

Human rights & freedom FBE commission

Barcelona, 17. February 2017

Welcome of the President:

He wishes the Commission to meet regularly: it seems necessary because of the importance of the topic; it should be more often than just on the occasion of the 2 meetings of FBE.

The last meeting was in Berlin on the European Human Rights Day; the report has been sent to the members of the Commission.

This meeting takes place in Barcelona where the first event of the 25th Anniversary of FBE takes place; a brochure will be issued and the President will make a report about the human rights and freedom commission

The President reports about celebration on 18th February in London.

The next meeting will be in June in Den Haag with the beginning of the FBE-Presidency of Sarah Chandler.

Topics:

1. Patronage to the Orchestra “Symphony Land”

On the meeting in Luxemburg, Kinga presented the Orchestra of Refugees “Symphony Land” who has already the patronage of the Austrian Ministry of Culture.

The presidency of the FBE has given its approval to the Commission to give its patronage to this orchestra.

The President needs more information from Kinga

2. European Survey

The President reports again that very few chambers answered the survey (14 questions) sent by the commission; only 10 of 200!The president proposes to contact all chambers to identify the competent person for human rights (a first letter till march 2017) and then, to send the survey again (April 2017).A final report should be done for the meeting in June in den Haag.

3. Presentation of Nicoletta about Legal Education in schools

This project of the Verona Bar will be also presented at the next meeting in den Haag.

4. Prosecutor in danger in Colombia

A prosecutor is in danger of life in Colombia.

The Barcelona Bar has presented a project for her to the Catalunya Agency for Human Rights to give her the possibility to come for one year to Catalunya.

The problem is that she wants to come with 8 persons (4 minors)

The Catalunya Bar also presented a project: **send observers to trials** in countries where there are some difficulties (Turkey, Marokko, ...)

In Turkey, there is a great number of lawyers who were arrested the day just after the coup d'état. They don't have been released.

This could be interesting for FBE Commission for Freedom and Human Rights.

The Commission has to think how to find European funds...

The Commission debates about Poland: the government says more than doing.... It is very active for social helps, so that its popularity grows ((30 to 40%).

The problem is that the rights are in danger but population is happy because of social help;

Constitutional Court: controlled not always from lawyers-judges but from the political power.

5. Guidance in business and human rights for European law societies

The Madrid Bar prepared a guidance in business and human rights for European law societies.

This report has been sent to all members of the Commission to be discussed on the next meeting.

Artur asks the members of the Commission to send him comments by mails and he will send a report to Sarah for den Haag.

6. Proposal for the activity of the commission for the next 6 months

a. Competition for young lawyers on human rights in Europe: September/October 2017 – Poznan

The participants should be young lawyers from all European Bars to participate to a mock trial in the field of Human rights;

Each team will have 3 members: a lawyer, a judge, a prosecutor;

There should be about 10 teams.

The competition will take place in the hearing room of the school for young lawyers in Poznan.

The subjects of the competition should be equally known for all participants: they should be chosen in the jurisprudence of the European Court for Human Rights.

The members of the commission should look for interesting cases (coordination: Monique).

This subject needs a financial support for the organization of the competition and to cover the costs of the young lawyers participating.

The commission will write to all most important European Bars to ask for their support (500-1.000 €?).

b. The Commission decides the following prior topics for the action of the commission for 2017:

- Special problem: children and minors of refugees

Mark reports about the activities Berlin Bar on this topic: the German Administration is not really prepared to handle these situations; they asked for legal aid: there is only one officer to take care of 20-40 minors§
700 lawyers declared themselves ready to act for free: 2-3 children for each lawyer

There is a project of a private association to accompany the refugees; at present, there is only one single instrument to care of unaccompanied children; the social worker works 24h/day; the project would be very expensive; that is why the administration tries to slow down: it is necessary to decide in each case if the help is really needed.... The Administration needs time to organize the help: children can remain a few weeks without help.

The Commission decides to create a working group on the topic of the isolated minors:

Artur – Mark – Monique

- Greece

The Madrid Bar decided to support the project of Legal Aid in Greece and granted a budget of 100 000 € to support young Greek lawyers to help the refugees. They also got 25.000 € from the Madrid City Council.

50 000 € will be granted to the Athens Bar and 50 000 € to the Lesbos Bar.

There should be a ceremony to sign the project; it should be a member of the Greek Bar but no Greek Bar is member by FBE....

- Action of the Catalunya Parliament

The President of the Catalunya Bar reports about the activities of the Parliament of Catalunya: There was a session on 16th. February 2017 about “Business and Human Rights: comparing experiences”

A look at extraterritorial perspectives

Sessions on Guiding Principles on Business and Human Rights:

A slow way or a way to nowhere?

National action Plans on Business and Human Rights: Lights and Shadows

The Barcelona Bar prepares a presentation and a draft about observers to be presented in den Haag.

- European Day for Human Rights 10th December

The President underlines that the Commission Human Rights and Freedom of the FBE wants to testify with this meeting the will to participate actively to the European Day for Human Rights on 10th December.

Next meeting of the Commission:

On April 28-29 April takes place the International Meeting of the Madrid Bar.

The President will organize the next meeting of the Human Rights and Freedom Commission on this occasion, on 28th April in Madrid.