

**STATUTE OF
AFGHAN LAWYERS' ASSOCIATION
IN EUROPE**

**CHAPTER ONE
General Provisions**

Article 1:

1. The Afghan Lawyers Association in Europe is a social, professional – legal and non-profitable entity, having been established with a view to exchanging professional experiences of Afghan lawyers, rendering assistance and free legal advices to the Afghans, particularly those residing in Europe, aimed at enabling them to exercise their established rights; rallying Afghan lawyers on voluntary basis; carrying out its activities in accordance with the provisions of this Statute, ensuring its contribution to the process of implementing the rule of law and protecting the rights and freedoms of the fellow-countrymen.
2. The Afghan Lawyers' Association in Europe is referred to in this Statute as "the Association".
3. The seat of the Association is in the city of Helmond of the Netherlands which has been established in accordance with the accepted international principles, as well as the Dutch legislation; the Association may create its branches in other European countries as well.

Article 2:

The Association is a socio-professional, independent, and unbiased entity which is not affiliated to political organizations, and carries out its activities void of any religious, linguistic, ethnic and gender discrimination and distinction whatsoever

**CHAPTER TWO
Objectives, Duties and Activities of the Association**

Article 3:

1. The Association strives to render services aiming at the enhancement of the legal knowledge of the Afghan lawyers in Europe through legal propagation, explanation and description of laws in various legal spheres; as well as providing free legal advices to the Afghans residing in Europe.
2. Established to ensure the participation of the Afghan lawyers in Europe with a view to rendering legal services, and promoting the level of knowledge of lawyers, both at home and abroad, the Association strives for the mobilization of young lawyers, the advancement of their knowledge of law, and the useful utilization of the modern achievements in the sphere of law.
3. With a view to maintaining relations with, and seeking professional cooperation of lawyers, legal organizations - both foreign and domestic, as well as the international organizations, the Association is determined to

provide grounds for the exchange of experiences and new scientific and professional information.

4. The Association is dedicated to its commitment to defend and protect the rights and freedoms of Afghans (particularly of the Afghan migrants residing in Europe) enshrined in the Universal Declaration of Human Rights, the internationally accepted conventions, and in accordance with the law.
5. The Association struggles against any sort of infringement of law, and rules out the use of violence as a solution for the social or family problems.
6. The Association strives for the implementation of justice and legality, and supports the prosecution of the crimes against humanity through a fully legal and fair process, to be devoid of political motivations and intentions whatsoever.
7. The Association shall make every possible effort towards its active participation in the rehabilitation of the legal system of Afghanistan.

Article 4:

With a view to attaining its objectives, the Association carries on the following duties and activities:

1. Organizing informative and consultative programs through discussion gatherings, radio, television, internet websites, and other facilities aiming at enhancing the legal awareness of Afghans.
2. Convening scientific-legal seminars, symposiums and conferences, and exchanging scientific-professional experiences in various spheres of law.
3. Publishing research articles, compiling and translating professional books, works in law under the supervision of a competent academic-scientific board.
4. Carrying on academic-legal researches in all spheres of law, including the customary law of the country.
5. Providing free legal and lawful advices to our compatriots, particularly those residing in Europe relating the problems of asylum, family and other problems experienced by them.
6. Maintaining contacts with respective departments, organizations and international agencies with a view to achieving the objectives of the Association, including seeking solutions to the legal issues of the Afghans, especially those residing in Europe.
7. Taking effective and lawful measures aimed at contributing to the improvement of the legal system of, and the rule of law in Afghanistan.

CHAPTER THREE
Membership, Rights and Obligations of the Members

Article 5 – Membership:

A person shall meet one of the following requirements to acquire membership of the Association:

1. Graduation from institutions of law, Islamic Jurisprudence, or Judicial Police.
2. Being a student of law.
3. Possession of graduation certificate of Baccalaureate, provided that the person has the experience of more than five years of professional work in the law enforcement organs inside or outside the country.

Article 6:

Approval of the membership of the Association requires the submission of a written application to the relevant body and confirmation by the Leadership Council, following its registration.

The Leadership Council of the Association has the power to grant honorary membership of the Association to outstanding personalities, foreign lawyers or individuals who have made tremendous contributions to the implementation of the objectives of the Association.

Article 7:

Membership of the Association shall cease in the following circumstances:

1. Written resignation.
2. Failure in paying the membership fees for a period of up to one year, in spite of a written notification thereabout.

The Leadership Council has the power to put an end to, or suspend, the membership of a member who undermines the values of the Association, or violates the provisions of this Statute. Prior to the actual cessation of his / her membership, the member shall be given a time limit of two months for bringing forward motivation, in writing or orally, to prove his/ her blamelessness. Likewise, he/she has the right to appeal to the General Assembly against the decision of the Leadership Council. The final decision shall be taken by the General Assembly.

3. In case, no decision is taken in respect to the termination of the membership of a member due to the above-mentioned circumstances, the Leadership Council can suspend the membership of the person for a period of up to one year.
4. Death of the member.

Article 8:

Members of the Association have the following rights:

1. Participation and expression of views in all activities of the Association.

2. Right to elect, or be elected, for all bodies of the Association, and avail himself-herself of all facilities and privileges thereof.
3. Demand explanation about the decisions of the leadership authorities of the Association in case he/she finds them to be ambiguous.

Article 9:

Members of the Association, in their professional capacities, such as acting on behalf of the Association, offering legal expertise, or discharging their media-related or legal duties, shall keep the following requirements in mind:

1. Strict observation of the provisions of this Statute and seeking due consultation of the leadership authorities on the matter in hand.
2. The views and stances of the Association can, in no way, be of factional, regional, ethnical, ideological or political nature, but shall rather be based on the principles and criteria of righteousness, justice and impartiality.
3. The branches and departments of the Association shall ensure that their stances are taken with the prior consultation with the Executive Board. They shall be responsible before the bodies of the Association for the justifiability of their views, and shall be answerable thereabout. Otherwise, the Association shall take no responsibility in respect to their stances.
4. The contents of this Article shall, in no way, restrict personal opinions of a member of the Association which he / she may express on the matters not related to the Association.

Article 10:

Members of the Association have the following obligations:

1. Compliance with this Statute, and making every effort towards the implementation of its objectives.
2. Paying the membership fee. Students of law and honorary members are exempted from the payment of membership fees.

Decisions in regard with the determination, reduction, suspension, exemption, and setting a time limit for the payment of the membership fee shall be regulated by the Leadership Council as per a separate procedure.

CHAPTER FOUR
Organization and Powers of the Bodies of Association

Article 11:

The Association consists of the following bodies:

1. General Assembly
2. Leadership Council
3. Executive Board
4. Country Branches
5. Supervisory Commission

Article 12 - General Assembly:

General Assembly is the highest body of the Association which shall meet once in every three years. Its extraordinary meetings can be held as per the demand of one-third of the members of the Association or the majority of the members of the Leadership Council.

A written notification about the date, venue and the issues to be addressed by the National Assembly shall be dispatched to the members of Association 20 days prior to its convention. All official members of the Association have the right to participate in the General Assembly.

The issues to be discussed by the General Assembly, and the form and method of convention of its settings shall be regulated as per a special procedure by the Leadership Council.

Article 13:

General Assembly has the following powers:

1. Approval and amendment of the Statute, dissolution of the Association, and endorsement of such other matters as it may deem necessary for the improvement of the functioning of the Association.
2. Election of the President, members of the Leadership Council and the Supervisory Commission for a term of three years.
3. Hearing the report of the Leadership Council of the Association during the period between two sessions of the General Assembly, and its evaluation.

Article 14 – the Leadership Council of the Association:

The Leadership Council is composed of 9 members; it looks after, and guides all affairs of the Association during the period between two sessions of the General Assembly, and normally, shall meet three times in a year. It can meet extraordinarily as per the demand of the President or a majority of the members of the Leadership Council. It can also convene its electronic (Paltalk) discussion sessions.

The Leadership Council has the following powers:

1. Ensuring the execution and implementation of the decisions of the General Assembly.
2. Election of the Vice-Presidents, Secretary in-Charge and Financial Officer from among the members of the Leadership Council.

The Leadership Council has the power to suspend the membership of a member, or members of the Leadership Council, or Supervisory Commission, after consultation with the said Commission, in case the member or members in question fail to successively attend the meetings, or take no interest in the relevant affairs, and appoint another member of the Association as an advisory member.

3. The Leadership Council has the power to create Departments and Country Branches, guide them in the matters relating their structure, and coordinate their affairs on the basis of this Statute. The Country Branches can create sub-branches, if needed.
4. Hearing the report on the financial affairs of the Association during the period between the two sessions of the Leadership Council, and exercising control over the same.
5. Hearing the report of the Executive Board during the period between two sessions of the Leadership Council, and reviewing its subsequent work plans.
6. Making decision about maintaining contacts with international establishments, organizations and institutions, aiming at the materialization of Article 6 of this Statute.

Article 15 – Executive Board:

Executive Board is a permanently active body of the Association which shall see after all affairs of the Association during the period between two sessions of the Leadership Council. It is composed of the President, Vice-President and two other members of the Leadership Council who shall be elected by the Leadership Council, and shall be accountable before the same.

Executive Board has the following powers:

1. Taking measures aimed at the implementation of the decisions of the Leadership Council, and presenting report thereabout.
2. Preparing and implementing a work plan, covering all spheres of the Association.
3. Preparing the agenda of the meetings of the Leadership Council.
4. Making decision in regard with resolving the legal problems of Afghans, particularly those residing in Europe, and if required, maintaining contacts with relevant departments, within the limits of law.

5. Regulating and coordinating the activities of the departments of the Association with those of its branches.
6. Making decision in respect to the convention of conferences, seminars, symposiums and other similar gatherings, in line with the objectives of the Association, and in due consultation with the Leadership Council.
7. Carrying on other activities that the implementation of this Statute may necessitate.

Article 16 – President of the Association:

President of the Association represents the Association, and has the power to preside over the meetings of the Leadership Council; represent the Association in conventions, gatherings and other similar occasions, and conclude communiqués, agreements and protocols of cooperation with other sister professional-legal entities and organizations.

President of the Association can delegate the whole or a part of his powers to one of his deputies. In cases of absence, prolonged illness or death of the President of the Association, the Leadership Council can elect one of its members as President of the Association until the session of the General Assembly.

Article 17 – Vice-Presidents of the Association:

The Vice-Presidents of the Association discharge their assigned duties for the better implementation of the objectives of the Association, on the basis of their work distribution which is to be decided by the President.

Article 18 – Secretary in-Charge:

The Secretary in-Charge organizes the fulfillment of all daily and routine affairs of the Association, and shall carry on his duties under the supervision of the President, and in collaboration with the Executive Board, in accordance with the objectives enshrined in this Statute. All daily routines, plans, preparation of agenda and maintaining liaisons with other organizations shall be executed via the Secretariat. The Secretary in-Charge is accountable for his performance before the Executive Council.

Article 19 – Country Branches:

Country Branches of the Association may be created in accordance with Article 19 in a European country where at least three members of the Association reside.

The Country Branches carry on their activities in consonance with the provisions of this Statute, and in doing so, may take initiative and enjoy necessary independence, in compliance with the laws of the countries of residence.

The Country Branches apprise the Executive Board of their activities and performances, and shall be accountable before the Leadership Council.

CHAPTER FIVE
Financial Affairs and Supervisory Commission

Article 20 – Financial Affairs:

1. **The budget of the Association** is financed by membership fees of the members, donations and other assistances.

The Association maintains a bank account through which all financial transactions of the Association shall be carried on. The Association reserves for itself the right to initiate a legal proceeding in case any instance of abuse or embezzlement should arise.

2. **The Financial Officer** is responsible for all financial affairs of the Association, shall keep account of all cash and assets of the Association through bookkeeping of bank statements and written vouchers. Financial Officer shall be responsible before the Leadership Council.
3. The Association strives to consolidate its financial foundation through lawful means.

Article 21 – Supervisory Commission:

The Supervisory Commission is comprised of three members who shall elect a president from among themselves. President of the Supervisory Commission can attend the meetings of the Leadership Council, and has the following powers:

1. Supervising the implementation of this Statute, as well as the financial expenditures of the Association;
2. Considering the complaints of the members of the Association.

CHAPTER SIX
Miscellaneous Provisions

Article 22:

The Afghan Lawyers' Association in Europe shall have a publication organ, a symbol (monogram), a seal and a registration code.

Article 23:

All elections within the Association shall be carried on through direct and secret ballot.

Article 24:

The dissolution of the Association shall be decided by the General Assembly, being held for this purpose, by a relative majority vote of the members, and the budget of the Association shall be transferred to a public welfare organization.

Article 25:

This Statute shall be prepared in Pashto, Dari, German, Dutch and English languages, and all versions shall have equal validity.

This Statute shall be enforced following its endorsement and registration with the relevant authorities, and shall be sent to the publication organ of the Association and other media for its publication.