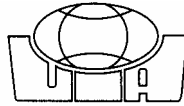


UNION INTERNATIONALE DES AVOCATS

INTERNATIONAL ASSOCIATION OF LAWYERS
INTERNATIONALE ANWALTS-UNION



UNION INTERNACIONAL DE ABOGADOS
UNIONE INTERNAZIONALE DEGLI AVVOCATI

الاتحاد الدولي للمحامين

THE CHARTER FOR THE DEFENCE OF MINORITY HUMAN RIGHTS

The Charter for the Defence of Minority Human Rights was adopted during the San Francisco Congress on 1 September 1993. The final text has been ratified by the Governing Board of the UIA which met in Vienna, Austria, on 12 February 1994.

Whereas the pursuit of Peace and Cooperation among Peoples is inextricably linked to the Safeguarding of Justice and absolute respect for Human Rights and Fundamental Freedoms.

Whereas it is the traditional and proper role of Bars, Law Societies and Lawyers' Associations to promote Human Rights and Fundamental Freedoms.

Whereas the rights of minorities and their members are an integral part of Human Rights and Fundamental Freedoms.

Whereas the Defence of the Rights of Minorities is an aspect of the promotion of Democracy, demanding reciprocal tolerance between Majority and Minorities and respect by the Minorities of the Fundamental Principles of Democracy.

Whereas the members of Minorities benefit from the guaranties established by the International Conventions for the Protection of Human Rights and Fundamental Freedoms, among them the freedom of expression.

Whereas Bars, Law Societies and Lawyers' Associations have a role in the promotion and defence of individual and collective rights of minorities and their members.

The Bars, Law Societies and Lawyers' Associations gathered at an international conference in San Francisco have decided to adopt an international Charter with a view to ensuring respect for the following principles:

ARTICLE 1

No person shall be subjected to prejudice of any kind solely on the basis of his or her membership of a national, ethnic, linguistic, cultural, religious or other minority.

Similarly, no person shall be object of discrimination solely on the basis of his or her membership of minority.

ARTICLE 2

The Bars, Law Societies and Lawyers' Associations undertake to pursue, within the framework of the present Charter, such measures as may be useful to give effect to the principle set forth in Article 1, including the provision of their support to international organisations.

The Bars, Law Societies and Lawyers' Associations undertake to promote and defend the principles of equality before the Law and of non-discrimination, the violation of which impairs the fundamental rights of minorities and their members.

ARTICLE 3

The collective or individual claim to belong to a minority is based on the free choice of individuals.

The Bars, Law Societies and Lawyers' Associations undertake to make every effort to ensure that all individuals belonging to a minority can exercise the rights that are recognised by the present Charter and to enjoy them individually or in association with others and to oppose all attempts at the assimilation by force of minorities or of the member of a minority.

ARTICLE 4

In application of the principle set forth in Article 1, any person who is a member of a minority has the right to be judged in complete independence and impartiality, in accordance with the principles guaranteed by international Law.

If the exercise of the Rights of the Defence so require, any person belonging to a national, ethnic or linguistic minority has the right to express himself or herself in his or her own language with the assistance of an interpreter and to obtain without cost translations of documents in proceedings.

ARTICLE 5

Any person belonging to a minority may freely choose a lawyer in accordance with the International Charter on the Rights of the Defence proclaimed by the UIA at its Quebec Congress (1987).

If the lawyer belongs to the minority of which the person whom he or she represents is a member, the lawyer may not himself or herself be subjected to any kind of disadvantage by reason thereof.

ARTICLE 6

The signatory Bars, Law Societies and Lawyers' Associations declare that they subscribe to the rules set forth above, failure to observe which is incompatible with the administration of free and equitable justice.

The Bars, Law Societies and Lawyers' Associations will include in the educational programmes for which they are responsible training relating to minority rights, both as regards their presentation and as regards their effective defence by the Lawyers.

The Bars undertake to disseminate the present Charter and to ensure its broader promotion.

Moreover, they undertake to include, or to make every effort to include, the present Charter in their internal rules and to give them mandatory force.

To this end, they will make all necessary approaches to their national authorities in order to have conferred upon this Charter the status of an internal juridical norm.

XXXVII UIA Congress, San Francisco
1 September 1993