



# INTERNATIONAL COUNCIL SUPPORTING FAIR TRIAL AND HUMAN RIGHTS

Registration No. 2795

## About

### INTERNATIONAL COUNCIL SUPPORTING FAIR TRIAL AND HUMAN RIGHTS (ICSFT)- Geneva

#### Legal Shape and Location

The International Council Supporting Fair Trial and Human Rights (ICSFT) is a non-profit organization governed by the articles 60 and following the Swiss Civil code, as well its own registered STATUS No. ref: 02795/2012 No. fed: CH-660-3328011-7 of Geneva Commercial Register. The headquarters of the Council is in Geneva and its Executive committee mailing address is: [info@icsft.net](mailto:info@icsft.net) and its Website is: [www.icsft.net](http://www.icsft.net). The duration of the ICSFT Council is indeterminate

#### The purpose of the Council

To ensure that the accused receives a neutral and independent tribunal established by law in accordance with international standards contained in all the covenants on human rights, which does not recognize the fairness of the trial except under two basic conditions:

- Comply with state laws and trial issues under the international conventions standards on fair trial.
- Reflected the fact that an independent, neutral judiciary and impartial implementation of these instruments in accordance with the Universal Declaration of Human Rights Article X and X 1;

Human Rights Article X : ``Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him`` as stipulated by the International Institute for Civil and Political Rights, adopted by the General Assembly of the UN in 1966 And enjoyment of the right to a fair trial and equitable development in its four stages.

Human Rights Article X1 : (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

The ICSFT Council aims to end grave abuses of human rights and support fair trial. It aims to provide law enforcers, judges, media professionals, local and international activists and NGO operators with a better understanding of human rights.

The prime concern of the ICSFT Council is to ensure the protection and the recognition of the rights of the most vulnerable part of the society, including children and women. ICSFT advocates freedoms in connection with fundamental human rights, such as freedom of expression, freedom of religion and freedom of the press. It demonstrates leadership and courage in defending human rights. It promotes the application of the human rights recognized in the Universal Declaration of Human Rights.

The ICSFT will give special attention to the practical application of human rights in the fields of international cooperation, criminal investigations and criminal courts, Fair trial, prison administration, NGOs and the media.

The ICSFT is mainly based on strengthening and empowering the judiciary through:

1. Development of case management processing and accelerating the proceedings of litigation.
2. Availability of sufficient number of qualified judges in courts and judicial departments.
3. Strengthening oversight and accountability systems.

## **Members**

Any person can become a member of the ICSFT Council by sending a request of membership to the Executive committee of the Council, which accepts or refuses them.

The members can be active members, sympathizers, honor or constitutive of the scientific committee.

Active members are individuals or legal entities who comply with statutory obligations, and who pay a particular contribution. Each active member of the Council shall have one vote. They vote at the General Assembly, can submit proposals and their application for appointment to the Executive Committee.

The sympathizers' members are moral or physical persons who adhere to the purposes of the Council and who can make propositions to the General assembly but do not vote there. They cannot be member of the executive committee.

Honorary members and the Scientific Committee are individuals who support the goals of the Council concerning research, finance or morality and who have supported humanitarian causes. They are proposed by the Executive Committee and appointed by the General Assembly. They do not normally participate in the General Assembly.

The Executive committee holds up to date list of the members, and can exclude the members with the payment dues of more than two years. It may also refer to the General Assembly regarding the exclusion of members whose behavior, attitude or written documents are contrary to the rules or spirit of the Council. For that purpose, it will be necessary to follow the procedure described in the internal regulation of the Council.

The General Assembly decides on any disciplinary case involving members of the Council, in accordance with Articles 7, 12 and 18. The General Assembly may decide to suspend or withdraw the membership if a member(s) of the Council has harmed the Council, or harms the reputation of the Council. The members concerned shall have the right to be heard and to defend themselves as well as to receive a written decision of the General Assembly.

Each member may terminate the membership by communicating his will to the Executive Committee by mail or electronically. In case of death the membership is automatically terminated.

## **Organs**

The bodies of the Council are: the General Assembly, the Executive Committee, the Founders, the board and the Auditor.

## **General Assembly**

The General Assembly is the supreme organ of the Council. It unites all active members and makes major decisions, such as:

- I. Modifications of the status;
- II. Election of the members of the Executive committee;
- III. Vote on the termination of the authorities of the Executive committee;
- IV. Adoption and modification of the internal regulation;
- V. Election of the Auditor based on suggestion of the Executive committee;
- VI. Approval of the disciplinary rules according to the Article 18 (IV), and judgment of the cases of exclusion from members;

VII. Discussion of new money orders and projects;

VIII. Approval of the budget, according to the Article 18(III).

The ordinary General Assembly shall meet twice a year, convene by the Executive Committee. The convocations are made by postal mail or electronically at least 20 days before the due date. All proposals to be submitted to the General Assembly must be submitted in writing to the Executive Committee at least 10 days in advance.

An extraordinary General Assembly may be convened by one fifth of the active members of the Council, or by the Executive Committee. It may meet by electronic means, such E-mails, videoconference or conference call.

To validate the decisions of the General Assembly, a quorum of not less than one-third of active members is required.

The General Assembly receives the report of activities of the past year and financial statement of the organization from the auditor it receives a report that contains recommendations regarding the approval of the accounts. It may discharge the Executive Committee for its management and appoint the new Committee as provided in Article 17 (IV).

The decisions of the General Assembly relating to dissolution or amendment of the articles are taken by two-thirds majority. Other decisions are taken by simple majority. Members who are not available the day of the General Assembly have the right to vote by proxy in the hands of an active member with voting rights.

Active suspended members can not participate in the voting. In case of a tie, the president has a casting vote.

### **Executive committee**

The administration of the Council is entrusted to the Executive Committee, which ensures good governance.

The Executive Committee consists of five members.

Any active member that neither has any payments dues nor incurs any disciplinary actions may be elected to the Executive Committee for a term of three years.

If an Executive Committee member must be replaced before the end of his/her term, for personal reasons or for justifiable reasons, he / she will be replaced by the candidate to the last election of the Council who had received the highest number of votes among non-elected.

The members elected by the new Executive committee will have their first session in the 15 next days' following their election; their first task will consist of the election of the executives, deselected or reelected every year:

The **president's** post is confided in founder member Doctor Abdul Hameed Abbas Dashti for a term of six years, safe term for reasons described below. Her specification will include, in particular, scientific direction, and administrative tasks. His mandate cannot be entrusted to other active members unless in the event of death, of force majeure or resignation.

A **treasurer**: person in charge of the financial accounts of the Council, including controls of the funds in accounts for the projects abroad, and the cooperation with the Auditor in his function of surveillance.

A **secretary**: will take care of external communications, and internal communications between the organs of the Council and every person holding the status of member, preparation of the annual report of the Executive committee for the General assembly.

The Executive committee can propose the creation of new organs to the General Assembly.

The Executive committee makes all the decisions useful for the smooth running of the Council. The decisions of the Executive committee are taken by the simple majority. In case of equality, the voice of the President dominates. The Committee assumes in particular the following responsibilities:

- I. Represent the Council towards thirds;
- II. Manage its Council activity;
- III. Prepare and manage the budget and the resources of the Council;
- IV. Conclude and sign contracts and other acts in the name of the Council;
- V. Summon General assemblies;
- VI. Receive the requests of disciplinary measures from the members of the Council towards other members, carry out inquiries concerning them, and if needed to prepare and to present the case in the General assembly, which has a power to suspend or to revoke (dismiss) the concerned members.
- VII. Exclude a member who does not perform its assigned tasks, if two thirds of the members of the Executive committee decide so;
- VIII. Conceive, publish and update the internal regulation of the Council;
- IX. Delegate tasks to thirds;

The Executive Committee members bind the Council by the signature of two executives including the Chairman.

**Auditor**

The Auditor is elected by the General Assembly on proposal of the Executive Committee. He/she should not be a member of the Council. The Controller shall prepare the annual accounts and submit it to the General Assembly. He/She presents his/her recommendation to the General Assembly.

**Resources and Responsibilities**

*The resources of the Council include:*

- I. The contributions of the members;
- II. The donations and the legacies;
- III. The private or official subsidies;

Founder’s participation 10,000 CHF each at the date of registration covers the Council expenditures for the first year.

The amount of the contributions is fixed by the General assembly to 500 CHF a year.

The Council will accept financial donations beyond 2,000 CHF according to the modalities of Appendix 1.

The members are not personally responsible for social debts of the Council which are guaranteed only by its social asset.

**Formal and legal regime**

As the legal regime governing the Council is under Swiss law, interpretations of cases not explicitly stipulated in the previous articles should be under this law. Furthermore, only the Geneva courts have a jurisdiction to come to a decision, except for the right of appeal in Federal court.

**Dissolution**

The dissolution of the Council may be decided by the General Assembly, in accordance with the Article 15 of the present status. In case of dissolution, the assets of the Council, once the accounts are closed, will be donated to an organization with a similar goal or a humanitarian foundation.

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