

European Democratic Lawyers



AVOCATS EUROPEENS DEMOCRATES
ABOKATU DEMOKRATA EUROPARRAK
EUROPAISCHE DEMOKRATISCHE RECHTSANWÄLTE
ADVOCATS EUROPEUS DEMOCRATES
ABOGADOS EUROPEOS DEMOCRATAS
AVVOCATI EUROPEI DEMOCRATICI
EUROPESE DEMOKRATISCHE ADVOKATEN
EUROPEAN DEMOCRATIC LAWYERS

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The European Democratic Lawyers

Constituted in October 1987 as a confederation of lawyers' unions and organisations sharing the same democratic ideals, the association «EUROPEAN DEMOCRATIC LAWYERS» (EDL / AED) saw its statutes definitively adopted in Strasbourg on April 21, 1990 (registered at the register of associations of the Magistrates' Court of Colmar on July 4, 1990).

At the time of its creation, the association brought together seven lawyers' organisations:

- **Asociación Libre de Abogados (ALA - Madrid)**
- **Associació Catalana per a la Defensa dels Drets Humans (ACDDH - Catalonia)**
- **Confederazione Nazionale Delle Associazioni Sindicali Forensi d'Italia (Italy)**
- **Republikanischer Anwältinnen und Anwälteverein (RAV - Germany)**
- **Syndicat des Avocats pour la Démocratie (SAD - Belgium)**
- **Syndicat des Avocats de France (SAF - France)**
- **Vereniging Sociale Advokatuur Nederland (VSAN - Netherlands)**

Later, other associations have joined the EDL:

- **Euskal Herriko Abokatuen Elkarte (ESKUBIDEAK – Basque Country)**
- **Iniziativa Democratica Forense (IDF - Italy)**
- **Legal Team Italia (LTI – Italy)**
- **Escolca Xustiza (Galicia)**

Other lawyers' associations, constituted under the name **Asociación Libre de Abogados** in Malaga and Almeria (Spain) have federated with the ALA. Madrid and thus joined the EDL.

In January 2006, the **Lawyers for the Equality of Rights** (ARP – Bulgaria) has been admitted as an associated organization with observer status. A year later, **La Sociedad Andaluza de**

Juristas en Defensa de los Derechos Humanos Individuales y Colectivos joined the EDL with the same status.

The EDL strives to defend citizens' rights by preserving the independence of lawyers with regard to any power, whether political, social, economic or from inside the profession. As a professional organisation, the EDL tries, on the international level, to build respect for the right to defence. In particular, it seeks to preserve the physical integrity and political and economic freedoms of lawyers.

The association also works to ensure that all defendants have access to national and international juridical appeal processes. It devotes special attention to people in the most precarious situations and, in particular, to those whose basic rights receive little or no recognition.

The EDL participates in the introduction of democratic, modern and humane European law. In doing so, it sponsors workshops for the exchange of different approaches and experiments in order to find positive common solutions. Far too often, lawyers are confronted with the disparities between laws and jurisprudences, as well as between the administrative structures that exist in different countries; concerted democratic reactions are therefore essential.

By taking part in a wide range of international meetings, the EDL provides a basis for achieving the goals it has set for itself.



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Extracts from the Statutes

ARTICLE 2: OBJECT

The goals of the association are as follows:

- 1) Introducing a debate between lawyers of various countries in order to promote the construction of a democratic Europe, with particular emphasis on ensuring a debate for resolving litigation, preserving the rights of defence, and harmonizing statutes and the professional practices of lawyers.
- 2) Guaranteeing the independence of the Bars and their members in relation to any power and, in particular, to the State.
- 3) Defending and extending the rights and prerogatives of the defence, and in particular the physical integrity and political, economic, social and individual freedom of lawyers at the international level.
- 4) Ensuring, for citizens and especially the most disadvantaged citizens or victims of human rights infringements, access to the law and to a democratic, modern and humane justice.
- 5) Promoting respect for essential rights and fundamental, public and individual freedoms, especially against the abuse of public or any other power.
- 6) Developing European legal culture, in particular through the regular exchange of information, continuous study of subjects of common interest and joint organization of workshops for this purpose.

The association is not a political or religious profit-making organisation. The association can make all decisions referring directly or indirectly to its object or convergent with its realization.

ARTICLE 5: MEANS

- 1) The association works to reach its aims in the home countries of all member organisations, on an international level and more narrowly, at various European institutions.
- 2) It intervenes and supports its member organisations in fighting for the democratisation of all sectors of society. It also supports them in maintaining and developing a social environment appropriate for human beings.
- 3) It fulfils its mission primarily in the following ways:
 - a) by participating in the development and application of European Community, European and national laws that are in conformity with its goals;
 - b) by supporting the initiatives that pursue goals in conformity with its statutes;
 - c) by creating public awareness to human rights restrictions and the rights of the defence in Europe and the world;
 - d) by facilitating the exchange of information between its member organisations.

ARTICLE 7: ADMISSION

- 1) Any European lawyers' organisation that wishes to join the association must commit to respecting its statutes.
- 2) Any candidature of a lawyers' organisation is examined by the committee and must be accepted,
 - either by the unanimous vote of the committee (bureau), in particular after examination of its statutes;
 - or, in case of the committee's rejection of the candidature, by the first directive committee (bureau).

In the event of an acceptance, the newly admitted organisation immediately has a representation within the bureau, being the responsibility of the committee to implement a new distribution of representatives, in accordance with the statutes and informing the interested delegations.

3) Any organisation associated with a lawyers' organisation can become a member by agreeing to pursue the same goals as the association and applying to the committee for an observer status.

As soon as its candidature has been accepted by the committee's unanimous vote or, failing this, by the first bureau meeting after the committee's denial, the associated organisation can take part in congresses. It can also send two delegates to meetings of the bureau.

ARTICLE 9: ADMINISTRATION

The following organs carry out the activities of the EDL:

- the general assembly;
- the directive committee (bureau);
- the board;
- the commissions.

THE BOARD OF THE EDL IS CURRENTLY COMPOSED OF

[PRESIDENT]

[VICE-PRESIDENTS]

GILBERTO PAGANI [Milano]
AUGUST GIL MATAMALA [Barcelona]
RAÚL MAÍLLO GARCÍA [Madrid]
NEMÉSIO BARXA ÁLVAREZ [Ourense]
JULEN ARZUAGA [Gipuzkoa]
SIMONETTA CRISCI [Roma]
ALAIN MUNDT [Berlin]
MIREILLE JOURDAN [Brussels]
VINCENT VIEILLE [Paris]
HANS GAASBEEK [Amsterdam]
FRÉDÉRIC UREEL [Brussels]
BERENICE BÖHLO [Berlin]
STURLA SPANS [Amsterdam]
DERK LUGT [Amsterdam]
AUGUST GIL MATAMALA [Barcelona]
GÉRARD BOULANGER [Bordeaux]
JACQUES HAMAIDE [Brussels]
MICHEL WELSCHINGER [Colmar]

[GENERAL SECRETARY]

[TREASURER]

[FORMER PRESIDENTS]

Conferences and Workshops organized by the EDL

- «**Respecting Human Rights in the Practice of Legal assistance**» (26/27th November 1988, Maastricht)
- «**Europe and immigration**» (21st January 1989, Toulouse - in collaboration with SOS Racism and with the support of the Toulouse section of the S.A.F.)
- «**The Rights of the Defence in Europe**» (31st March and 1 April 1989, Barcelona - in collaboration with the Associacio Catalana per a la Defensa dels Drets Humans)
- «**Passing the Test of Freedom in Europe**» (25/26th November 1989, Nanterre)
- «**Legal help, justice for Europe**» (19th January 1991, Brussels)
- «**The Failures and Profits of Repression - Towards a Right to Drug Consumption?**» (30th September and 1st October 1993, Brussels). The conclusions of the conference were officially presented at a meeting of experts organized in Florence, by the European Commission in December 1993
- «**Law of Asylum in Europe**» (1st October 1994, Colmar in partnership with the SAF)
- «**European Lawyers against Racism**» (6/7th and 8th May 1995, Munich)
- «**Lawyers for Citizens**» (17 and 18 October 1997, Bilbao - with the support of ESKUBIDEAK)
- «**Critical Examination of the EUROPOL convention**» (7th March 1998, Amsterdam)
- «**Meeting and talks between the members of the EDL and the new European Court of Human Rights**» (29th January 1999, Strasbourg)
- «**Working day devoted to the situation of the exercise of the rights of the defence in Turkey and Tunisia**» (in collaboration with Lawyers without Borders - France, 25th September, 1999, Toulouse)
- «**For a European Labour Law: The Control of Dismissals**» (31st March and 1st April 2000, Barcelona)
- «**The Europol Convention**» (international study day organized in collaboration with the Faculty of Law of the University of Strasbourg, 6 October 2000, Strasbourg)
- «**The Charter of Fundamental Rights of the European Union**» (29th June 2001, Berlin)
- «**The Topicality of Legal Assistance**» (13th October 2001, Paris)

- «**Exercises of Defence in Europe: A Freedom without Obstacles?**» (19th January 2002, Bilbao)
- **Meeting with the International Court** (25 May 2002, The Hague)
- **Freedoms in Danger** (Meeting with MEDEL, 18th and 19th October 2002 in Brussels)
- **Rights in Europe: the right to work and to compensation in the event of dismissal** (17th May 2003, Rome)
- **Europe: Space of Freedom, Security and Law** (27th June 2003, Berlin - in collaboration with the Holfort Foundation)
- **European penal spin-offs** (2nd October 2004, Bordeaux, in collaboration with MEDEL)
- **Enclosing migrants at the frontiers of Europe** (20-21st May 2005, Malaga, Spain)
- **The Borders of Europe. Zones without Rights** (20/21st October 2006 - International Conference, Barcelona)
- Participation in a **delegation to inquire on the conditions of lawyers in Kashmir** (18th to 22nd April 2006) together with Lawyers without Borders, Jammu & Kashmir Coalition of Civil Society and IKV Interchurch Peace Council
- **Social Rights in Europe: A provocation for neo-liberalism** (international conference on the 6th May 2006, Berlin)
- The EDA and other Human Rights Organizations file a **complaint against senior EU officials** for war-crimes (14th November 2006)
- **Prisons in Europe** (International conference from the 29th February to the 1st of March 2008 in Pisa)
- **The right to a defence vs. Special Courts and Laws** (24th - 25th October 2008 in Bilbao)
- Signature of **The Convention between Lawyers of the World** (Paris, 6th December 2008)
- **The evolution of labour law under the pressure of (neo)liberal economics** (16th and 17th October 2009, Paris)

Resolutions and motions adopted by the EDL

THE EDL HAS ADOPTED THE FOLLOWING RESOLUTIONS AND MOTIONS:

Resolution on the implementation of judgments of the European Court of Human Rights (Barcelona, 2nd April 1989)

Resolution on the rights of defence in labour lawsuits (Barcelona, 2nd April 1989)

Resolution on the rights of defence in occupied territories (Barcelona, 2nd April 1989)

Motion in connection with the assassination of Filipino lawyers (Barcelona, 2nd April 1989)

Resolution in connection with the SCHENGEN agreements and aiming to develop the legal instruments for protecting the alien's rights (Nanterre, 26th November 1989)

Resolution adopting the guiding principles that govern legal assistance (Brussels, 19th January 1991)

Motion in connection with the Gulf War (Brussels, 19th January 1991)

Declaration concerning treatment reserved for refugee candidates and refugees in the various countries of the E.E.C. (Berlin, 30th September 1991)

Motion on the incidents that have occurred in Castro's prisons, in May 1992, in Lima (Peru), (Madrid, 28th May 1992)

Motion relating to the situation of the rights to defence in Morocco (Madrid, 28th May 1992)

Motion relating to the arrest of the lawyer Alvaro REIZABAL, which occurred on 31st January 1992 in San Sebastian (Madrid, 28th May 1992)

Motion in connection with the arrest of the German lawyer Klaus CROISSANT (Amsterdam, 10th October 1992)

Motion in connection with the incidents occurring in the prison of Sao Paolo in Brazil (Amsterdam, 10th October 1992)

Motion in connection with the arrest of two Basque lawyers, TXEMI GOROSTIZA and ARANTXA ZULUETA, and denouncing certain aspects of Spanish anti-terrorist legislation (Barcelona, 6th February 1993)

Resolution adopted at the end of the conference devoted to examining the repression of illicit drugs (Brussels, 2nd October 1993)

Motion supporting the right to conscientious objection for exceptional reasons during military service (Alicante, 4th June 1994)

Motion in connection with the Algerian lawyers constrained to exile (Colmar, 30th September 1994)

Resolution on the application of the right of asylum in Europe (Colmar, 1st October 1994)

Motion on family mediation (Colmar, 1st October 1994)

Motion denouncing the attitude of the Argentine authorities with respect to crimes committed under the military dictatorship (Munich, 6th May 1995)

Resolution and conclusions adopted at the conference «European Lawyers against Racism» (Munich, 8th May 1995)

Motion of solidarity with INNU Indians (Canada), victims of the military flights at low altitude (Paris, 16th September 1995)

Motion in connection with the events occurring on April 6, 1996 at the building sites of ITOIZ- Basque Country (Lille, 1st February 1997)

Motion denouncing the notification of expulsion issued by the Spanish State against ABDELKRIM OULD ADDA, although he possesses the status of refugee granted by the Belgian State (Bilbao, 19th April 1997)

Motion in connection with the Spanish Supreme Court's judgment against the members of the HERRI BATASUNA party's directorate on November 29th, 1997 (Malaga on December 13th, 1997)

Conclusions from the day of examining the EUROPOL Convention (Amsterdam, 7th March 1998)

Motion concerning the constraints of the rights of the defence in Tunisia (29th May 1998, Barcelona)

Resolution in support of the lawyers that exercise popular action in the process in Madrid against the terrorist group GAL (29th May 1998, Barcelona)

Motion condemning the assassination of the Colombian lawyer Eduardo UMAÑA MENDOZA (29th May 1998, Barcelona).

Motion denouncing the decision of the British government to exempt the dictator PINOCHET of his trial for «health reasons» (14th January 1999, Rome)

Resolutions and motions adopted by the EDL

Motion demanding the recognition of Abdullah ÖCALAN's right to asylum in Italy (14th January 1999, Rome)

Conclusions adopted at the colloquium «For a European labour law: the control of dismissals» (1st April 2000)

Motion in protest of the detention of three Basque lawyers related to the association Eskubideak (7th October 2000, Strasbourg).

Motion on juridical aid, congratulating all French lawyers for the fight they have lead to find a solution to the problems of legal aid (2nd February 2001, Naples)

Resolution on the repression of anti-globalization movements (30th June 2001, Berlin)

Call relative to the frame-work propositions of the EU Council on the fight against terrorism and on the European arrest warrant (December, 2001).

Motion condemning the repressive intervention of police officers against Neapolitan colleagues that exercised their right to expression and manifestation (18th January 2002, Bilbao)

Declaration worried on the perspective of war on Iraq (1st February 2003)

Declaration denouncing the violation of fundamental rights of demonstrators arrested on the occasion of the European Summit in Thessalonica the 20th and 21st of June, 2003 (28th June 2003, Berlin).

Resolution reclaiming a democratic debate on the treaty that introduces the European Constitution (19th June 2004, Madrid)

Motion of support to Mrs. Florence HARDOUIN of the Bar of Bayonne persecuted for trying to communicate with her client (21st January 2005, Lyon).

Motion denouncing the inculpation of Josu JUARISTI, director of the Basque newspaper GARA, for «apology of terrorism» (20 May 2005, Malaga)

Motion relative to the French law of the 9th of March 2004 called «Perben law» and its application of our colleague France MOULIN of the bar of Toulouse (21 May 2005, Malaga)

Call on the General Council of Lawyers relative to the 18/98 case in front of the Supreme Court (21st January 2006)

Motion relative to the overpopulation in French prisons (21st January 2006, Brussels)

Motion on the Harassment of Lawyers in Tunisia (1st of September 2006).

Letter to the European Council on the illegal activities of the CIA in Europe (4th October 2006)

Motion on the procedural situation of the prisoner Iñaki de Juana Chaos (23rd of January 2007, Malaga)

Motion condemning the harassment of lawyers and judges in the Philippines (23rd of January 2007, Malaga)

Resolution regarding electoral lists in the Basque country (21st of May 2007)

Press statement on the G8 summit held in Heiligendamm from the 6th to the 8th of June 2007 (10th of June 2007)

Press statement on the spying operations against the Medel (17th of July 2007)

Declaration of European lawyers on the European Commission's FLEXISECURITY Concept. For a labour law which really protects workers (10th of October 2007)

Press Statement on the planned Extradition of Marina Petrella (12th of October 2007)

Press statement concerning the trial (case 33.01) against Basque activists (19th of April 2008)

EDL Appeal for the signature and ratification of the UN-Protocol against Torture (19th of April 2008)

Press Statement on the end of the Bolzaneto trial in Italy (13th of November 2008)

Together with the ELDH and the Medel, the EDL calls for a guaranteed income in Europe and appeals the candidates of the forthcoming European elections (15th of May 2009)

The EDL appeals the Italian senate to consider the consequences of the law project - «pacchetto sicurezza» (13th of July 2009)

Furthermore, the EDL has taken part in the creation of the **International Inquiry Workgroup for the Safeguard of Fundamental Rights in Globalization** together with other juridical associations. The EDL has taken an active part in the organization of the assizes of this workgroup that took place the 6th of April, 2002 in Genoa under the name of «Freedom of opinion, of movement, of information» and in Barcelona, on the 25th and 26th of April, 2002 under the name of «New attacks, new responses».

The EDL has also given a decisive impulse to the creation of the Legal Team Europe, an international network of lawyers working on defence of the right of circulation and demonstration and in defence of the freedom of speech of social movements especially in the occasion of G8 meetings and European summits (Genoa, Laeken, Barcelona, Evian, Thessalonica, Heiligendamm, l'Aquila).

Contact addresses



[President]

Gilberto PAGANI

Via Manara, 7

I- 20122 Milan

tel: (0039-02) 550 16 260, fax: (0039-02) 550 16 197

E-mail: avvocatopagani@iol.it

[Secretary General]

Frédéric UREEL

Rue Albert 1er, 236

B-6240 Farciennes

tel: (00 32) 71 24 31 00, fax: (00 32) 71 39 20 26

e-mail: f.ureel@avocat.be

[Administrative secretariat]

Mina ZAPATERO

e-mail: info@aed-edl.net

web : www.aed-edl.net



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**Presentation
of the member
associations**

[Contact address]

Carrer Portaferriassa 18, entresol 2a | E - 08002 Barcelona
Tel. 34 93 301 81 40, fax 34 93 412 52 75
acddh@acddh.org

Associació Catalana per a la Defensa dels Drets Humans [ACDDH]



Associació Catalana
per a la Defensa
dels Drets Humans

The *Associació Catalana per a la Defensa dels Drets Humans*, the Catalan Association for the Defence of Human Rights, was created on September 15, 1986 to give an autonomous legal statute to the “Comissió de Defensa dels Drets de la Persona” (Commission of Humans Rights). This organisation exists in the Barcelona Bar association since 1970.

The ACDDH is a non-profit organization composed exclusively of working lawyers that have oriented their professional activity to the domain of the defence of basic personal rights, individual as well as collective, as has been set out by the *Universal Declarations of Human Rights* and by the *European Convention for the Safeguard of Human Rights and Fundamental Liberties* and other international treaties that compose the juridical body of Human Rights. The main objectives of the association are the fight for the protection of human rights, both individual and collective, and the defence of an independent and free lawyer’s profession.

Since its foundation the association has followed closely and in a permanent manner all reforms of penal, procedural and social laws and especially everything concerning anti-terror legislation, questions regarding prisons and the rights of migrants. The association is equally interested in the access of citizens to justice in the frame of *pro deo* designations. In all these domains the association aims at constituting an effective instrument in the fight against all violations of fundamental rights of citizens as well as promoting and defending civil rights and democratic liberties. The association develops its activities by organizing study days, workshops and public events. It also participates in creating public awareness through publications, communications or press conferences. It intervenes actively in the public debate as interlocutor of the administrative authorities, political parties and social movements, often in collaboration with other associations and organisms that work in the frame of the defence of Human Rights.

Council and legal aid constitute one of the specific activities open to citizens through different institutions. Currently, the association has established collaboration agreements with the city council of Barcelona, consisting in the legal management of the OND (Office for Non Discrimination) as well as with the city council of Vilanova i la Geltrú



and of Gavà concerning the Offices of Civil Rights of the communes. However, the central pillar of the association is the participation in the work of the Commission for the Defence of the Rights of the Person of the Lawyers Bar of Barcelona. The ACDDH shares with this commission its objectives and positions in the frame of the internal and external activities of the Bar.

Furthermore, the international commitment is of central importance in activities of the association. The ACDDH is a founding member of the EDL (European Democratic Lawyers) which was founded in Strasburg in 1990 grouping a number of trade unions and lawyers associations of different countries in the European Union, united in the defence of the rights of citizens, the preservation of the independence of lawyers and the fight for the creation of a democratic and progressive European law. Thus, the association participates in numerous international meetings and carries out an enriching exchange of experiences between different legal cultures. Through the EDL, the members of the association participate in what is called the *European Legal Team*, which is an international network of lawyers the works for the defence of free circulation, demonstration and the right of expression of social movements when they are the object of police and judiciary repression.

The association observes with preoccupation the threats to the system of democratic guarantees, which is not able to respect the rights of its citizens anymore. After the tragedy of the 11th September 2001, the domain of freedom tends to be progressively reduced through a legislative process that follows the logic of permanent war. The hegemonic political tendencies in Europe nowadays are authoritarian and repressive. This influences our social reality and the exercise of our profession. Now more than ever, we consider the necessity to fight for the consolidation of the system of rights and liberties acquired after the victory over fascism during the II World War, currently under threat.

Representatives in the EDL:

AUGUST GIL MATAMALA

Portaferrisa, 18 entresol 2a | 08002 Barcelona
tel. 34 93 301 81 40 – fax 34 93 412 52 75 | e-mail: gilginero@hotmail.com

RAFAEL CALDERÓN FOCHS

ronda sant pere 48, pral. | e- 08009 barcelona
tel. 34 93 268 13 11 – fax 34 93 319 62 22 e-mail: rafael.calderon@icab.cat

[Contact address]

c/ Montesa, 49 5ª | E-28006 Madrid
Tel. and fax: + 34- 91 401 24 54
ala@nodo50.org

Asociación Libre de Abogados [ALA]



Asociación Libre de Abogados

El abogado como garantía del derecho de defensa de los ciudadanos.

The *Asociación Libre de Abogados* was created in Madrid in 1989. All its members exercise this profession in the Community of Madrid. The ALA is entirely independent and therefore is financed solely through membership fees and the punctual aid of social legal programs. The aims of the ALA include safeguarding the fundamental interests of practising lawyers, highlighting their image as guarantors of citizens' rights to defence, as well as overseeing this defence. It also promotes rights and freedoms, and works to democratize and modernize the administration of justice.

STRUCTURE

Its organs include the directive committee (constituted of 9 members, renewable every two years) and general assembly. Currently, the ALA has nine workgroups representing the main sectors of the legal profession and the specialties of law: criminal, civil and family law, labour rights, immigration, legal aid, administrative law, environment, relations with the E.D.L, defence of the defence and women's rights. The different working groups rely on the debate and the study of issues concerning their area of work. Furthermore the working group on women has created a special program for the legal defence of women mishandled in the family and for the legal defence in civil divorce trials for migrant woman whose situation is not regularized.

The ALA organizes work meetings and conferences alone or in collaboration with other organizations. ALA is conscious of the need for the further education of lawyers as well as the imperious need of constant retraining. This is the reason for creating the Alternative School of Legal Training in which courses are offered on different legal issues, especially dedicated to the study of new legislation. These courses are offered with a non-profit aim and rely on the infrastructure of the Bar of Madrid.

RELATIONS

The ALA cooperates closely with progressive associations in the legal sector (judges, prosecutors and law students) as well as with civil society and trade unions (community associations, prisoner and drug user support, ecologists, feminist, migrants...) as well as with other organizations devoted to the defence of Human Rights.



ALA is one of the associations that take part in the Forum for Justice, managed by the *Consejo General de la Abogacía Española* (CGAE). ALA is member of the European association EDL (*European Democratic Lawyers*).

ALA AND THE BAR OF MADRID

Contrary to the traditional point of view of the Bar of Madrid that defends the continuity of a corporative model of the profession, ALA assumes a social function of the Bar, which should concentrate on the importance of the right to the defence of citizens and social groups, whatever the violation of those rights and liberties might be, and the consecutive obligation to defend lawyers against the constraint of those rights, specially by public powers. The ALA defends the democratization of professional structures through a profound transformation of the model of professional organization that entails amongst others the application of following principles:

- a proportional system for the election of all the organs of professional lawyer associations.
- a limitation of mandates and the possibility of one re-election
- the elimination of current obstacles for young lawyers to candidate
- the recognition of the right to the free association of lawyers
- the guarantee of participative rights of minorities by eliminating the restrictions that difficult their exercise
- the suppression of the category of «lawyer that does not exercise»

One of the most firm engagements of the ALA has always been to ensure that the Bar demands the effective regulation of the «turno de oficio» (legal aid) to ensure a public service of high quality that protects the accused, and is paid justly.

Representatives in the EDL:

RAÚL MAÍLLO GARCÍA
Avenida Felipe II, 30, 1º interior dcha | e- 28009 Madrid
Tel. and fax: 34-91-43 10 536 | e-mail: raulmaillo@icam.es

JOSÉ MANUEL HERNÁNDEZ DE LA FUENTE
c/ Atocha, 91 2º | e- 28012 Madrid
tel. 34-91- 429 11 19, fax: 34-91- 429 29 38 e-mail: tasioh@gmail.com

[Contact address]

rua López Mora, 10-1º, D. | E- 36211 Vigo
tel.: 34 986 432680, fax: 34 988245838
esculcaxustiza@esculca.net | nemesio.barxa@yahoo.com.br

Esculca Xustiza [Esculca]

ESCULCA XUSTIZA was born in Vigo in the summer of 2006 and was initially constituted by lawyers from the Galician association «*ESCULCA. Observatorio para a defensa dos dereitos e liberdades*», which gave them the opportunity to meet and share their interests in the creation of an association where their profession would be the means to defend human rights from a democratic perspective.

ESCULCAR means in Galician as much as «scrutinize», «observe» or «watch over attentively» and therefore, the one who «esculca» is the one who watches, observes or informs himself with interest and diligence to be able to act in a concrete mission and according to that information or using that diligence. We found this name appropriate for this association of lawyers working in Galicia and whose geographical framework of action is Galicia, even if it considers the possibility of federating, associating or coordinating its work with associations or entities of different geographical areas.

The association is constituted in the framework of the Law 1/02, which regulates the law of association in the Spanish state. It is registered in the Registry of Associations, constituted exclusively of lawyers, is non-profit and independent. It is governed by its statutes and pursues its aims through membership fees, voluntary contributions and income from conferences, training courses, projects to promote human rights etc.

The aims of the association are included in the Statutes as follows:

1. The defence of individual and collective human rights and peoples' right to self determination.
2. To promote the social function of lawyers to the benefit of citizens' access to justice, the right to defence, the opposition to any restriction of rights in the administration, the courts and society, with special attention to people and the most disadvantaged social groups.



3. To promote activities in defence of the Rule of Law and in opposition to any legal or institutional measures to limit the rights and freedoms of citizens.
4. To promote and participate in activities with other associations, groups and entities, which defend the above mentioned aims on a local, state or international level.
5. To participate in the activities of the Lawyers' bar association to which the members belong, trying to further the aims of the association.

The association has worked and intervened in relation with prisoner support, torture, dynamics of society and political parties. It has sent petitions to public entities to implement human rights in police stations and jails, worked on the restrictive legislation of the Spanish state concerning the activities of political parties, especially those of national character, etc.

The association is governed by a General Assembly and a Directive Committee.

It collaborates with numerous progressive associations in the Spanish state and in Portugal. It is member of the EDL.

Representatives in the EDL:

NEMÉSIO BARXA ÁLVAREZ

r/ Santo Domingo, 39-1º, D. | 32003 Ourense (Galicia)

Tlf.: 988228420, fax 988228420 | e-mail: barxadvogados@yahoo.es

SARA CAROU GARCÍA

Santiago de Compostela

Tel: 676924573 | e-mail: sara.carou.garcia@gmail.com

[Contact address]

Bidebarrieta 1-4 izq | E- 48005 Bilbo, Bizkaia
Tel: 34 94 415 68 46, fax: 34 94 415 20 31
eskubideak@eskubideak.org

Euskal Herriko Abokatuen Elkarteak [Eskubideak]

ESKUBIDEAK is a not-for-profit Basque lawyers' association that works to defend individual and collective human rights from a democratic and Basque standpoint.

AIMS OF THE ASSOCIATION:

As stated in Article 2 of its statutes, the association has the following aims and objectives:

- To defend individual and collective human rights, as defined in international charters, with special attention devoted to the rights to equality, freedom, security and physical integrity and peoples' right to self-determination.
- To promote the social function of the practice of law, in terms of citizens' access to justice, the right to a legal defence and to oppose the restriction of rights in the administration, courts and society in general, with special attention to the most disadvantaged people and groups in society.
- To promote activities aimed at defending the Rule of Law and to oppose any legal or institutional measures that restrict citizens' rights and liberties.
- To promote and take part in activities, together with other associations and groups, to defend the aims stated above, at the local, national, state or international level.
- To participate in the activities of the Lawyers Professional Associations to which our members belong in order to further the aims of this Association.

The Basque Country is the geographic framework for this Association; notwithstanding, it shall freely associate, join or coordinate with other associations or bodies from other countries. Thus, ESKUBIDEAK is a full member of the European Democratic Lawyers, EDL.



www.eskubideak.com

ESKUBIDEAK



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abokatuen
elkarte

Those who wish to become members of the association must submit a written request, undertaking a commitment to abide by its statutes. Once the governing board has made the decision, the candidate shall become a full member of the association.

The following two bodies govern the association: the General Assembly and the Governing Board.

Representatives in the EDL:

URKO AIARTZA AZURTZA

C/ San Martin 21, 2. dcha | E -20005 Donostia

Tel: 34 943 42 36 24, fax: 34 943 42 55 36 | e-mail: u.aiartza@euskalnet.net

IRATXE URIZAR ELORZA

Bailen 15-1 derecha | Bilbao 48003

tel: 34 944155 653 | e-mail: iratxe@behatokia.info

[Contact address]

Via Podgora 14 – I - 20122 Milano
tel. 025 501 62 60, fax: 025 501 61 97
legalteamitalia@libero.it

Legal Team Italia [LTI]

The Legal Team Italia is an association of lawyers committed to guarantee the free exercise of political, social and representative activities of citizens and their organizations everywhere they take place and everywhere it is necessary to protect fundamental rights.

We have been in Genoa in July 2001, we have seen Carlo's death, the violence and the torture inflicted to hundreds of protesters; starting in Genoa (and without forgetting what happened in Naples in March 2001) we have replaced our classical legal suit with a jacket reading «Legal Team Europe» and have taken to the streets because we think that the defence of fundamental rights does not only take place in Court.

The Legal Team Italia was born from the encounter between these Italian lawyers and colleagues of the EDL, who have been with us in Evian, in Thessalonica and where the presence of democratic lawyers was necessary to safeguard the rights of participants of mass demonstrations, particularly those against the G8 meetings. The Legal Team Europe, created in the EDL entourage, was formed as a net of lawyers and militants that support the activity of local collectives committed in their fight against repression. Our European vocation was born from the ascertainment that nowadays legislation and interpretation of laws is produced and developed in a European context; from which some limited openings originate but, above all, which is characterised by a hardening of the repressive apparatus. On the pretext of the war against terrorism it particularly hits all types of organization and communication showing dissent and antagonism. Hereof derives the necessity of a democratic, modern and human European right that sets as a priority the protection and the development of fundamental rights.

One of the purposes of the Legal Team Italia is to coordinate by constituting defence groups through the constitution of defensive colleges the actions of lawyers that defend the rights of persons and organizations hit by repression, except those inspired by fascist, racists or xenophobe ideologies.

We consider important that the commitment of lawyers, working on a voluntary basis with the aim of guaranteeing the effective judicial defence of the weakest subjects,



involves some form of coordination. We try to work in this direction in the trials in which we are engaged, from Genoa to Cosenza, in order to create a specific role of the lawyers as political subjects placed on an equivalent level with other political subjects and not confined to a mere technical dimension. Therefore we support the constitution of a Parliamentary Commission of Inquiry on the facts of the G8 of Genoa, which can play a crucial role in order to shed light on the facts, but above all to improve the relationship between the citizens and the state apparatuses. Genoa has represented the peak of anti-democratic and inhuman behaviour for those caught in the meshes of the repressive system.

Every day in Centres of the Temporary Detention of foreigners, in barracks and police headquarters, as well as in jails human rights are tread on, the dignity of people hurt, fundamental legal principles ignored; at times unjustifiable actions of violence are committed, which can even cause death. Just in few cases the punishing action of the state hits the authors of this violence and this happens only when the pressure of public opinion reveals the impunity and curtain of silence hiding the authors of these actions. Most of the victims belong to defenceless layers of society: migrants, political militants, disadvantaged subjects who are not in a position to defend their own rights; this does not happen to those who have access to an adequate technical defence. Our commitment is to contribute, acting inside of our specific role, to give the weakest the possibility of having a valid defence, to develop their rights and to obtain for them a free access to legal defence.

Representatives in the EDL:

GILBERTO PAGANI

Via Manara, 7 | I - 20122 Milano
tel : (00 39) 25 501 62 60 | fax: (00 39) 25 501 61 97
e-mail: avvocatopagani@iol.it

SIMONETTA CRISCI

Via Giuseppe Palumbo n.12 | I - 00137 Roma
tel/ fax :(00 39) 3356566034 | e-mail: s.crisci@inwind.it

[Contact address]

Greifswalder Strasse 4 | D-10405 Berlin
tel. 00 49 30 417 23 555 | fax: 00 49 30 417 23 557
ravev@t-online.de

Republikanischer Anwältinnen und Anwälteverein [RAV]

The RAV was founded in February 1979 at the initiative of German associations of criminal defence and falls within the tradition of fighting to preserve the free practice of the profession and to promote democratic law.

Since the 1970s in the German Federal Republic, the state has extended its authority by using the law as an instrument for safeguarding and preserving its dominance. But the association also views the law as a weapon that can be turned against state domination. Accordingly, RAV aims to use and develop the law in favour of those who cannot defend themselves.

Until the creation of the RAV, no lawyers' association existed in Germany capable of resolutely opposing the state's attempts to circumscribe the defendants' rights to a defence in various fields (police rights, rights of the administration, rights to assemble, rights of conscientious objectors, legislation relating to social and educational assistance, rights of mental patients and rights of migrants...).

Ensuring civil rights vis-à-vis the state and economic and social authorities, as well as protecting itself from their potential abuses, requires an independent bar, free from any state supervision. The lawyer - in his capacity as defender of his client's interests and in a unilateral relationship with this person - is ultimately responsible only to himself and his client.

Since the reunification of Germany, the RAV has extended its sphere of activity. Alongside lawyers from the old East Germany, the association tries to accrue respect for constitutional law and advocate the organisation of independent bars in the new federal states. The general assembly of the RAV appoints a board of directors for one two-year period. Decisions are made there by simple majority. The RAV is also open to law students, notaries and law professors.

In Germany's various federal states, members of the RAV set up groups which, in collaboration with committees of action, environmental protection groups, tenant associations and trade unions, weigh in on current political, legal and social problems.



Study circles exist on both regional and national levels that are devoted to particular fields of law. The RAV regularly organizes educational training in all important areas of the law. Furthermore, it publishes a “Newsletter” four times per year. The RAV additionally organizes three study days for lawyers and, in collaboration with other lawyers and organisations.

The organisation works with other lawyers’ associations, such as associations of criminal defence and associations of magistrates. It also works with non-legal associations, such as associations for the defence of communal interests, peace movements, defence groups for environmental protection and Amnesty International.

Members of the association and its board of directors participate in lawsuits and support lawyers and citizens who are prosecuted in various countries. The German national government and certain regional governments ask the RAV to examine bills. The Constitutional Court also requests the opinion of the RAV for important decisions concerning the rights of lawyers.

Apart from its affiliation with the EDL, the RAV is also associated with the IALANA (International Association of Lawyers against Nuclear Arms).

Representatives in the EDL:

BERENICE BÖHLO

Karl-Marx-Strasse 30 | D - 12043 Berlin

Tel.: 030/629 877 20

e-mail: boehlo@behrens-boehlo.de

ALAIN MUNDT

Dresdener Str. 20 | D - 10999 Berlin

Tel.: +49 (0) 30/547 13 999 Tel.: +49 (0) 30/547 13 997

e-mail: mundt@kanzlei-berlin.net

[Contact address]

rue des Palais n°154 | B-1030 Bruxelles
tel. 32- 475/75.14.42 - fax.32-02/735.40.70 26
i.verhaegen@avocat.be

Le Syndicat des Avocats pour La Démocratie [SAD]

A progressive sensibility inspires the reflection and actions undertaken by the Trade Union of Lawyers for Democracy (SAD) in French-speaking Belgium. These centre on the professional status of lawyers and the defence of the defence essential in a free and democratic society for all.

SOCIAL OBJECT

The association's primary aims are as follows:

1. To promote and guarantee the rights of defence and, for this purpose, to ensure the personal, political, economic and social freedoms, as well as physical integrity, of lawyers and other citizens.
2. To promote and guarantee citizens, in particular the victims most stripped of their human rights, access to the best legal counsel and a democratic, modern and humane justice.
3. To build respect for essential rights and fundamental public and individual freedoms, in particular against all abuses of public or any other power.
4. To guarantee the independence of the bars and all their members in relation to any power and, in particular, the state.
5. To promote and guarantee the political, economic and social working conditions necessary for lawyers to achieve the aforementioned objectives.
6. To introduce a debate between the lawyers of the various Belgian bars in order to promote the construction of a democratic Europe, with particular emphasis on the debate for resolving litigations, preserving the right of defence, and harmonizing statutes and the professional practices of lawyers.
7. To develop a democratic European legal culture, in particular through the regular exchange of information, continuous study of subjects of common interest and joint organization of workshops for this purpose.

The association can perform all acts and operations enabling it to meet the objectives for which it was founded and, in particular, join other associations with identical or similar objectives or those likely to support the realization of its objectives.



The SAD is organized in the form of a non-profit association (asbl, law of 1921). The general assembly is composed of effective members, who have voting rights, and adherent members with advisory voices. A board of directors, which the general assembly elects every year, manages everyday business.

MAIN PUBLIC ACTIVITIES

Constituted on November 3, 1987, the Trade Union has organized many conferences and study days. The following deserve special mention:

- October 28th, 1989: «*Trainee Lawyers: hostages of the legal aid*».
- May 26th, 1993, Brussels: «*On penal mediation*».
- January 21st, 1995, Charleroi: in partnership with the Syndicate of Magistrates (ASM) on the state of Justice in Belgium under the title «*Reforms and Reform of Justice*».
- April 27th, 1996, Brussels: «*Racism, equality, discrimination - What can lawyers do?*» in dialogue with the associative world.
- May 29th, 1999, Charleroi: «*Lawyers: Order and Disorder of a Profession*».
- November 8th, 2003, Liege on the project of the European constitution: «*Another Europe is possible*», co-organized with the movement Attac.
- May 28th, 2004 in Brussels: in partnership with the school of criminology of the Université Libre de Bruxelles and the Faculty of the University Saint-Louis: «*Towards a court of application of penalties?*»
- May 19th 2006 in partnership with the school of criminology of the Université Libre de Bruxelles and the Faculty of the University Saint-Louis: «*The particular methods of research*» with a publication.

Le Syndicat des Avocats pour la Démocratie [SAD]

Based on the legal status that the 1921 law on associations confers it, the SAD lodged several complaints, in particular at the Council of State and the Court of Arbitration (Constitutional Court) and generally in partnership with the League of Human Rights and other movements. The organisation's most notable complaints include those against the following:

- a royal decree on the general organisation of the penal institution that introduced districts of reinforced safety
- certain provisions of the law of May, 6 1993 amending the statute on refugees
- royal decrees of execution of the law of December 1998 determining the conditions for exemption from payment of legal assistance and legal aid
- certain provisions of the law of January 6, 2003 and of the 27th of December 2005 concerning particular methods of research
- the December 19, 2003 law on terrorist crimes, which applies the European Union Council's framework-decisions in Belgium.
- Two decrees (27th of May and 26th of June 2008) on the right to asylum
- Decree on the 18th December 2008 on lawyers fees and procedural indemnities

The SAD has been invited to certain parliamentary debates, in particular on the law relating to legal assistance following the demonstrations surrounding the December 2001 European Summit at Laeken. It organizes press conferences and takes part in television debates and reports in written and spoken media.

In 2001 and 2005, at the time of the European Summits, the SAD took an active role in the organization of the Legal Teams in Brussels and Liege.

The SAD has always privileged its bonds with the associational world, above all by participating in a process of permanent reflection on legal assistance.

SYNDICAT DES AVOCATS

SAD

POUR LA DÉMOCRATIE

Representatives in the EDL:

MIREILLE JOURDAN

89, rue Lesbroussaert | B-1050 Bruxelles
tel. 32-2 646 85 80 – fax : 32-2 646 95 53
e-mail: mireille.jourdan@lesbroussart89.be

JEAN-PHILIPPE DE WIND

rue de Chaudfontaine, 11 | B- 4020 Liege
tel. (0032) 4 343 03 01 – fax : (0032) 4 343 91 30
e-mail: jp.de.wind@avocat.be

[Contact address]

34, rue Saint Lazare | F- 75009 Paris
tel. 33.1.42.82.01.26 - fax. 33.1.45.26.01.55
saforg@orange.fr

Le Syndicat des Avocats de France [SAF]

Our Statute includes the following aims:

- The uncompromising defence of the independence of the bar and its members.
- The fight for the extension of the rights and the prerogatives of the defence.
- The defence of the material and moral interests of lawyers from the point of view of ensuring their economic conditions of existence and full exercise of their profession.
- The advocacy in the judicial world as in society for a more democratic justice, near its citizens and acting as guarantor of rights and of individual and collective freedoms.
- The defence of the rights and freedom of the defence in the world.

Our union life has shown that these aims are all meaningful because they are closely linked to each other. In particular, the accused is at the heart of our reflection and justifies the fight for the extension of the freedom like the defence of the professional interests of lawyers. For the defence of these rights we need a profession legally and economically independent. Only this approach can preserve the SAF from the corporatism that is expressed in professional claims.

The SAF is therefore totally dedicated to the profession of the lawyer, it participates in the life of the bar, as well as in the *Conseil National des Barreaux*, an institution which federates the profession. The SAF defines deontological principals, gives professional qualified training and promotes the access to law. It commits itself to the respect of this deontology, the access of young lawyers to the profession, a real statute of collaboration and the transparency of the fees. Through its national workgroups, its annual conventions and in collaboration with other groups in society, specially trade unions and civil society, the SAF works in accordance, with political and social evolutions, in the defence of its rights and freedoms.

Since 1973, the SAF organizes each year a congress that takes place traditionally in the month of November, in Paris or in the South of France, to assess the work of the past year but specially to start a reflection on the role of the lawyer in the midst of society.



SAF

Beyond this discussion on the exercise of the profession itself, which takes place in the debate, it is also the occasion to define the main lines of work of the trade union. Through its numerous conferences, the SAF has taken position and committed itself against the death sentence, on the functioning of justice, on the lawyers as actors of democracy, on the cost of the defence and the precarisation of the users of justice... The theme of the work of the Conference is researched and defined during a seminary in the month of June.

Likewise, through its congresses, its training workshops, its national working groups and its regional sections, the SAF has enriched its discussion and action. It has also contributed to the continuous training of lawyers, even if they do not belong to the union. Each year the SAF organizes its congresses to treat current issues. Training days permit a practical approach to juridical problems, which we confront in our daily life and are neither criminal, family or migration law. Three times a year, the SAF publishes *La Lettre du SAF* available in all the French bar associations.

Representatives in the EDL:

DIDIER LIGER

23, rue des Réservoirs | F- 78000 Versailles
tel. 33 1 30 21 55 55 | e-mail: didier.liger2@wanadoo.fr

VINCENT VIEILLE

20, rue Saint Martin | F- 75004 Paris
tel. 33 1 42 78 60 34 | e-mail: vincent.vieille@gmail.com

PASCAL TAE LMAN

9, rue du Général de Larminat | F- 94000 Creteil
tel. 33 1 49 80 43 67 | e-mail: pascal.taelman@free.fr

LAURENCE ROQUES

9, rue du Général de Larminat | F- 94000 Creteil
tel. 33 1 49 80 43 67 | e-mail: laurence.roques@free.fr

[Contact address]

Schoolplein 5A | NL -3581 PX Utrecht
Postbus 13319 | NL -3507 LH Utrecht
tel. 31-30 234 33 05 fax : 31-30 234 33 05
vsan.advocaten@worldonline.nl

Vereniging Sociale Advokatuur Nederland [VSAN]

The Association *Vereniging Sociale Advokatuur Nederland* was created in 1987. Previously, the *Vereniging Sociale Advokatuur Amsterdam* (VSAN) had represented Dutch lawyers at the EDL Born in 1981, this Amsterdam association had as its main objectives the defence (in the broad sense of the term) of the interests of «social» lawyers, the organization of a structured legal help and the defence of the client's or groups of clients' collective interests. The VSAN took over these concerns.

The VSAN is composed of a board of directors and delegate assembly. Each area chooses its own delegate. The number of delegates per area depends on the number of members. Every year the delegate assembly designates the members of the board of directors. Their mandate lasts for two years.

The VSAN represents its members at the Ministry of Justice. Whenever necessary the VSAN can initiate procedures against this authority. There are dialogues with the Netherlander bar and other sister associations.

Member interests are varied: They range from the development of measures relating to pensions and insurance in the event of disability to lawyer training. VSAN's members devote a significant part of their energy to financing legal assistance. That, of course, includes providing compensation for lawyers who intervene on behalf of underprivileged or lower-income people. The organisation participates in many struggles against the authorities along these lines.

In collaboration with lawyers specialised in the area and ex-prisoners, the VSAN set up a national working group devoted to criminal law. Since its creation, the VSAN has organized a congress every year. In chronological order, the association has addressed the following topics:

- The independence of lawyers in the political field,
- Human rights and the social practice of lawyers,
- Communities, parts of the lawsuit and the social practice of lawyers.



www.vsan.advocaten.nl



In addition to its participation in the EDL, the VSAN has been recognized as an observer at the ICDJ.

Every two months, the VSAN disseminates an informational newspaper to its members.

Representatives in the EDL:

HANS GAASBEEK

Nieuwe Gracht, 5 A | NL-5011 NB Haarlem,
tel.: 31- 23 5 31 86 57 - fax: 31-23 5 32 45 22
e-mail: gaasadv@planet.nl

STURLA SPANS

Postbus 13319 | 3507 LH Utrecht
Schoolplein 5° | 3581 PX Utrecht
Tel. 030 231 36 46 | Fax. 030 234 29 95
e-mail: s.spans@schoolepleinadvocaten.nl

DERK LUGT

Postbus 3269 | NL-1001 AB Amsterdam
Tel: 20 53 53 171 | Fax: 20 626 70 93
e-mail: sdlugt@xs4all.nl

[Contact address]

Calle Atanasio Barrón número 23, 1º | E- 41003 Sevilla
Apartado de Correos número 83, E - 41089
informacion@17demarzo.org

Sociedad Andaluza de Juristas en Defensa de los Derechos Humanos Individuales y Colectivos [Grupo 17 de Marzo]

The *Sociedad Andaluza de Juristas en Defensa de los Derechos Humanos Individuales y Colectivos* was created in Seville on the 17th of March 2006 with an aim as clear as its name indicates: a coalition of jurists, in the largest of senses, with common leftist ideals to defend human rights. Its members come from different legal areas, although most of them are lawyers. This contributes to the heterogeneity of the association and its capacity to analyze the different issues that are encountered from different points of view.

Our aims include:

- To defend individual and collective human rights as they are defined in international charter with an express mention to the right of freedom, equality, security and physical integrity, as well as to social and economic rights and the right of peoples' self determination.
- The eradication of torture, inhumane and degrading treatment and the abolishment of penitentiary systems.
- To promote the social function of lawyers to the benefit of citizens' access of to justice, the right to defence, the opposition to any restriction in the free exercise of rights in front of the administration, the courts and society.
- To promote the defence of free professional associations and a profound democratization and modernization of the current model of bar associations.
- To oppose legal, institutional or private measures restricting rights and freedoms of people and groups they belong to.
- To promote and participate in activities with other associations, groups and entities, which defend the above mentioned aims on a local, state or international level.
- To promote debates on the above mentioned issues.
- To participate in the activities of the Lawyers' bar association to which the members belong, trying to further the aims of the association.
- The mutual collaboration amongst its members



www.17demarzo.org



GRUPO 17 DE MARZO

SOCIEDAD ANDALUZA DE JURISTAS PARA LA DEFENSA DE LOS
DERECHOS HUMANOS INDIVIDUALES Y COLECTIVOS

ORGANIZATION

Our form of organization is through assemblies and the constitution of permanent and temporary working groups and a directive committee.

ACTIVITIES

Our activities have included the aid of prisoners, a complaint against Ronald Rumsfeld, a report on torture in Andalusia, numerous talks and legal reports, popular complaints against government employees accused of torture or inhuman treatment, appeals against local regulations, participation in the Legal Team during the NATO counter-summit and in other demonstrations, the creation of a guide on civil rights, a television program etc.

ALLIANCES

To accomplish our task we belong on a national level to the *Coordinadora para la Prevención de la Tortura* and on a European level we are observers in the *European Democratic Lawyers Association*.

Representatives in the EDL:

LUIS MARÍA DE LOS SANTOS CASTILLO

Calle Maestro Falla nº 51- Bajo | E- 41006 Sevilla

Teléfono/Fax: + 34-954-63-38-00

e-mail: luisanca75@hotmail.com

EDUARDO MILLÁN ALBA

Calle Atanasio Barrón número 23, 1º | E - 41003 Sevilla.

Tlf: + 34-954542786



Notes



www.aed-edl.net

AVOCATS EUROPÉENS DÉMOCRATES

ABOKATU DEMOKRATA EUROPARRAK

EUROPÁISCHE DEMOKRATISCHE RECHTSANWÄLTE

ADVOCATS EUROPEUS DEMÓCRATES

ABOGADOS EUROPEOS DEMÓCRATAS

AVVOCATI EUROPEI DEMOCRATICI

EUROPESE DEMOKRATISCHE ADVOKATEN

EUROPEAN DEMOCRATIC LAWYERS