restitution of the State under the rule of law through consolidation of the legal profession and legal aid for the populations from country towns through two programmes.

The first training programme was implemented in 2005 for a 3-year period. Some LWB France project leaders along with Cambodian co-instructors provide training to student-lawyers from the Centre for lawyers Professional Training (CLPT). These trainings focus on the professional practice of lawyers and the use of international conventions protective of Human Rights ratified by Cambodia.

A second legal aid programme began in 2006. It aims to provide free of charge legal aid in all country towns from various countries for the benefit of the poorest.

Since May 2008, the lawyers who are members of LWB France have engaged in the defence of civil parties with the Extraordinary Chambers established within the Courts of Cambodia (ECCC). The implementation of these programmes is achieved both through the help of the project representatives, volunteer lawyers, members of the Cambodia group and the work of the local team on-site in Phnom Penh and the Headquarters in Toulouse.

3. Achievements in 2008

► **STUDENT-LAWYERS' TRAINING PROGRAMME: CONSOLIDATION OF THE COMPETENCE OF THOSE INVOLVED LOCALLY: TRAINING OF YOUNG CAMBODIAN LAWYERS ABOUT HUMAN RIGHTS AND THE RIGHTS OF THE DEFENCE.**

"Instructors training" have been implemented on-site in Cambodia for the jurists who wish to become instructors, in view of empowering those involved locally. Some methodological support tools are transmitted to the co-instructors, to ensure the training of future generations of law practitioners in complete autonomy.



Training in Sihanoukville, July 2008

Training is then provided to Cambodian student-lawyers:

3 members of LWB France along with 6 Cambodian co-instructors provide each training session to about 45 to 60 students divided into 3 groups, for a period of 5 intensive days.

The active method of LWB France is to focus on a very practical and creative approach: work with large and small groups, presentations, overviews, case studies, role plays, attending the hearing.

Les Topics covered focus mainly on the professional work of the lawyer.

Instructors now have 4 "Instructor's Guide" appropriate for the training of Cambodian lawyers on the following topics:

- The role of the lawyer,
- The use, in domestic law, international conventions ratified by Cambodia,
- The code of ethics,
- The criminal procedure as a guarantee for fair trial⁷.

The training topics are therefore constantly developing so as to meet the realistic needs of the Cambodian lawyers.

Since the beginning of the project, these courses have benefit to 180 student-lawyers. They are aimed at CLPT student-lawyers in their last year, before their graduation. Their profile has changed as the project developed. The trainees are now older and more experienced. Some have already worked or are still working as a police officer, secretary to the Governor, Legal Assistant in an NGO, serviceman/servicewoman, a job within the department of law as the election board, an assistant in a law firm, assistant chief clerk of Phnom Penh, assistant to the Council of Ministers.

30 co-instructors have also been trained. The creation of the people resources group has been made possible through a partnership with the CLPT and the French-speaking centre of the Law Faculty of Phnom Penh, who have taken part in the identification of young French-Speaking jurists wishing to follow the co-instructors training and taking part in the LWB France programme. These Cambodian co-instructors are now able in their turn to organise and provide training.

The Bar of Cambodia's lawyers are the target group of this programme, since from the training of the CPLT student-lawyers, the competences of lawyers of the Bar are being completed and therefore consolidated.

In 2008, two training sessions for student-lawyers preceded by co-instructors training have been conducted in Cambodia:

- From 27th June to 4th July 2008 in Sihanoukville: training on the theme "The role of the Lawyer,"
- From 24th to 29th November 2008 in Phnom Penh: Training on the theme "The Use of international conventions ratified by Cambodia in domestic law."

The renewal of this programme has been accepted for three extra years. It will be financed by the French Embassy in Cambodia.

⁷ This guide was borne following the coming into force of the new Code of Criminal Procedure in June 2007.

► **THE AWARENESS RAISING OF THE POPULATION TOWARDS JUSTICE AND THE ROLE OF THE LAWYER**



Battambang Orphanage, July 2008

To promote access to justice, it has been necessary to raise the population's awareness about the role of the lawyer. From 10th to 13th July, the instructors went in 5 orphanages (in Pursat, Kompong Chhnang, Battambang and Pailin,) to raise the children's awareness about the legal profession and justice.

700 children, aged between 2 to 16 years old have therefore been made aware. This activity has been conducted in partnership with *the School of Human Rights*, which has developed pedagogical materials specifically made for children, a miniature court and some puppets representing those involved in the trial and the association *Children of Asia*.

The School of Human Rights has provided cardboard cutting boards to the instructors giving birth to the simplified construction of a courtroom and figures meaning to take on this miniature stage the real places of the various protagonists and characters of a trial (judge, prosecutor, clerk, defendant, witnesses, victims, lawyers, public).

The children had the opportunity to discover the characters present and essential in order to hold a trial and the role of the lawyer. A bag containing a small puppet theater, also representing all the characters in a trial has made it possible for children to manipulate the characters, to physically own them in order to change the action in the timeline and the usefulness of the trial.

The coordinators of the AJ programme also led the consciousness-raising of the population. During their trip to the country towns, they distributed information and awareness raising leaflets to inform individuals of the presence of a free of charge lawyer in their province, and the contact details of the latter. The information is also transmitted to village chiefs who are doing an important relay job amongst the poorest villagers.

► **JUDICIAL ASSISTANCE PROGRAMME : ESTABLISHMENT OF A SYSTEM OF LEGAL AID FOR THE MOST VULNERABLE THROUGHOUT THE WHOLE OF THE CAMBODIAN TERRITORY**



In 2006, LWB France has implemented a second project in Cambodia, with the support of the European Commission and the French Embassy in Cambodia, which aims to help consolidate the State under the rule of law and the protection of Human Rights by creating permanent free legal aid provided by lawyers in all the courts of Cambodia, as well as ongoing training provided to these lawyers (with the help of Cambodian co-instructors).

For access to justice for all: this initiative meets the needs of the most vulnerable populations, including women and children who are excluded from all possibilities to have access to legal assistance. Several inequalities remain, with serious consequences: slow procedures, provisional illegal detention, corruption and impunity.

Defense of Human Rights throughout the national territory: this programme aims to encourage the Cambodian lawyers to establish their firm in country towns depending on the needs of the populations. Indeed, LWB France, during its first year of intervention in Cambodia, quickly observed the problem that the country was facing at the level of geographical distribution of lawyers. Indeed, virtually all lawyers have settled in Phnom Penh and few of them offer free help lines for the vulnerable populations. LWB France has thus wished to contribute to mitigate these problems, by putting a sense of honor in the fact that the whole national territory is covered by the project and that the poor populations may have access to it.

The Bar Association of Cambodia has conducted the recruitment of 25 lawyers involved in the project. LWB France backs the lawyers who provide free help lines in each province of Cambodia. During the first two years of activity, the 25 lawyers associated to LWB France have carried out 2 500 consultation actions, conciliation, speech for the defence and prison visits.



Lawyer Firm of the programme based in province.



Firm of one of the programme lawyers, based in Sarakac.



Mr. Mak's firm, province of Kampong Cham.

A lawyer paid for the vacation guarantees free legal services in each country town Cambodian court, once a week. Every lawyer involved in the project is able to advise and defend free of charge, civil as well as criminal cases, any individual who requires his/her services. Lawyers Without Borders France ensures the effective presence of the lawyer at his/her legal advisory office and the respect of his/her commitment, as well as the individuals' information of this service by carrying out on-site checks and through the project coordinators.

To ensure the quality of the interventions of the lawyers of the project, several training sessions are provided each year for the lawyers of the project. Two or three instructors of LWB France travel to Cambodia to organise a training session, which addresses a specific theme, determined by the needs of the lawyers. As in the training of young lawyers, each instructor is accompanied by 2 co-Cambodian co-instructors.

In 2008, the lawyers of the AJ programme have received three training sessions:

- du From 11th to 15th February 2008 in Phnom Penh on the theme "The criminal procedure guarantees fair trial" (deepening)
- From 7th to 9th July 2008 in Sihanoukville on the theme "Defending Better", "Code of Criminal Procedure" and "Role of the lawyer in jail")
- From 3rd to 5th December 2008 in Phnom Penh on the following themes: "the hopelessness", "The speech for the defence" and "The extradition".

In 2008 it was about 1800 interventions that were made by the lawyers for the benefit of the people. In addition to these interventions related to court records, lawyers are in consultation, advise and offer conciliation, helping by the resolution of these cases to judiciary relief. There are nearly 2600 people who were thus able to have access to a lawyer in cities and regions where such an access to the right of defence was not possible.

The project drawing to a close, LWB France hopes that the lawyers settled in the country towns hold on to their firms still open at the end of the project and continue to provide free legal advice to the vulnerable populations. This is a real challenge because it is conditioned by the firms' ability to maintain paying customers. But those who can afford to hire a lawyer are more in the capital, and the firms in country towns make less profit.

Therefore, LWB France, with the support of those involved and the legal authorities would like to continue and consolidate this initiative for the benefit of the people. Indeed, it is essential to make this project sustainable. Funding applications have been made to the Ministry of Foreign Affairs then to the French Agency for Development.

► TRAINING PROGRAMME FOR FRENCH-SPEAKING YOUNG JURISTS

On the 1st and 2 of december 2008: training on 'the International Criminal Court' and on "the Use of International Convention ratified by Cambodia in internal law".

► **ESTABLISHMENT OF AN OFFICE FOR THE DEFENCE OF CIVIL PARTIES IN THE CONTEXT OF THE EXTRAORDINARY CHAMBERS WITHIN THE COURTS OF CAMBODIA (ECCC).**

Making it possible for the Cambodian lawyers to defend the fundamental Rights in their country: the "ECCC" tribunal in charge of prosecuting those responsible for the crimes committed by the "KR" regime, took office in 2007 under the joint aegis of the UN and the Cambodian government.

Since May 2008, LWB France, with financial support of the French Embassy in Cambodia, has established a support office for the Defence of Civil Parties. This project aims to acknowledge the status of the victims as civil parties and ensure the defence of their cases before the ECCC. To that effect, a team of 2 lawyers and 2 Cambodian jurists was set up on-site. The team works in close collaboration with 20 LWB France volunteer lawyers, who are experienced in international criminal tribunals. Joint teams made up both of jurists and lawyers from Cambodia and abroad will therefore assure the defence of the civil parties.

There are few Cambodian lawyers who have the means to establish records of the civil parties and take charge of the defence; as a matter of fact, the status of the victim is different from that traditionally granted by the Cambodian law. LWB France wanted to set up a joint team in order to follow its objective of consolidating the legal profession and empowering those involved locally.

An initiative incorporated within a work network: in February 2008, a Cambodian association, the ADHOC, has requested the lawyers of LWB France, of Roman-Germanic legal culture, to back its support activities towards the civil parties. Collaboration therefore rose between LWB France and ADHOC as well as other Cambodian associations for the defence of the KR victims. LWB France assumes responsibility of the files accepted by the Tribunal for the benefit of these associations.

These actions support the role of the Victims Unit assigned to the Tribunal, which does not have sufficient material means to ensure the defence of the civil parties.



Oath-taking of 3 French lawyers members of LWB France within the framework of ECCC

Since the project began, the French lawyers of LWB France take turns in Phnom Penh in order to support the Cambodian lawyers in the steps to follow (a French lawyer is present between two to three weeks per month). Thus, between one and three French lawyers have been present each month in Phnom Penh since May 2008. Most of these lawyers took the oath and are now entitled to defend along with the Cambodian lawyers before the ECCC, alongside other international lawyers.

4. Prospects for 2009: Defence, training, and empowerment

LWB France will continue the project for the training of young Cambodian lawyers about the Human Rights and the Rights of the Defence, and will continue its instructors' training programme in order to make it possible in the long term for the Cambodians themselves to be responsible of training in this area. This experience will also be extended to other people involved in the legal field such as student-magistrates. Actually, a partnership agreement has been signed with the Royal Academy of Legal Professions in Cambodia for a training project aimed at Cambodian student-magistrates over a three-year as from September 2009.

We are hoping to be able to renew the Legal Aid programme which, after existing for three years, was completed in January 2009, through a training session and a closing conference on the 13th and 14th January based on the theme "The difficulties in the implementation of the Criminal Procedure Code in Phnom Penh ", which was attended by representatives of the Cambodian Ministry of Justice as well as by representatives of the European Union and of the international cooperation.

Moreover, awareness raising initiatives amongst children in orphanages will also be held in 2009.

So these are scheduled for 2009:

- Two training sessions for Cambodian student-lawyers (from 6th to 10th July and from 23rd to 27th November).
- A training session for Cambodian student-magistrates from 30th November to 4th December 2009 on the theme of the New Cambodian Criminal Procedure Code (this project provides a training session per year over a three-year period).
- An awareness raising initiative in the orphanages (in partnership with the School for Human Rights), from 13th to 19th July 2009.

With regards to the defence project of civil parties before the ECCC, the trial period of the first hearing has been delayed. This delay is partly due to the operation of the victims' unit. As a matter of fact, a very limited place was initially granted to the victims in the court's operation, LWB France and other organisations have fought in order to ensure that the victims have the possibility of being heard during the hearings. These changes have to some extent slowed down the trial process. The lawyers of LWB France will provide the defence of the civil parties before the ECCC, once the Court has accepted the files.

The LWB France team will therefore prepare to defend the civil parties that it represents before the trial courts: preparing the witnesses, preparing the findings, pleadings, attendance to hearings, interviews and cross-examinations.

Currently, 94 civil parties' cases were formed during the first trial of the defendant, the director of the S21 centre, aka "Duch", including 28 from LWB France. This figure is in itself a victory for the victims since the court was not expecting more than 50 files. We are expecting a more significant number of files for the second trial during which four accused will appear. That is why it is so important to take this project forward: the victims are involved and they want justice, even if the trial takes place several years after the incidents.

5. The partners of the Cambodia project

Project partners Cambodia:

- Association of the Bar of the Kingdom of Kampuchea
- Professional Training Centre for Cambodian lawyers
- School of Human Rights
- Child of Asia- ASPECA

Financial partners:

- European Union⁸
- Ministry of Foreign Affairs
- French Embassy in Cambodia
- Regional Council Pays de la Loire
- Bar of Nantes



6. Members of the Cambodia team

- **G General management of LWB France in Cambodia, Project of Legal Assistance and Training:**

Jean Baptiste de Sèze, Project Leader

Sinek Nay, Administrative Leader

Mardi Lay, Administrative Leader

Noheun Veth, coordinator

Veasna Ek, coordinator

- **Draft Civil Defense Party with ECCC:**

Sovannary Moch, Lawyer

Mengkky Kim, Lawyer

⁸ NB: This report at hand does not reflect in any way the opinion of the European Union

Makara Chour, Jurist
Chamroeun Chheang, Jurist
Kimna Mong, jurist

- **Members of the Cambodia team in 2008:**

Martine Jacquin, in charge of the Asia programmes
François Roger, vice project leader of Legal Aid
Philippe Canonne, Vice project leader for the Defense of the civil parties to the ECCC
Marie-Josée Cantier, Training expert and in pedagogical engineering
Elisabeth Rabesandratana, voluntary lawyer
Annie Delahaie, voluntary lawyer
Ferdinand Djammen Nzepa, voluntary lawyer
Marie Dominique Flouzat Auba, voluntary lawyer
Robert Gastone, voluntary lawyer
Christine Martineau, voluntary lawyer
Nicole Dumas, voluntary lawyer
Ghislaine Sèze, voluntary lawyer
Catherine Ardonneau, voluntary lawyer
Odile Belinga, voluntary lawyer
Delphine Chesnelong, voluntary lawyer
Joëlle Debord, voluntary lawyer
Laure Desforges, voluntary lawyer
Hélène Diribarne, voluntary lawyer
Isabelle Durant, voluntary lawyer
Françoise Gautry, voluntary lawyer
Françoise Gellibert, voluntary lawyer
Marie-Christine Keppling, voluntary lawyer
Marianne Lagrue, voluntary lawyer
Charlotte Levi, voluntary lawyer
Daniel Losq, voluntary lawyer
Philippe Moriceau, voluntary lawyer
Henri Nayral de Puybusque, voluntary lawyer
Laure Nougier, voluntary lawyer
Odile Palazot, voluntary lawyer
Alix Phiquepal, voluntary lawyer
Sylvie Roquain, voluntary lawyer
Alexandre Soubrane, voluntary lawyer
Fabienne Trusses, voluntary lawyer

- **New team for 2009:**

ASFF General Management in Cambodia, training projects:

Emmanuelle Marchand, project leader
Sinek Nay, administrative and financial leader
Mardi Lay, Administrative leader, in charge of translations and logistics training

Defense project of the civil Parties with ECCC:

Sovannary Moch, lawyer
Mengkhy Kim, lawyer
Chamroeun Say, jurist
Makara Chour, jurist

EMERGENCY INITIATIVES

LWB France with the support of the Economic Interest Group of Lawyers (EIG Lawyers) lead the emergency actions⁹.

The Bar of Paris, the Conference of the Presidents of the Bar and the National Bar Council, are aware of the need for the French Bar to urgently get involved when the rights of the civil parties are threatened, they have decided to create an emergency fund making it possible to have a financing available at all times when this type of intervention proves necessary.

LWB France, who proposed the creation of this fund, is committed to provide the technical secretariat. It should be noted that the initiative is conducted on behalf of the French Bar.

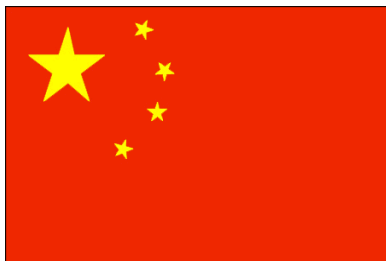
The interventions may be justified under two types of circumstances:

- When death penalty or a degrading punishment is involved: defence cannot be provided or is provided under weak conditions that require an external support.
- When one or several lawyers or Human Rights protectors are ill treated, prosecuted, threatened, murdered or tortured because of their professional work or their doings to promote Human Rights.

During 2008, two emergency actions were conducted.

Emergency Initiative in China

THE HU JIA CASE DECEMBER 2007- APRIL 2008



Death Penalty: China annually puts to death more prisoners than the rest of the countries of the planet- nearly 10,000 a year.

Torture: inflicted to those detained because of their activity to support Human Rights.

Reeducation through work: detention decided by the administrative authorities, without any charges or trial and in extremely difficult conditions.

Undermining freedom of expression.

Treatments associated with religious beliefs that are unauthorised by the government.

1. Why LWB France in China?

First in February, then again in October 2007, members of Lawyers Without Borders France met Chinese Lawyers in Paris: Mo Shaoping, Li Jinsong and Teng Biao.

These three lawyers are emblematic of the protection of fundamental rights in their country.

During these meetings, these three Chinese Human Rights protectors the Chinese had expressed their needs in terms of exchange, sharing of knowledge and experiences with Western colleagues. At the same time, they had expressed their state of profound isolation from which they suffered. Finally, they wanted to warn the members of LWB France about the difficulties encountered when exercising their profession, because of the lack of independence of the profession and justice in general.

For all these reasons, LWB France has decided to respond to the appeal launched by the Chinese lawyers, to assist them and at the same time, try to help improve compliance to respecting Human Rights.

⁹ GEI (Group of Economic Interest) structure: The National Council of Bars, Bar of Paris and the Conference of the Presidents of the Bar.

2. Short description of the action

The main objective of Lawyers Without Borders France in China is to help ensure the continued protection of citizens sued for exercising their freedom yet constitutionally recognised and support their defenders (support the lawyers in difficult circumstances because of their profession and help them break away from their isolation by developing a cooperation with them).

"The situation of Human Rights in China is difficult.

For Lawyers Without Borders France, it is about men and women claiming their freedom that the authority seeks to exclude from judicial processes. We must defend them! The right to interfere and the duty to protect are now accepted."

François CANTIER, President of LWB France.

3. Achievements in 2008: "emergency initiative in support of Hu Jia¹⁰, Teng Biao and Li Fang Ping¹¹"

Help and support to the lawyers of Hu Jia (in the picture below).



The aim of that initiative was to support Hu Jia and his lawyers after his conviction. As a matter of fact, Hu Jia was sentenced on 03rd April 2008 to three and a half years in prison for "inciting subversion of the State power" (publication of articles on Human Rights in his country and granting interviews to the foreign press).

Upon their return from the mission, the lawyers of LWB France made a distressing observation:

- Unfair trial: the accused was not informed about the reasons for his arrest and did not have the opportunity to prepare his defence with his lawyers.
- Putting the life of the accused in danger: seriously ill, Hu Jia was likely to die in custody, where he had did not have access to treatment. Also, the judiciary have had blackmailed him to waive appeal, provided that it can now serve his sentence in a facility with a health service.
- Pressure and isolation: those close to the prisoner were not allowed to attend the hearing. Similarly, following the proclamation of his sentence, his lawyers were not allowed to interview him.

Identification with Chinese lawyers, of other cases where the actions of LWB France might be useful.

In fact, the cases studied on the ground are repeated and are very similar; and this because of the difficulties faced by the Chinese lawyers:

- Threats and obstacles in the exercise of their profession because of the cases for which they provide the defence and because of their free expression,
- Arbitrary arrest and remand in custody,
- Regular assaults and placing under house arrest,
- Withdrawal of their lawyer's license,
- Lack of protection from the profession.

Maintaining contact with the Chinese lawyers in order to establish effective means of communication and support while at the same time expressing the solidarity of the French lawyers.

LWB France believes that the interest of the international community in these cases can only help the Chinese lawyers as well as the local legal institutions in dealing with cases that involve the defence of fundamental freedom and ensure their involvement in the legal process protective of Human Rights.

¹⁰ Hu Jia: Journalist, Human Rights' militant.

¹¹ Teng Biao and Li Fang Ping: Chinese lawyers.

4. Prospects for 2009

Today, in a dual logic to promote fundamental freedom in China and to support the threatened Chinese colleagues, LWB France is thinking along with the Chinese people involved, about the development of a structural action aiming to relieve the Chinese lawyers and supporters of the Human Rights from isolation so that they can help towards the setting up of State under the rule of law in their country.

Activities include:

- A series of lectures and discussion on topics related to Human Rights and Fundamental Freedom aiming to create interactions and encourage work dynamics and common reflections.
- It will be possible to arrange "Legal trips" for Chinese lawyers in France and elsewhere so as to break them away from the isolation from which they suffer. Each trip being the opportunity to set up court visits, meetings with those involved in the French legal world and work sessions around the theme of Human Rights protection.
- Inspection mission on the threatened Chinese lawyers. The LWB France action in China will take part in the identification and support led by the Global Observatory of Lawyers protectors of Human Rights.

5. Partners of the emergency initiative in China

The emergency initiative in China was conducted with the support of the "Lawyers Economic Interest Group" consisting of:

- National Bar Council
- Conference of the Presidents of the Bar
- Bar of Paris



6. Members of the emergency mission in China

Michèle STERN, Mission Representative
Ivan PANEFF, Voluntary lawyer
Diane SENECHAL, Voluntary lawyer
Anne FONTANILLE, Voluntary lawyer
Aude KESZLER, Voluntary lawyer
Christine MARTINEAU, Voluntary lawyer
Delphine MAMOUDY, Voluntary lawyer
Lydia PACHECO, Voluntary student-lawyer

Emergency initiative in Lybia (case of the Bulgarian nurses and of the Palestinian doctor)

COMPLAINT FILING AGAINST COLONEL KADHAFI

The complaint from the Palestinian doctor released from Libya, Ashraf AL HAJOUG, against Colonel Kadhafi.

Mr. AL HAJOUG has lodged a complaint before the magistrate in Paris, against Colonel Kadhafi and other Libyan officials for acts of torture inflicted in Libya during the 8-year period of remand in custody and unjustified prosecution. Lawyers Without Borders France who had already defended the Palestinian Doctor in Libya as well as the Bulgarian nurses, assists him in this case.

LE MEDECIN PALESTINIEN SOUTENU PAR ASF FRANCE :

Article France Info 12 août 2008

KADHAFI VISÉ PAR UNE INFORMATION JUDICIAIRE

« Une information judiciaire a été ouverte en France après le dépôt d'une plainte, visant notamment Mouammar Kadhafi, par le médecin d'origine palestinienne retenu pendant huit ans en Libye avec les infirmières bulgares.



D. Dilkoff AFP/Archives - Le médecin bulgare d'origine palestinienne Ashraf Joumaa Hajouj

Nouveau volet de l'affaire des infirmières bulgares avec cette information que nous n'apprenons qu'aujourd'hui mais qui date de février dernier. L'enquête vise les chefs de "tortures avec actes de barbarie par personne dépositaire de l'autorité publique" et "viols par personnes dépositaires de l'autorité publique".

Elle a été confiée aux juges Philippe Jourdan et Yves Madre.

Après huit années de détention en compagnie des cinq infirmières bulgares, Ashraf Joumaa al-Hajouj avait été libéré en juillet 2007.

Quelques mois plus tard, en décembre 2007, le médecin palestinien avait déposé une plainte en France par l'intermédiaire de l'association Avocats Sans Frontières France. Elle visait notamment le dirigeant libyen Mouammar Kadhafi, ainsi que cinq policiers et un médecin libyens pour "tortures".

Les six détenus affirment en effet avoir été torturés pour obtenir des aveux de culpabilité. Après sa libération, Ashraf Joumaa al-Hajouj avait déclaré qu'il avait été longuement torturé par des chocs électriques, des chiens, privé de sommeil et agressé sexuellement. Il a également porté plainte en janvier contre la Libye devant la Commission des Droits de l'Homme de l'ONU à Genève. »

PROFESSIONAL AND CONTINUOUS TRAINING



Photo taken during the instructors training in May 2008.

The professional training of those involved

In addition to its international solidarity organisation status, LWB France is recognised as a training organism by the Ministry of Social Affairs, Labour and Solidarity (No. 73310334631). The training of LWB France may be recorded as continuous lawyers' training.

The training is both a tool aiming to empower local partners and a special instrument enabling the association to develop the quality and the efficiency of its actions. Marie-José Cantier-HERRMANN, a training and pedagogical engineering expert, leads these trainings: she designs and leads training courses for instructors and monitors the action on-site.

1. The trainings occur on two axes

- The courses that are an integral part of the curricula that are being developed by LWB France in various countries are provided to local law and justice practitioners and are built on the basis of the dual purposes of consolidating the competence of those involved locally and empowering them in that subject matter.
- The training courses continue for the practitioners involved in the action of LWB France. All those involved in the actions of Lawyers Without Borders France follow a training course that makes it possible to set up a common platform on the intervention methodology LWB France and enhance the efficiency of the interventions.

2. The training programme includes three important subjects

Instructors' training

Those involved with Lawyers Without Borders France are required to take part in training initiatives, mostly, outside the borders of their countries. The training of instructors makes it possible to provide them with the methodological tool and a mastery of the specific adults' pedagogy.

It also helps to prepare for intervention in various contexts through the introduction of intercultural "negotiation". In the intervention contexts LWB France, a nucleus of locally involved people is generally trained to become instructors to pursue the goal of empowering the local practitioners.

The training of instructors consists of two levels:

- Level 1: THE BASIS. This level makes it possible to acquire the bases necessary for the training and to distinguish it from exercises such as education, conference, etc.
- Level 2: THE CONSOLIDATION. It makes it possible to develop the competence to design a training course, to establish the specifications for training and to implement it.

Training in the use of International Legal Instruments (ILI) protectors of Human Rights

The international texts for the protection of Human Rights are unique in the sense that they do not simply create reciprocal obligations between States such as classic international treaties, but real obligations of the State towards individuals, these being able to take advantage of it before the national as well as the international jurisdictions.

Training on this subject prepares the law and justice practitioners to the identification of these texts, the knowledge of their content and their use before all the appropriate national and international authorities. This training also allows LWB France to promote the principles of Human Rights that are at the heart of its activities.

Training intervention before the international penal jurisdictions and mainly the International Criminal Court (ICC)

A Lawyers Without Borders France, through several of its members, has acquired knowledge and a useful know-how in the area of international criminal courts. The regular involvement of the member lawyers of the association before these bodies from the early hours has made it possible to develop an expertise in the procedures in force before these courts.

Training on the ICC makes it possible to share this expertise with other practitioners who wish to speak before these courts or are interested to various extents. Namely, it allows lawyers to adapt to the procedures of the international criminal tribunals and to the ICC, which is often very different from the procedures that they know about in domestic law.

Lawyers without Borders France has developed a real teaching engineering suited to adult training techniques and group facilitation. Designed in the form of training-action, it makes use of specific teaching methods, dynamic and interactive that allow students to maximize the acquisition of useful knowledge and skills relevant to their own practice.


The instructors are still practitioners with a rich and powerful experience, who communicate with other practitioners. They are professional instructors or law practitioners who attended the instructors' training and are unanimously recognised in their area of practice.

LWBF Trainings: achievements in 2008

1. Calendar of the trainings provided in 2008

AVOCATS SANS FRONTIÈRES France - Formations 2008

LÀ OÙ LA DÉFENSE N'A PLUS LA PAROLE...



11-12 avril :
Formation aux Instruments Juridiques Internationaux (IJI)* - à Toulouse

21-22-23-24 mai :
Formation de Formateurs aux IJI (niveau 1) - à Sommières

05-06-07 juin :
* Formation aux procédures de la Cour Pénale Internationale* (CPI) - à Toulouse

10-11 octobre :
Formation aux Instruments Juridiques Internationaux (IJI)* - à Paris

6-7-8 novembre :
Formation de Formateurs aux IJI (niveau 2) - à Paris

20-21-22 novembre :
* Formation aux procédures de la Cour Pénale Internationale* (CPI) - à Paris

* formations homologuées par le CNB

formations@avocatsansfrontieres-france.org
 Avocats Sans Frontières France - 35 rue Ozenne - 31000 Toulouse (France)
 tel. +33 (0)5.34.31.17.83 - fax. +33 (0)5.34.31.17.84

JANVIER

l	m	m	j	v	s	d
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FÉVRIER

l	m	m	j	v	s	d
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

MARS

l	m	m	j	v	s	d
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

AVRIL

l	m	m	j	v	s	d
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

MAI

l	m	m	j	v	s	d
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

JUIN

l	m	m	j	v	s	d
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

JUILLET

l	m	m	j	v	s	d
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

AOÛT

l	m	m	j	v	s	d
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

SEPTEMBRE

l	m	m	j	v	s	d
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

OCTOBRE

l	m	m	j	v	s	d
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

NOVEMBRE

l	m	m	j	v	s	d
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

DÉCEMBRE

l	m	m	j	v	s	d
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

The table of achievements presented here does not include the trainings provided within the specific context of the international solidarity missions of LWB France. These specific actions are discussed within the framework of the programmes concerned in this current report.

Training Title	Training dates	Number of days	Number of trainees
Instructors Training: Fundamentals	Session 1	7 th and 8 th March	2
	Session 2	21 st , 22 nd , 23 rd , 24 th May	4
Instructors Training: Consolidation	Session 1	29 th , 30 th and 31 st October	3
	Session 2	6 th , 7 th and 8 th November	3

Trainings to the IJI protectors of Human Rights			
Session 1	10 th and 11 th April	2	17
Session 2	10 th and 11 th October	2	20
Training in the defence before the JPI			
Session 1	5 th , 6 th and 7 th June	3	11
Session 2	20 th , 21 st and 22 nd November	3	25
TOTAL		22	120 trainees

2. Report of the 2008 training initiative

Report:

120 people trained in 2008, native from France, Belgium, Canada, the United States, Cameroon, Algeria, Mali, Senegal, the Central African Republic, democratic Republic of Congo ... That is 161 hours 00 of training.

Objectives reached:

- Train the members of the association and establish a team of project representatives and quality project leaders.
- Raise the awareness of the external public to the association and to the defence of Human Rights.
- To collect funds to keep the association alive.

Areas of training:

- The legal instruments protectors of Human Rights.
- The defence before the International Criminal Courts.
- Methodology and pedagogy of the instructors' training

LWBF Trainings: prospects for 2009

AVOCATS SANS FRONTIÈRES France LA OÙ LA DÉFENSE N'A PLUS LA PAROLE...

Calendrier des Formations 2009

MODULE FONDAMENTAL :

- **LES OUTILS DE L'AVOCAT DANS LE CHAMP INTERNATIONAL**
9- 10 avril (à Toulouse) et 8- 9 octobre (à Paris)

MODULES COMPLÉMENTAIRES :

- **LE PROCÈS ÉQUITABLE**
11 avril (à Toulouse)
- **LA DÉFENSE DEVANT LES JURIDICTIONS INTERNATIONALES**
3- 4- 5 juin (à Toulouse)
18- 19- 20 novembre (à Paris)
- **TRIBUNAUX ADHOC / COMPÉTENCE UNIVERSELLE**
6 juin (à Toulouse)
- **SYSTÈME RÉGIONAL DE PROTECTION DES DROITS DE L'HOMME**
10 octobre (à Paris)
- **COMPÉTENCE UNIVERSELLE / TRIBUNAUX ADHOC**
21 novembre (à Paris)

FORMATIONS DE FORMATEURS :

- **FONDAMENTAUX** 20- 21- 22- 23 mai (à Sommières)
- **RENFORCEMENT** 5- 6- 7 novembre (à Paris)

formations homologuées par le CNB



janvier l m m j v s d 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	février l m m j v s d 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	mars l m m j v s d 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	avril l m m j v s d 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30
mai l m m j v s d 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	juin l m m j v s d 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	juillet l m m j v s d 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	août l m m j v s d 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
septembre l m m j v s d 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	octobre l m m j v s d 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	novembre l m m j v s d 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30	décembre l m m j v s d 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

1. Training calendar arranged for 2009

Instructors Training to the International Legal Instruments

- Basics- Sommières: 20th, 21st, 22nd and 23rd May
- Consolidation- Paris: 5th, 6th and 7th November

Training in the Tools of the Lawyer in the international field:

- Session 1- Toulouse: 9th and 10th April
- Session 2- Paris: 8th and 9th October

Training on the right to a fair trial:

- Toulouse: 11th April

Training about Defence before the International Criminal Court

- Session 1- Toulouse: 3rd, 4th and 5th June
- Session 2- Paris: 18th, 19th and 20th November

Training to the Ad Hoc and Special Tribunals:

- Toulouse: 6th June

Training to the Regional System for the Protection of Human Rights:

- Paris: 10th October

Training towards Universal Competence:

- Paris: 21st November

O In addition to these 10 training sessions already scheduled, Lawyers Without Borders France intend to develop during 2009, delocalised training within the different Bars as well as awareness raising sessions at the Bars and young lawyers training schools.

In addition, LWB France will continue its training activities within its various programmes and projects: Cambodia, Nigeria, French-speaking Africa, etc.

2. Consolidation of the staff competence

Training is the special instrument for the development of Lawyers Without Borders France. That is why the association is very keen about the training of volunteers both legally and methodologically. This preparation is a prerequisite to any involvement in the actions of the association.

In addition to training the volunteers, the association is also training its staff. The employees are therefore invited to take part in the training provided by the association, but also to receive vocational training provided by other institutions and tailored for individual needs.

Therefore in 2008, the employees have followed the following trainings:

- Hugo Moudiki JOMBWE, Director:
 - Training: "How to access the 2007-2013 EU funds directly managed by the EC for your projects": 28 hours.
 - Language Training
- Aurélie CEBE, Coordinator for Asia:
 - Training: "How to access the 2007-2013 EU funds directly managed by the EC for your projects": 28 hours.
 - Language Training
- Alix Arquillière Coordinator for Africa:
 - Training: "How to access the 2007-2013 EU funds directly managed by the EC for your projects": 28 hours.
 - Language Training
- Elodie HERISSON, Communication Manager:
 - Training: "How to access the 2007-2013 EU funds directly managed by the EC for your projects": 28 hours.
 - Instructors training The Basics: 28 hours
- Alexandre CROIZIERS DE LACVIVIER, Financial Manager:
 - Training: "How to access the 2007-2013 EU funds directly managed by the EC for your projects": 28 hours.
- Sylvia MOREIRA - Coordinator Latin America:
 - Training: "How to access the 2007-2013 EU funds directly managed by the EC for your projects": 28 hours.
 - Instructors training The Basics: 28 hours
 - IJIPDH Training: 14 hours
 - Language Training

The effort on staff training will continue in 2009.

The needs have been identified and the search for resources is underway. A training programme to consolidate the professional competence of the whole staff is being developed and will be spread throughout the year.

The staff of LWB France may also benefit from the support actions in the context of ongoing partnerships with Microsoft France and with the international law firms, Clifford Chance Lawyers and Allen & Overy.

The staff training will focus the design and project management. Language training will be involved as needed.

EVENTS IN 2008

This year again, Lawyers Without Borders France has been invited to several national and international events in support of Human Rights. Thus, whether it is through the participation of its President himself or of its members, the association was present, amongst others, at the International Bar Conference, the Conference of International Non-Governmental Organisation from the International Organisation of Francophonie, the General Assembly of the Conference of Presidents of the Bar, the World Forum on Human Rights, the World Justice Project organised by the American Bar Association, ...

2008 was also marked by the commitment of those involved in LWB France, namely from the point of view of organisation and implementation of several events mainly the celebration of the 10 years anniversary of the association and the 60th anniversary of the Universal Declaration of Human Rights.

Below presented in chronological order, the main 2008 events in which LWB France took place.

January : Annual Conference of the IBC in Brazzaville

The President of LWB France went to the International Bar Conference (IBC) from 28th January to 2nd February 2008 in Brazzaville.

Lets note that the IBC has the President of the Bar, Mario Stasi, as Secretary-General and founder, the Honorary Chairman of Lawyers Without Borders France.

The IBC has been for LWB France, a significant place from which relationships with the whole of the French Bar and with the International Organisation of the Francophonie (IOF) have been formed. This year again, it was the opportunity to:

- Promote meetings (with the Bar representatives, the international organizations ...),
- Strengthen the contacts (in Brazzaville, where LWB France has several members and the support of both the National Bar and of the two Bars of Brazzaville and Pointe Noire)
- Make the actions of LWB France known (Francois Cantier and Roger Bongoto from the Bar of Brazzaville, member and in charge of the sub-branch of LWB France, were invited on a national television programme).

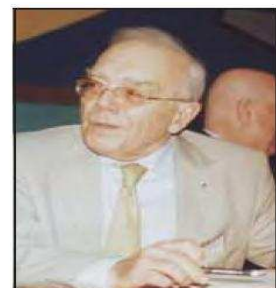
During this conference, and Francois Cantier and Roger Bongoto have intervened to present the actions of the association throughout the world. On this occasion, the President of LWB France has launched the initiative of a motion requesting from both the United Nations and from the IOF, the free movement of lawyers. This motion is attached to the feedback on the work of the IBC

22^{ème} congrès de la C.i.b (Conférence internationale des barreaux) 12

Organisé à Brazzaville, en République du Congo, du 31 janvier au 3 février 2008, au palais du parlement, à Brazzaville, le 22^{ème} congrès de la C.i.b (Conférence internationale des barreaux) s'est terminé sur une note de satisfaction, pour tous les participants venus de 36 pays francophones d'Afrique et d'Europe. C'est Aimé Emmanuel Yoka, ministre d'Etat, garde des sceaux, ministre de la justice et des droits humains, qui a patronné les cérémonies d'ouverture et de clôture dudit congrès, en lieu et place du chef de l'Etat. Me Aimé Emmanuel Yoka a été élevé bâtonnier honoraire de la C.i.b. Le Congolais Jean Petro, bâtonnier national de l'ordre des avocats du Congo, a été élu président de la C.i.b, pour l'exercice 2009, succédant ainsi au Camerounais Charles Tchoungang. La capitale belge, Bruxelles, a été choisie pour abriter le prochain congrès.



Me Jean Petro



Me Mario Stasi

13

¹² 22nd i.b.C congress (International Conference Bar)

Organised in Brazzaville, in the Congo Republic, from 31st January to 3rd February 2008 at the parliament palace, in Brazzaville, the 22nd congress of the i.b.C (International Bar Conference) ended on a note of satisfaction, for all the participants coming from 36 French-Speaking countries from Africa and Europe. It is Aimé Emmanuel Yoka, Minister of State, Keeper of the Seals, Minister of Justice and Human Rights who sponsored the opening and closing ceremonies of the so-called congress instead of and as the Head of State. The Lawyer, Mr. Aimé Emmanuel Yoka was raised as Honorary President of the Bar of the i.b.c. The Congolese Jean Petro, National President of the Bar of the Lawyers Order of Congo, was elected as the 2009 President in office of the i.B.C, thus following the Cameroonian Charles Tchoungang. The Belgian capital, Brussels was chosen to arbitrate the next congress.

¹³ Source : <http://www.lasemaineafricaine.com>

March: Conference to the Midi-Pyrénées Regional Council: "Women and Religion"

Upon the invitation of the President of the Midi-Pyrénées Region, Mr. Martin Malvy, François Cantier, President of LWB France, spoke during a conference organized on the occasion of the International Women's Day on the theme "Women and Religion."

Along with researchers, anthropologists, sociologists and members from Defence of women's rights associations, François Cantier has managed to enlighten members of the public, who came numerous on that day, from his on-site experience, particularly in Africa, through the defence case of Amina Lawal sentenced to death for adultery in Nigeria.

« Femmes et Religions »

le jeudi 13 mars 2008 à 11h45
en Salle d'Assemblée de l'Hôtel de Région

en présence d'un grand témoin :

Magyd Cherfi, auteur, compositeur, ancien chanteur du groupe ZEBDA

Pour répondre à vos questions :

Florence Rochefort, Anthropologue, Chercheuse au CNRS-Paris

Sihem Habchi, Présidente nationale de « Ni putes ni soumises »,

François Cantier, Avocat, Président fondateur d'« Avocats sans frontières-France »



May: Conference of NGOs and CSOs of the IOF in Quebec

In his capacity as President of International Non Governmental Organizations (INGOs) of the "Human Rights" with the International Organization of Francophonie (IOF), François Cantier, president of ASF France went to the Conference of INGOs and CSOs organized by the OIF in May 2008 in Quebec, Canada.

This was awarded in 2005, just months after the 'OIF has provided ASF France consultative status in recognition for its work in partnership with local actors in Francophone countries.

The seminar, which brought together nearly 300 people, aimed to identify the concerns, analysis and suggestions of organisations emerging from the civil society, namely on the theme of defence and Human Rights promotion.

LWB France has therefore been able to take part in the implementation of methods that makes the effective participation of those present possible (using the animation and training strategies developed by trainers LWB France).

On this occasion, the president of LWB France has reiterated its demands regarding a moratorium prior to the abolition of the death penalty and also the establishment of a Francophone passport for the Human Rights protectors.

Abdou Diouf, Secretary-General of the Francophonie, opened on 15th May 2008 the work of the Sixth Conference of the INGOs and CSOs of the Francophonie, which meets in Caraquet, cultural capital of Acadia (Canada-New Brunswick), the representatives of the 63 international non-governmental organisations (INGOs) and other civil society organisations (CSOs) accredited with the Francophonie bodies, [including Lawyers Without Borders France].

This conference demonstrates the strong will of the Francophonie to involve civil society organisations in its action and thus ensure their involvement in the pursuit of common goals. At the close of the works May 17th, 2008, representatives of the OING and the OSC of the Francophonie will adopt conclusions, which will be sent to the heads of state and government of the Francophonie participating in the 7th Francophonie Summit, in Quebec, in October, 2008.¹⁴

¹⁴ Source : <http://www.francophonie.org>

June: General Assembly of the Presidents of the Bar conference in Marseille

LWB France was present at the General Meetings of the Presidents of the Bar Conference on the 27th June and 28th November.

On this occasion, François Cantier, President of LWB France was accompanied by Philippe Canonne, President of the Bar of Aurillac and member of LWB France, returning from the Cambodia mission.

These invitations were designed with the aim of signing a partnership agreement between the Conference of Presidents of the Bar and LWB France. This was done solemnly with the speeches of the President of the Bar, the vice-president in charge of Human Rights, the former president of the Bar of Nanterre, Claude Duvernoy and the President of LWB France.

On this occasion, François Cantier, had the opportunity to explain the association's activities and the interest that it represents for the lawyers profession from which LWB France was formed.

Claude Duvernoy (the former President of the Bar of Nanterre, office member of the President of the bar Conference, responsible, during this conference of the questions regarding Human Rights) [...] has emphasized the interest and importance of the defence actions led by Lawyers Without Borders France.



June: days of the associations of the Bar of Paris

Lawyers Without Borders France was invited to take part, this year again, in the 4th day of action of the Associations, organised by the Bar of Paris. This demonstration took place in Dauphine Square in Paris on the day of action of the 11th June 2008.

Thus, 43 associations were able to present their actions to the Parisian lawyers and to the many visitors who came that day, including: the Student-Lawyer Association, the International Association of Young Lawyers, The National Confederacy of Lawyers, the French Institute of International Legal Experts, the Union of the Lawyers of France, the International Union of Lawyers...

Every year, LWB France is given a booth where its members can present the association and its activities across the world; the friendly opportunity for the Parisian members of LWB France to meet together, but also, the opportunity for the association to discover new volunteers.

Opposite: François Cantier in front of the booth of LWB France.



June: conference at the Media library of Toulouse: " why punish? "

On the occasion of a partnership between the Media Library José Cabanis in Toulouse and the School for Human Rights where François Cantier, President of LWB France, is also the founding President, a series of conferences on Human Rights is held annually since 2 years.

On the 5th June 2008, in a conference on "Why punish? "François Cantier was asked to provide an informed testimony on the issue. At his side on that day:

Jean Danet Vice Dean of the Faculty of Nantes and former lawyer, a specialist in criminal law, committed since 2001 to various institutions in order to make a close link between the work of academic thinking and practical concerns, has taken a close interest in the defence issues and the choice of sentence; author of several books... And Marc Thiberge, psychoanalyst, with a clinical experience in psychoanalysis for 30 years in Toulouse, has focused his research work on coercion in the social context.

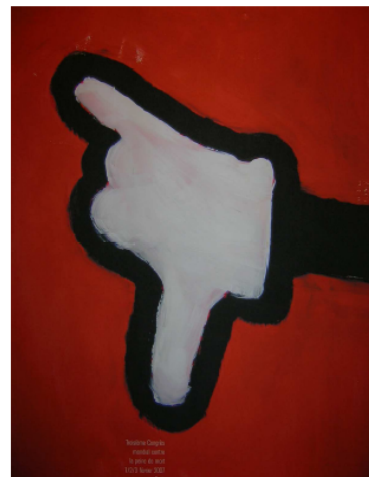
All are involved in the current social history; they were therefore able to exchange and to wonder about the meaning and the necessity to punish.

"Pourquoi punir ?"

Yat'il une justification juridique, philosophique, politique ou sociale à la sanction ?

L'idée que le lien social et l'idéal de justice ne puissent être rétablis que par la punition estelle un scandale intellectuel comme l'affirmait le philosophe Paul Ricoeur à la fin du XX^e me siècle?

La protection à laquelle peut prétendre tout citoyen passe-t-elle obligatoirement par une sanction ?



15

July: World Forum of Human Rights in Nantes

This year the 3rd World Forum on Human Rights was held in Nantes from Monday 30th June until Thursday 3rd July. The association Lawyers Without Borders France has therefore been invited, in its status as International Solidarity Organisation present for 10 years, to introduce its past actions, ongoing ones and future actions on a stand dedicated to that effect, during the 4 days of the Forum. This opportunity has allowed various members of the association present during the forum to meet, discuss and exchange with other associations that were present, but also with the general public - including many young people this year.

As people involved in Human Rights, the volunteer lawyers of LWB France, who came in great numbers to Nantes, to run the stand, have also been able to participate in the various round tables organised on this occasion.

3^e FORUM MONDIAL DES DROITS DE L'HOMME

It is now the meeting place for those involved in the protection of basic Human Rights: every two years, Nantes hosts World Forum on Human Rights. The 3rd edition that was held from 30th June until 3rd July 2008 has attracted 2500 participants and speakers of over 100 different nationalities.

¹⁵ "Why Punish?" Is there a legal, philosophical, political or social justification in the sanction?

The idea that the social link and the ideal justice can only be re-established through the punishment is it an intellectual scandal as Paul Ricoeur stated at the end of the 20th Century?

The protection that every citizen claims does it inevitably go through a sanction?

*The work of the Forum have made it possible to measure to what extent, 60 years after the adoption of the Universal Declaration of Human Rights, the protection and promotion of basic freedom is a work that is constantly renewed, and too often undermined everywhere across the world. Intense and lively roundtables were the opportunity for all the participants to express themselves in complete freedom on an equal footing.*¹⁶

July: Conference organised by the ABA on the World Justice Project in Vienna

A LWB France was invited, in the person of its President, Francois Cantier, to attend a conference organised in Vienna by the American Bar Association, on promotion of the State under the rule of law around the world (Vienna, from the 2nd until the 5th July 2008).

This event, supported by the World Bank, USAID and the Ford Foundation, Bill Gates and Soros, aimed to reflect and prepare action plans to promote the State under the rule of law in all five continents.

LWB France was therefore able to make its contribution in the areas of access to justice and to a fair trial.



August: Annual Meeting of the International Association of Young Lawyers in Paris

Lawyers Without Borders France was invited to this conference on the initiative of the Lawyer Mr. Jean-Claude Rivalland, senior manager at Allen & Overy in Paris and organiser of the congress. François Cantier was able to explain to members and officers of the International Association of Young Lawyers, the goals and the initiatives of LWB France.

Every year this Congress has been the occasion to renew the AIJA office. We will warmly welcome Pär REMNELID (SWE), Former President now replaced by Duarte de ATHAYADE (Port.). At his side Saverio Lembo (It.) has been elected as Vice-President, which prepares him to higher functions in the next Congress in 2009 in Budapest.

They are nearly 650 registered from some sixty countries that found themselves at the end of August in PARIS for the 46th International Association of Young Lawyers Congress (AIJA).

Here is a brief overview of events and work meetings, as well as the ambitious projects of the association now chaired by Duarte de ATHAYADE (Port.) focused on one objective: to make the voice of young lawyers heard on the international level.

The world's youth were in PARIS

Take 4 days of exciting work sessions, add to 5 evenings each one more impressive than the other, a pinch of business (the AIJA is a true network of work amongst colleagues) and quite a lot of heat, you will have the recipe of a Congress which has been a real success at the international level.

*Sur At the level of the union we will welcome the launch of the "VOICE OF THE PROFESSION" programme. The AIJA has developed an ambitious project that is aimed to carry the voice of young lawyers at the stage of "career building" (whether as a collaborator or as a young person settled/partner) to influence the firms' practices (promotion of good practices before young people) and on the regulation.*¹⁷



¹⁶ Source : <http://www.spidh.org>


¹⁷ Sources : <http://www.aija.org> et <http://www.fnuja.com>

October: National Convention of the Lawyers in Lille

A L'OCCASION DE LA 4^{ÈME} CONVENTION NATIONALE
DES AVOCATS, ASF FRANCE ANIMERA L'ATELIER :

L'AVOCAT ET L'INTERNATIONALISATION DE LA JUSTICE

JEUDI 16 OCTOBRE
DE 10H45 À 12H30



**Convention
nationale
des avocats 2008**

A l'internationalisation de la justice doit répondre une internationalisation de la défense et donc de la profession d'avocat :

- Place et Rôle des principales juridictions pénales internationales (les principes essentiels)
- Rôle des avocats et place de la défense devant les TPI (TPIY et TPIR) et la CPI (procédure de la Common Law / Civil Law)

Les intervenants présenteront les actions d'ASF France à travers les missions de défense, de soutien à la profession et de renforcement de l'état de droit :

- Actions de défense (Rwanda, Cambodge, Libye...)
- Projets de renforcement de la profession d'avocat et de l'état de droit (Kosovo, Colombie et Cambodge...)

Animeront cet Atelier :

F.CANTIER (avocat, Pdt d'ASF France) a assuré la défense lors des procès de génocide au Rwanda et devant le TPI pour le Rwanda et la défense des infirmières bulgares et du médecin palestinien en Libye.

C.MABILLE (avocate, Vice-pdtte d'ASF France) a assuré la défense lors des procès de génocide au Rwanda et devant le TPI pour le Rwanda. Avocat de la défense dans le premier dossier de la CPI : Affaire Thomas LUBANGA.

P.MORICEAU (avocat, Ancien Bâtonnier) a participé à la défense devant le TPI pour le Rwanda et formateur sur la CPI.

ON THE OCCASION OF THE 4TH NATIONAL LAWYERS CONVENTION, LWB FRANCE WILL HOST THE WORKSHOP.

THE LAWYER AND THE GLOBALISATION OF JUSTICE:
THURSDAY 16TH OCTOBER FROM 10:45 UNTIL 12:30.
2008 National Lawyers Convention

The reaction to the globalisation of justice must be the globalisation of the defence and therefore of the legal profession:

- Place and role of key international criminal tribunals (essential principles)
- Role of lawyers and place of the defence before the ICC (ICTY and ICTR) and the ICC procedure of the Common Law / Civil Law
- The speakers will present the actions of LWB France through the initiatives of defence, support towards the profession and the consolidation of State under the rule of law:
- Defence actions (Rwanda, Cambodia, Libya...)
- Consolidation project of the legal profession and of the State under the rule of law (Kosovo, Colombia and Cambodia)

Will host this workshop:

F. CANTIER (lawyer, President of LWB France) has provided the defence during the genocide trials in Rwanda and before the ICC for Rwanda. Defence lawyer in the first case of the Bulgarian nurses and the Palestinian doctor in Libya.

C. MABILLE (lawyer, vice-president of LWB France) has provided the defence during the genocide trials in Rwanda and before the ICC for Rwanda. Defence lawyer in the first case of the ICC: Case Thomas LUBANGA.

P. MORICEAU (lawyer, former President of The Bar) has taken part in the defence before the ICC for Rwanda and instructor on the ICC.

25 October: the 10-year anniversary of LWB France

EDITORIAL François Cantier, President of LWB France **LWB France has celebrated its 10-year anniversary**

"We wanted this event to reflect our image: a gathering of simple people and involved in the action to serve their ideal of Justice. With around them those who during these 10 years have supported them.

Far from the solemn and public speaking contests, our Association having also never attracted the big names in media glory, but the anonymous society that we have thoroughly established over the past 10 years was there: all those who have agreed, voluntarily, to carry the voice of the defence in Rwanda, Burundi, Kosovo, Peru, Colombia, Nigeria, Libya, Cambodia or China; to the detriment of their interests and often risking their freedom and their lives.

Provide the weakest with right protection; go where the defence does not have the floor; such is our vocation and our reason to exist.

[...]

But we must still have to demonstrate that the actions we are conduct around the world illustrate the best part of our profession: that of generosity for the deprived people; because it is that image that best helps us to be loved and appreciated by the general public, both elsewhere as in the business world.

Today, with LWB France, we are offering to bring it up to the international level, where are located, with the trade globalisation, the stakes in the area of justice and law as well as in economic and financial matters.

*After the "French doctors" there are the "French lawyers"; and it is as far as **the globalisation of justice, namely criminal, must react with the globalisation of the defence: it is a necessity and a new requirement in the legal profession.***

While the conscience of our citizens no longer endures the pictures of starving or murdered people, and even the vision of injustice is becoming unbearable: we have seen and experienced it recently with the cases of Amina Lawal sentenced to death in Nigeria and that of the Bulgarian nurses and the Palestinian doctor unfairly detained in Libya.

That is why, while celebrating our 10-year anniversary, we had wanted with us a few representatives of those that we have defended and supported.

Thus came this 25th October, a judge from Rwanda, our defense witness in Rwanda, a Colombian colleague, The President of the Kosovo Lawyers' Chamber, the Director of Nigeria Legal Aid Council, a Cambodian jurist involved in the defence of victims for the Special Tribunal of KR, and Ashraf El Hagoug, the Palestinian doctor released from prison and torturers in Libya in July 2007. Hearing them was for all those involved in LWB France and those that support LWB France a great encouragement; and for the sceptical people, a demonstration by the heart and spirit of the essential character of an organisation like ours.

Armed with this confidence, we enthusiastically start our second decade in the hope that there will always be many people who will share our battles and those who will support them. For injustice to decline, for death to move away from the courtroom, we will never be too many! "

25 octobre 2008 à Toulouse

11h00 : Conférence de presse - Grand rassemblement des acteurs d'ASF France suivi d'un cocktail déjeunatoire

à l'Hôtel de Région Midi-Pyrénées - Boulevard du Maréchal Juin

14h00 : Conférence publique sur « Internationalisation de la Justice et rôle de ses principaux acteurs La défense au sein de la Justice Pénale Internationale » animée par d'éminents praticiens

à l'Hôtel de Région Midi-Pyrénées - Boulevard du Maréchal Juin

Les chefs de projets d'ASF France animeront ensuite des ateliers pour présenter les actions d'ASF France à travers le monde. Diffusion de documentaires et de reportages réalisés sur les projets d'ASF France.

19h00 : Réception cocktail à la mairie de Toulouse

à l'Hôtel de Ville - Salle des Illustres - Place du Capitole

20h30 : Repas de gala-charité avec animations musicales

au Stade Toulousain - rue des Troenes

1998- 2008 : les 10 ans d'ASF France



10th December: The 60th anniversary of the Universal Declaration of Human Rights



Celebrating the 60th anniversary of the Universal Declaration of Human Rights was an opportunity to reiterate the universality and indivisibility of Human Rights.

It is therefore normal that Lawyers Without Borders France participated in the largest demonstrations held in France on that occasion.

Below, 4 symbolic events where the President of LWB France took part:

- **Saturday, 6th December, Paris "The Lawyers of the World"**

C International Conference on "Lawyers of the World" organised by the Bar of Paris, to celebrate the 60th anniversary of the Universal Declaration of Human Rights.

On this occasion, an interview filmed by François Cantier, President of LWB France, referring to the defence of the Palestinian doctor detained, tortured and sentenced to death in Libya, was projected. Held with the support of the Ministry of Foreign and European Affairs.

In the presence of the President of the Bar of Paris, of G. Alpa, President of the Consiglio Nazionale Firenze, A. Schildhaus, President of the International Section of the American Bar Association, A. Gil Robles, former Commissioner of the Human Rights Council of Europe, P. Gaubert MEP, President of the International League against Racism and Anti-Semitism, president of High Council for Integration, and F. Zimeray, Ambassador for Human Rights.

- **Monday 8th December, Paris: Invitation by the President of the French Republic**

The President of the Republic has held on 8th December 2008 at the Elysée Palace, a conference where the group "Elders" were invited. In the presence of constituent bodies and diplomatic corps. LWB France, in the person of its President was invited there.

The group of "Elders" consists of:

Kofi Annan, former UN Secretary-General, Ela Bhatt, founder of the cooperatives Self Employed Women's Association in India, Lakhdar Brahimi, former Foreign Minister of Algeria, former Special Representative of the Secretary-General of United Nations, Gro Harlem Brundtland, former Prime Minister of Norway, former Managing Director of WHO, Fernando Henrique Cardoso, former president of Brazil, Jimmy Carter, former United States President and Nobel Peace Prize, Graça Machel, Ambassador of UNICEF, former representative of UN Secretary-General on children in armed conflict issue and Mary Robinson, former President of the Republic of Ireland and former UN High Commissioner for Human Rights.



- **Monday 8th December, Paris: Conference at the Senate**

The French State under the authority of the Secretary of State for Human Rights held on that day in the Senate a conference on "The Efficiency of the Application of Human Rights".

This conference was held with the assistance of the Descartes University; François ZIMERAY, Ambassador of France for Human Rights and François Cantier, president of Lawyers Without Borders France, also gave a talk.

- **From 8 to December 15, Toulouse: Week of Human Rights**

For the occasion of this week devoted to Human Rights in Toulouse, a conference on modern slavery was organised by LWB France, with the School for Human Rights at the Media Library of Toulouse, with the participation of the Committee against Modern Slavery.



Prospects in 2009

Lawyers Without Borders France changes address:

As from January 1st the Headquarter will be at 8 Du Prieuré Street 31000 Toulouse

New project for 2009:

Avocats sans frontières lance un Observatoire mondial de protection des avocats

AFP 25.10.08 | 16h43

18

PROJECT " LAWYERS SERVING LAWYERS":

Creation of a World Observatory for the Protection of Lawyers protectors of Human Rights

The reasons for the involvement of LWB France:

The project was born from the situation of lawyers, protectors of Human Rights, often at risk due to their professional work.

The project has four components:

Activity 1: Development and creation of teaching tools

Transmitted in three languages, the training materials will address the topics of international law of Human Rights, the defence before the international courts, etc.

Activity 2: Training of lawyers in the target countries

It will be split into 2 stages: the training of national instructors on the one hand and, on the other hand, training of lawyers to defend the protectors of Human Rights.

Activity 3: creation of the Website and on-line publishing of the E-learning tools

Activity 4: Establishing a permanent observatory for the protection of lawyers

The observatory will make possible the identification of cases of lawyers threatened, their support, monitoring and defence. It will also publish an annual report on the situation of lawyers protectors of Human Rights.



¹⁸ Lawyers Without Borders launches a world Observatory for the protection of lawyers

AROUND THE COMMON VALUES

The presumption of innocence

"Everyone charged with a crime is presumed innocent until his guilt has been established during a public trial at which all the guarantees necessary for his defence have been achieved".

Déclaration universelle des droits de l'Homme, article 11 (1)

The right to defence

"Everyone charged with a criminal offence, at least the following guarantees: to be present at trial and to defend himself in person or through legal assistance of his own choosing; if it does not have legal assistance, to be informed of this right to have one and, whenever the interests of justice so require, to be given to him free of charge, if it can not afford to pay. "

International pact of civil and political laws, article 14 (3 d)

ASF France
8 rue du Prieuré, 31000 Toulouse
tel. +33 (0)5 34 31 17 83
fax. +33 (0)5 34 31 17 84
info@avocatssansfrontieres-france.org
<http://www.avocatssansfrontieres-france.org>