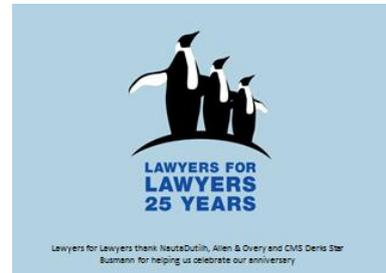


## Introductory Observations

**Phon van den Biesen**

President of Lawyers for Lawyers

15 April 2011



Thank you, Mr President of the Bar Association for being here and for opening our Seminar and for speaking these comforting and stimulating words to us. We appreciate collaborating with the Dutch Bar Association very much and we appreciate that the solidarity of the Dutch Bar Association is present at all forms we needed. Thank you for that.

Thank you, Madam Special Rapporteur for being here and for playing such a prominent role here. We promise to you that we will be the ears and the eyes of the Special Rapporteur and will assist you in performing your important task whenever we can, because I know your schedule is extremely busy and it includes travelling to so many countries per year. So we are quite happy that we are, indeed, having such a good collaboration with you, as we had with your predecessor and I am glad you came to deliver the evidence for that by being here today.

Dear colleagues, dear judges, dear human rights defenders, dear friends,



Ghasem Sholeh Saadi is a law professor as well as a practicing lawyer in Iran and he was arrested ten days ago on unknown charges. In the past he had had this same experience, except that then he was not only arrested but also sentenced to 1,5 year in prison for insulting the authorities for propaganda against system and similar accusations.

What had he done? He had published an open letter criticising the Ayatollah Khomeini. Today he is in Evin prison.

Cu Huy Ha Vu is a human rights lawyer in Vietnam. Ten days ago he was sentenced to seven years and also 3 years of house arrest for propaganda against the Socialist Republic of Vietnam. What had he done? He has filed criminal complaints against the Prime Minister of what he considered commitment of illegal acts by his government.



These two lawyers add to the long list of courageous lawyers who deserved all of our attention and our support over the last 25 years.

It has been a long journey since 1986 and the end of the journey is not in sight. Yes it was extremely important in 1986 that the lawyers' group of Amnesty International under the leadership of Frederiek de Vlaming and Wilbert van Hövell, they are sitting next to each

other as they have never been separated since, founded Lawyers for Lawyers with the help and support of the Netherlands Lawyers Committee of Human Rights, headed by Hans Thoolen who is with us today, with the help and support of the Dutch Bar Association, and with the help and support of the University of Utrecht Centre for Human Rights (SIM). That support demonstrated at the time their shared conviction that the rule of law cannot materialize if lawyers are not able to do their jobs properly without instruction, restriction without hindrance and without obstruction from governments.



Willem van Manen led lawyers for lawyers for over 17 years. He was a charismatic leader, a good fundraiser and a committed human rights defender. He kept the torch burning during all those 17 years. Willem died two years ago. We are grateful for his commitment and we need to thank him for that. If you look at the picture you will see that he is not alone: he has this penguin sitting on his desk. Willem was not only a

gifted human rights defender, he was also a gifted cartoonist. Lawyers were his target and for many years he produced a series of penguin cartoons that appeared in the Dutch Lawyers Periodical. That is how L4L obtained its penguin logo and this logo is the origins of the present penguin logo which, one may say, is an extreme make-over of the earlier logo that Willem designed. We decided to go for three penguins holding each other in solidarity.



The penguin in Willem’s cartoon says: “advocaten zijn toch ook mensen?” (lawyers are also people aren’t they?) The question is not only rhetoric since it requires two answers. The first one being: Yes, of course. But there is more to be said: the second answer is that ‘while discharging of their duties lawyers are essential agents of the administration of justice’ (Principle 12 of the

Basic Principles on the Role of Lawyers  
Principle 12

Lawyers shall at all times maintain the honour and dignity of their profession as *essential agents of the administration of justice*.


 The logo for Lawyers for Lawyers 25 Years, featuring a stylized silhouette of three figures holding hands or a torch, with the text "LAWYERS FOR LAWYERS 25 YEARS" below it.

Basic principles on the Role of Lawyers). Now this is important, telling language because it doesn’t say lawyers are officers of the Court, and it doesn’t say that lawyers are merely about defending the rule of law. The language envisages more than that and it provides lawyers with a share of the responsibility for seeing to it that, indeed, justice is actually being done.

## Booklet 'Building on Basic Principles'



This morning we started our day with an Expert Meeting where some 30 participants from the Netherlands and abroad talked about the relevance of the *Basic Principles of the Role of Lawyers*. We concluded, in as far as we can speak of a conclusion after one morning of discussions, that there is a lot more to be done and there is a lot more to be done to raise the substantive value of the Basic Principles. Also,

when one would look at possibly embarking on another long journey aimed at raising the formal status of the *Basic Principles of the Role of Lawyers*, also then there would be a lot of work to be done in educating and dispersing the notions and the texts laid down in this document in order to create strong support for the contents thereof.

This morning's session will be reported and be made available: the papers that were prepared before the meeting and the report of this morning's discussions will be brought together in a booklet which will be published and distributed by the Dutch Lawyers Committee on Human Rights (details to follow on our website).

During the last seven years we have gone through a process of professionalization of our small organization and we begin to see the fruits of that today. Crucial for the success of this professionalization is the fact that we have been having from the very beginning of the last seven years a professional staff and currently this is what the staff looks like. Not quite coincidentally in the middle Adrie van de Streek, our executive director, and next to her, her two assistants whom you have seen around here today, Maarten Bolhuis and Floor Engelbertink.



Adrie deserves more attention. She has a part-time job, that is to say she is paid for a part-time job, but in reality she seems to be spending day and night for L4L and not only that, she is extremely effective. She got used to working in an international environment very quickly, she is a networker *pur sang* and she pulls out a million of organizational jobs like producing reports, providing loads of information on situations at specific threatened lawyers next to the regular duties of the day which involves responding to hundreds of e-mails, and I bet there is no one in this room who has not received multiple e-mails from Adrie over recent years. Next to this she organizes and goes to many meetings including travelling to Geneva to speak at the Human Rights Council, etcetera etcetera. We are very grateful for having Adrie on board. The same is true for having such a great, active and stimulating board of six lawyers and together with them we have a very strong group of 50 Dutch lawyers that are

active in ten different working groups that focus on specific countries and regions of the world.

And last but not least we are very happy to have so many important funders, sponsors that make events like this one possible. You have already seen the names of the three main sponsors on the screen: Nauta Dutilh, Allen & Overy and Derks Star Busmann, but the list is not complete with that. There are many more law firms that are helping us through financial support, also there are several regional Bar Associations, while the Dutch national Bar Association, although its President of just indicated that its possibilities are limited, is also helping us through incidental funding as well. Last but certainly not least there are many, many individual lawyers that are helping us funding us, some of them with very substantial sums. And all of that is extremely important, without that we could not be here.

Now let's have a look at the substance of what we are doing.

We will continue to focus on three activities in three areas:

1. Improving and extending direct support for colleagues across the world;
2. we are embarking on a permanent knowledge and awareness campaign;
3. strengthening our network.

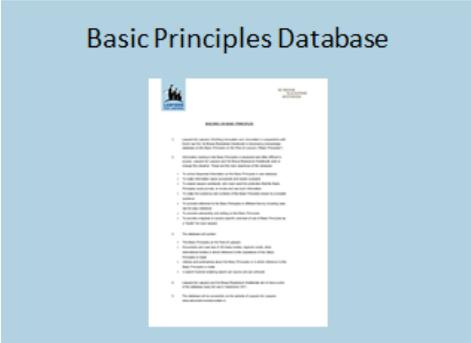
In order to work on the first area we have these fifty lawyers involved. They are coming together like once a month in some ten focus groups, each one concentrating on a specific country or region, and keep track on current developments with respect to the position of human rights lawyers. In doing so they are the eyes and the ears of our organization.

Next to that we go abroad to monitor court cases, as we recently did in Syria, we also work on fact finding mission as we did in the Philippines twice already and to Colombia recently; this morning our colleague from Teheran encouraged us to set up a Fact Funding mission to go to Iran, which proposal we certainly seriously consider. Of course part of what we are doing is letter writing campaigns, while our activities include lobbying at all sorts of political levels: UN, EU and with national governments, bar associations and parliaments.

Then, as far as the knowledge and awareness campaign is concerned, one small example is the little booklet you found in your folder containing the *Basic Principles*. That little booklet is being handed out to each lawyer that is entering the Bar Association in the Netherlands.

Also we are trying to encourage Bar Associations to put the *Basic Principles* on their website and mr President of the Dutch Bar Association now that you are here, maybe you shouldn't leave today without the promise that you will see to it that next Monday the *Basic Principles* are put on the new website of the Dutch Bar Association.

In return we offer you to provide you with lawyers-teachers that can play a role in the permanent education for Dutch lawyers and who are able to give courses on the concepts that lay underneath the Basic Principles and the importance of the independence of lawyers.



As part of the knowledge campaign we have embarked a couple of months ago on a new project which is run by a small group of brilliant lawyers from the Brauw’s law firm, which is also sponsoring the project, who are putting together a database which aims to hold all the material relating to the Basic Principles but also relating to issues that are closely connected to the substantive issues covered by the Basic Principles. It

will be kept updated and it will be online from this summer onwards. It is aimed to help as a tool for all lawyers across the world to get quickly and clearly to these sources of law that may be relevant for their position.

And then also strengthening our network is an important task for which we are launching a new website which will contain much more information about what we are doing but also about what related other organisations and colleagues of ours are doing. Also, we started with this *Newsflash*, our e-newsletter, two years ago, right now there are over 500 lawyers in the Netherlands that want to receive this newsletter and also some 170 lawyers abroad. These numbers are rising by the day. You can sign up today for this *Newsflash* if you want to be kept updated about our activities.



We aim to continue to bring together lawyers from across the world in meetings like today’s, here in Amsterdam or elsewhere. We also aim to continue with what we hope will become a tradition: today we will begin handing out a *L4L Award* on a two yearly basis to an outstanding Human Rights Lawyer. We are convinced that this Award will not only provide support and conditional protection to the lawyer who

receives it but it also help to strengthen the notion that lawyers are at all times to be able to discharge of their professional duties without interference.

That brings us back to the *Basic Principles*, including the duties and responsibilities of lawyers which we discussed this morning. Lawyers shall see to uphold human rights and Fundamental Freedoms recognised

**Basic Principles on the Role of Lawyers  
Principle 14**

Lawyers, in protecting the rights of their clients and in promoting the cause of justice, shall seek to uphold human rights and fundamental freedoms recognized by national and international law and shall at all times act freely and diligently in accordance with the law and recognized standards and ethics of the legal profession.



by national and international law. That is what we are up to, that is what we are supposed to be up to. And we have many great examples of such lawyers set for us.

We do try to provide some support for them but at the same time we are the ones that need to say thank you to all of them: we say thank you for being, thank you for being our colleagues, thank you for being such an inspiration, thank you for being true heroes of the rule of law, thank you!

