

STICHTING EUROPEAN LAWYERS FOUNDATION POLICY PLAN

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POLICY PLAN

1. Foundations Vision and Objectives

The European Lawyers Foundation (ELF) was established to involve European lawyers in the implementation of objectives related to improvements to Justice. Lawyers, as one of the most important stakeholders, are in the best position to identify challenges and propose measures to address today's priorities in Justice. ELF focuses on improving Justice in the European Union (and its Member States) as well as in those countries where the involvement of European lawyers can contribute to progress in Human Rights and the Rule of Law. Therefore, ELF's vision is to help towards the development of better Justice in Europe and beyond, through the implementation of projects that allow lawyers to put their knowledge and add value.

The ELF has a double objective:

- a) To undertake activities that relate to the exercise of the profession of lawyers, the development of the law and practice pertaining to the rule of law and administration of justice and substantive developments in the law itself, both at a European and international level as well as issues of justice policies in Europe, provided that these activities create added value, and;
- b) to monitor actively the defence of the rule of law, the protection of fundamental and human rights and freedoms, including the right of access to justice and protection of the client, and the protection of democratic values inextricably associated with such rights, and to perform everything (directly or indirectly) related or conducive to the above, all in the broadest sense.

2. Profiling the European Lawyers Foundation

ELF is an independent organization that was founded by the Council of Bars and Law Societies of Europe (CCBE), which represents the bars and law societies of 32 member countries and 13 further associate and observer countries, and through them more than 1 million European lawyers. The collaboration between ELF and CCBE ensures that ELF has access to the expertise of the CCBE has

through its committees on substantial law and its network of national lawyers. As a result, ELF has access to one of the biggest networks in the Justice field across Europe.

However, since ELF's activities are not limited to Europe, ELF maintains relations with other organisations that work in the Justice field worldwide. It collaborates in the implementation of projects with peer organisations such as the International Bar Association (IBA) or the American Bar Association Center for Human Rights and Rule of Law Initiative. ELF also has relationships with national Bars from different countries (eg: Zimbabwe, Venezuela). It is open to collaborate with different actors worldwide to fulfill its mission and objectives.

In this way, ELF reinforces the position of The Hague (and The Netherlands) as the place of International Justice, by adding Europeans lawyers to the fulfilment of the objective of Justice and Peace - indeed, the motto of ELF, as can be seen from its logo, is Lawyers&Justice.

3. Activities

ELF is a Foundation in the service of Justice and, therefore, in the service of citizens. The ELF's double objective is mainly realised through the implementation of a range of projects. ELF monitors the state of play of Justice in different contexts, regions, etc. When ELF identifies an opportunity for improvement, it starts to brainstorm as to how to address the issue. Then, analysing different parameters, a solution can be envisaged and the way to proceed is checked. At that stage, the development of a project proposal starts taking into account different elements: activities, methodology, timetable, funding, etc.

The activities of ELF take different forms: from the sending of experts to countries where their assistance may be relevant/required to the development of IT tools for Justice. However, the main activities of ELF take place in one of the following ways:

1. **Training of legal professionals:** ELF participates in the training of lawyers in different areas (for instance, EU Law). ELF is giving special attention now to training of lawyers in migration law.
2. **Studies on substantive Law:** There are many areas of Law where analysis, best practices and recommendations are required. These studies may be commissioned by institutions such as the European Commission. ELF is currently working on two studies: on the Directives on minimum procedural safeguards for suspected and accused persons, and on the European Arrest Warrant. Both studies concern fundamental rights).
3. **Supporting organisations in the field of Law:** since ELF has access to a comprehensive network of legal professionals from different countries, it is able to help countries on specific issues. One example was the recent conference on Ukraine that, in cooperation with the International Bar Association and the Ukrainian Bar, addressed fundamental issues of the Rule of Law.
4. **Developing IT tools:** despite its recent creation, ELF has positioned itself as a strategic actor in the e-Justice field. This is due to the different e-Justice projects in which ELF has participated and is participating. ELF has been involved in projects such as Find-A-Lawyer 2 and the European Training Platform. Furthermore, it collaborates in the large-scale project e-CODEX, which aims to interconnect the e-Justice systems of different EU Member States through the internet. Finally, ELF also participates in the project Find-A-Lawyer 3 and in a project on cross border videoconferencing in the field of Justice. Taking into account that the objective of e-

Justice is to obtain better access to Justice through making Justice faster and cheaper, ELF will continue implementing projects in this field, to improve the quality of Justice and contribute to protecting citizens' rights.

5. **Organisation/Participation of events to promote access to Justice:** the ELF is committed to the organisation of events on relevant topics that can contribute to better access to Justice. ELF, for instance, organised an event in April 2015 about "The role of lawyers before international courts". Lawyers from across Europe participated in this event held in The Hague, the objective of which was to present the proceedings before different international courts. ELF monitors regularly the state of Justice in Europe and beyond and therefore the organisation of these kind of events could be a regular activity implemented by ELF.

4. Financial sources

ELF is a non-profit organisation and, therefore, its funds are used for the implementation of the projects mentioned above. ELF's budget and annual reports (describing the annual financial operations) are publicly published at www.europeanlawyersfoundation.eu.

The main funds of the Foundation come from public administrations (mainly the European Union), as ELF carries out projects under the form of tenders (public contracts) or grants. While in grants it is forbidden to make a profit, the execution of tenders may create a small benefit for the organisations that are commissioned to provide the service. In this case, ELF do not make profits as such, as the funds are integrated into the Foundation's accounts to be used in future projects.

ELF can also access other funds belonging to non-public organisations. This is the case of grants given by other organisations for the implementation of projects. These funds simply cover the project's operations and consequently no profit is made.

Finally, ELF may receive some donations for its daily operations (offices, employees' remunerations, etc) or for the implementation of projects.

All the funds are used taking into account the daily state of play of Justice in Europe and worldwide (which the Foundation monitors on daily basis). As explained before, when an opportunity for improvement is identified, a project idea will be developed. The idea is discussed at ELF's Advisory Board and, taking into account its advice, decided upon by the Board of Directors, which makes its decisions in accordance with the ELF's statutes.

The resources of the Foundation are spent on two kind of projects:

- a) European projects: projects of EU-added value that follow the priorities set by the European Union every year;
- b) "External projects": projects that are implemented beyond the EU's borders and where the assistance of EU lawyers is required.

The finances of ELF are structured in such a way as to allow the Foundation to carry out its work while ensuring its sustainability in the long term.