

# Avocats Sans Frontières

## Newsletter 2004 - I

January 2004

*Dear reader,*

*It is with pleasure that Avocats Sans Frontières sends you the first Newsletter of the year.*

*As you can see, we have not been inactive since December. In addition to the activities mentioned in the newsletter, ASF also broached the matter of new premises both in the context of the missions and Brussels, and which we will discuss more fully in the next newsletter.*

*During the month of January, ASF was pleased to be able to welcome two new recruits. Last week Teresa Logase became our new Head of Mission for Timor, and Shelley Wieck has been the new Project Officer for the "Timorese Bar Association" project since the end of January. While Teresa can draw on long and impressive experience with other NGOs operating in the region, Shelley for her part has practised as a lawyer for many years and thanks to her experience in Timor she is fluent in Tetum. We are sure that both have a great deal to bring to the mission, ASF's program in Timor and the organisation as a whole.*

*Finally, ASF hopes very soon to offer the possibility to sign on as a member or to make a donation online, via our [Internet site](#). We will keep you up to date on progress.*

*Happy reading!*

*Peter Van der Auweraert  
General Director*

## Timor Leste

In our [previous Newsletter](#), we discussed our efforts to set up an effective method for managing dossiers in the office of the Public Defenders. Inspired by a model now used in Brazil, ASF has introduced an indexical system. It is a simple tool that allows Timorese Public Defenders to follow their dossiers with greater efficiency.

Concerning the appeals, we had the pleasure of seeing that our voice had been heard: following our recommendations, it seems that from now on the Public Defenders are both making more appeals in the Appellate Courts and are also taking the time to draft their appeals in writing. Beforehand they were satisfied just to make their appeal orally.

Project representative Priscila Beltrame participated in a seminar on the plan of action for human rights in Timor. She was able to highlight the importance of a number of factors in this plan of action such as the independence of the judicial powers and the right to defense for detained suspects.

Good news for the support project for the Timorese Legal Documentation Center: the Center has set up its own [Internet site](#). In addition, thanks to the hundreds of books received as gifts, the library is beginning to look like a real documentation center where many students and magistrates alike come to consult the holdings.

## Rwanda

At the end of December the Rwandan Supreme Court was the site of an important wave of nominations, even though the parliament has not yet adopted judiciary reforms (see our [previous Newsletter](#)). This breakthrough has stimulated our collaboration with the department of Courts and Tribunals of the Supreme Court in its attempt to set up this new institution.

Following the exchange work started with judicial actors regarding the jurisprudence of those accused of genocide in the massacres of Rwanda, ASF-B organized a seminar on the critical analysis of this jurisprudence from 15 to 19 December 2003. Intended for the Body of Judicial Defenders and for the Lawyers of the Kigali Bar, this seminar provided a forum to debate the concrete questions concerning the jurisprudence of those accused of genocide. In this respect, the jurisprudential records compiled by ASF have once again proved useful. The fifth volume of the Jurisprudential Records is about to go to press.

## Burundi

As we mentioned in our [last Newsletter](#) ASF has begun the education of 68 Hutu magistrates, who are intended to fill the chambers of the Tribunals of "Grand Instance" called to oversee criminal matters. In the scope of early phase of this education, two international workers, Nicolas Bernard and Maryse Alié, came to teach classes on legal methodology and fundamental rights. The participants expressed satisfaction. Their education continued, following the calendar according to which the magistrates must return to their regional posts.

ASF has published and distributed 600 copies of the collection of Burundian judicial decisions concerning sexual violence. In the context of this problem, ASF has also led an 8-week awareness campaign on Burundian national radio. These weekly radio programs aim to inform the people and make them aware of their fundamental rights. ASF is also deeply involved in a 16-day campaign to end violence against women (see [Newsletter IV](#)): they are performing a silent march on Bujumbura that has gathered close to two thousand people from the four corners of rural and urban Bujumbura.

## Democratic Republic of Congo

The educational seminar for magistrates from Kindu, Beni and Butembo, which we mentioned in our previous newsletter, was held from the 11th to the 17th of last December. Many magistrates attended and participated with great enthusiasm. We have also planned another educational session for magistrates from Bukava at the end of January.

The first thousand copies of the translation of the "Constitution de Transition" have arrived. We have passed them on to the NGO "LINELIT" which will distribute them. The 9,000 remaining copies intended for distribution should arrive at ASF shortly. The Swahili and Lingala translations will follow soon. ASF is in contact with the Congo Civic Education Network, which is working

on a project to popularize the Constitution: the organization is also examining the requirements for an eventual collaboration.

In early December, Francesca Boniotti, our head of mission, and Lara Deramaix, the program director, attended the 6th National Forum of NGOs for Human Rights in Bukavu. From 30 November until 21 December, Jean-Jacques Badibanga, director of projects for Africa, paid a visit to the mission.

## Israel/Palestine

Nicolas Jacobs, former collaborator for ASF in Israel/Palestine, has come to Tel Aviv to make contacts for a project for the education of Israeli and Palestinian lawyers, which would take place in Brussels in 2004.

In response to a request by the Israeli organization Hamoked, he also attended - as an observer from ASF - a hearing on December 1st 2003 of the Israeli High Court of Justice on the dossier about detention center "1391". This trial took place as a result of Hamoked's petition demanding that this center - kept secret by the Israeli authorities - be closed. The report from this observation mission is available on ASF's website ([here](#)).

## International justice

Several representatives from ASF participated in a seminar organized by FIDH and Redress in Brussels on 24 and 25 November 2003, entitled "Legal Remedies for Victims of International Crimes," aiming to favor a common European approach on the issue of extraterritorial competence. This seminar followed up on an earlier meeting of experts, in which ASF also took part, held in Paris in July 2003. A report illustrating the principal questions discussed in this seminar is available on ASF's website at the following address ([here](#)).

Concerning the public hearings organized via the Internet by judges at the International Criminal Court at the end of November 2003, ASF has prepared and submitted commentaries on the organization of legal representation of victims at the ICC. The document can be found on ASF's website at the following address ([here](#)).

## Solidarity and Defense

ASF was taken aback by the case of Mr Hassoune Jaafar, a member of the Superior Council of the Moroccan magistrate. Hassoune Jafaar has been suspended from his duties, and legal action was taken against him after he signed a petition questioning the circumstances surrounding the accusations of some of his colleagues. These accusations were within the context of a corruption scandal heavily covered by the Moroccan media. Considering several factors that bring into question the impartiality of the Discipline Council and fearing that the rights of this magistrate might not be entirely respected, ASF has sent a lawyer-observer to attend the disciplinary hearing on January 20th.

Finally, last December ASF decided actively to support the Cameroonian lawyer Jean de Dieu Momo in the fight that he is leading in two cases that are particularly sensitive in Cameroon: the case of the "nine missing people from Bépanda" and the case of the "Douala moto taxis". ASF has commissioned one of its pro bono lawyers in Brussels to follow these cases closely and to stay in

direct contact with Master Momo.

## ASF NEEDS YOU !

ASF has to urgently increase its free reserves. This important goal can only be reached with your help. Only your generosity will ensure the association's long term survival. Make a donation to ASF. All cash donations equalling or exceeding thirty Euro are tax-deductible in Belgium.

**Bank account: ING/Private fund 630-0227491-85  
IBAN: BE89 6300 2274 8185 - BIC : BRUBEBB  
Mention: gift - campaign "free reserves" 2003-2004**

*There are also other ways to help ASF:*

- **Become a member of ASF and regularly receive the ASF newsletter (40 Euro/Year - Bank account: ING/Caisse Privée 630-0227491-85 - IBAN: BE89 6300 2274 8185 - BIC : BRUBEBB - Mention: "membership 2003-2004") ;**
- **Regularly consult our website ([www.asf.be](http://www.asf.be)) to find our regularly updated vacancies for volunteers, interns and regular staff.**