

# **INTERNATIONAL HUMAN RIGHTS DEFENSE LAW FIRM (C.A.I.D.D.H.)**

## **THE LAWYER ADVISES. THE LAWYER CONCILIATES. THE LAWYER DEFENDS FOR JUSTICE AND EQUITY INTERNATIONAL HUMAN RIGHTS DEFENSE LAW FIRM (C.A.I.D.D.H.)**

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## **THE HYBRID LEGAL STATUS OF THE INTERNATIONAL HUMAN RIGHTS DEFENSE LAW FIRM (C.A.I.D.D.H.)**

The International Human Rights Defense Law Firm (C.A.I.D.D.H.) has a dual structure: on the one hand, it operates as a law firm; on the other, as a non-governmental, advocacy and humanitarian organization (NGO).

### **1. GENERAL PRESENTATION**

The International Human Rights Defense Law Firm (C.A.I.D.D.H.) is a hybrid law firm founded upon a firm commitment to promote, protect and defend human rights, democracy and the rule of law throughout the world.

The International Human Rights Defense Law Firm (C.A.I.D.D.H.) is a liberal professional legal enterprise constituting a legal structure for the practice of law, with a sui generis status, operating, on the one hand, as a nongovernmental organization (NGO) and, on the other hand, as a single-member limited liability enterprise (EURL), or a professional civil company.

## 2. DUAL LEGAL AND HUMANITARIAN MISSION

As stated above, our International Human Rights Defense Law Firm is a U.S. law firm focused on business and legal services, but above all it is also a non-governmental organization (NGO). This dual-purpose law firm was established in 2006 in the United States of America by Maître Ruyenzi Schadrack.

The International Human Rights Defense Law Firm (C.A.I.D.D.H.), by virtue of its status and founding principles, is also a hybrid international NGO specializing in access to justice and the defense of human rights for victims of torture; victims of massive and repeated human rights violations and international crimes; persons accused of international crimes, including genocide, crimes against humanity, the crime of aggression and war crimes; persons unlawfully detained; and other persons subject to criminal proceedings.

The International Human Rights Defense Law Firm (C.A.I.D.D.H.) places human beings and their legitimate interests at the heart of its mission.

Just as a physician treats the sick and a priest ministers to souls, a lawyer assists individuals before national and international judicial and administrative courts and tribunals.

The International Human Rights Defense Law Firm (C.A.I.D.D.H.) is a sui generis legal professional institution, independent of judges, clients and preconceived ideas. This independence enables lawyers to speak freely before judicial and administrative courts and tribunals.

As an auxiliary of justice, the lawyer is a trusted, high-level partner for all matters relating to legal and judicial affairs in private and professional life, including civil, economic and social matters. As a natural legal adviser, the lawyer advises, defends, assists and represents natural and legal persons before courts of justice, advocating for the recognition and protection of their rights.

The professional sign of the International Human Rights Defense Law Firm (C.A.I.D.D.H.) shall be discreet and essentially informative. Placed at the entrance to the firm and/or building, it serves as an essential means of identification.

## 3. FOUNDATIONAL PRINCIPLES

The International Human Rights Defense Law Firm (C.A.I.D.D.H.) considers, like the African Court on Human and Peoples' Rights, that lawyers occupy a crucial position in the administration of justice because of their particular role as protagonists and intermediaries between litigants and courts.

They play an essential role in enabling courts—whose mission is fundamental in a State governed by the rule of law—to enjoy the confidence of citizens. For people to have confidence in the administration of justice, they must have confidence in lawyers' ability to represent them effectively.

The principal foundations of the International Human Rights Defense Law Firm (C.A.I.D.D.H.) are:

“The supremacy of law, justice, equity, the rule of law, democracy, and the promotion, defense and protection of human and peoples' rights at the national, sub-regional, regional, continental and international levels.”

The rule of law, in its proper sense, is an integral part of a democratic society. It requires decision-makers to treat every person with dignity, equality and reason, in accordance with the law, while providing effective avenues of redress to challenge the legality of decisions before independent and impartial courts through fair procedures.

The rule of law therefore concerns the exercise of public authority and relations between citizens and the State.

“Democracy is inherent in the rule of law.” The State is required to comply with its obligations under international and domestic law.

“The rule of law refers to a principle of governance in which all persons, institutions and public and private entities, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards.”

It entails measures ensuring respect for the principles of supremacy of law, equality before the law, accountability under the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness, and procedural and legislative transparency.

The judiciary must be independent and impartial. Judicial independence means freedom from external pressure and from control exercised by the other branches of government, particularly the executive. This requirement is an integral part of the fundamental democratic principle of separation of powers. Judges must not be subject to political influence or manipulation.

Judicial impartiality means that, at least in appearance, the judiciary must not have a preconceived view of the outcome of a case.

Cases must be heard and determined within a reasonable time through a fair and public trial. There must also be recognized, organized and independent legal professions authorized by law and capable in practice of providing legal services. Because justice must be accessible, legal aid should be available where necessary.

An institution or body equivalent to a public prosecution service, enjoying a degree of autonomy from the executive branch, should ensure that persons who violate the law can be brought to justice even where victims do not file complaints.

Final judicial decisions must be effectively enforced.

Respect for the rule of law is not necessarily synonymous with respect for human rights. Nevertheless, the two concepts share important elements, and several rights recognized in instruments such as the African Charter on Human and Peoples' Rights expressly or implicitly refer to the rule of law.

Rights most closely associated with the rule of law include access to justice; the right to a competent judge established by law; the right to be heard; protection against double prosecution or punishment for the same facts (non bis in idem); non-retroactivity of unfavorable legal measures; the right to an effective remedy where a claim is arguable; the right of every accused person to be presumed innocent until proven guilty; and the right to a fair trial, or, in Anglo-American terminology, the principles of natural justice and procedural fairness.

The case must be heard and decided within a reasonable time in a fair, public and impartial trial, and decisions must be enforced without undue delay.

Recognized, organized and independent legal professions must be authorized by law and capable in practice of providing legal services.

## RULE-OF-LAW ASSESSMENT CRITERIA

### 1. Legality (Supremacy of Law)

- a) Does the State act on the basis of and in accordance with the law?
- b) Is the legislative process transparent, accountable and democratic?
- c) Is the exercise of public power authorized by law?
- d) To what extent is the law applied and respected?
- e) To what extent does the State act without relying on law?
- f) To what extent does the State prefer specific provisions over general provisions?
- g) Does national legislation provide exceptions authorizing special measures?
- h) Is the State required, under domestic law, to respect international law?
- i) Is the principle "no punishment without law" applied?

### 2. Legal Certainty

- a) Is legislation published?

- b) Where customary law exists, is it accessible?
- c) Is executive discretion limited?
- d) Does legislation contain numerous exceptions?
- e) Is legislation drafted in an intelligible manner?
- f) Is retroactive legislation prohibited?
- g) Is there an obligation to apply legislation?
- h) Can final decisions of national courts be challenged?
- i) Is case law consistent?
- j) Is legislation generally applicable and applied?
- k) Are the effects of legislation foreseeable?
- l) Is legislation subject to regular evaluation?

### 3. Prohibition of Arbitrariness

- a) Do specific provisions prohibit arbitrary action?
- b) Is discretionary power limited?
- c) Are administrative records and information fully public?
- d) Are decisions required to state reasons?

### 4. Access to Justice before Independent and Impartial Courts

- a) Is the judiciary independent?
- b) Do public prosecutors enjoy a degree of autonomy from the State apparatus? Do they act on the basis of law and without political opportunism?
- c) Are judges subject to political influence or manipulation?
- d) Is justice impartial? What provisions guarantee impartiality on a case-by-case basis?
- e) Do citizens have effective access to justice, including judicial review of administrative acts?
- f) Does the justice system have sufficient remedial powers?
- g) Are legal professions recognized, organized and independent?
- h) Are judicial decisions enforced?
- i) Is respect for res judicata ensured?

### 5. Respect for Human Rights

Are the following rights effectively guaranteed?

- a) Access to justice
- b) The right to bring a matter before a competent judge established by law
- c) The right to be heard
- d) The right not to be prosecuted twice for the same facts (non bis in idem)
- e) Non-retroactivity of measures
- f) The right to an effective remedy
- g) The presumption of innocence
- h) The right to a fair trial

## 6. Non-Discrimination and Equality before the Law

- a) Is legislation applied generally and without discrimination?
- b) Do any legal provisions discriminate against particular individuals or groups?
- c) Is legislation interpreted in a discriminatory manner?
- d) Does legislation grant privileges to particular individuals or groups?

The rule of law is like the law of gravity: it is what keeps our world and societies together, ensuring that order prevails over chaos. Access to justice plays a fundamental role in the rule of law.

# TITLE I – NAME – REGISTERED OFFICE – DURATION – PURPOSE Article 1 – Name, Duration and Registered Office

Under the name International Human Rights Defense Law Firm (C.A.I.D.D.H.), the entity is a professional civil company operating under a dual legal framework: U.S. law within the territory of the United States and Congolese law within the territory of the Democratic Republic of the Congo (D.R.C.), while operating as an international nongovernmental organization (NGO).

Its duration is unlimited, both in time and in its worldwide scope. Its headquarters are in the United States of America, with three permanent branches in the Democratic Republic of the Congo (D.R.C.), namely Kinshasa, the capital; Lubumbashi; and Bukavu, in South Kivu Province.

The International Human Rights Defense Law Firm (C.A.I.D.D.H.), whether operating as a law firm or as an international NGO, may establish additional branches throughout the world whenever necessary. It is an international NGO promoting human rights and access to justice at both national and international levels.

The African Charter on Human and Peoples' Rights gave concrete expression to certain rights contained in the Universal Declaration of Human Rights and established a continental jurisdiction competent to hold African States accountable for failing to fulfill their commitments to promote and protect human and peoples' rights.

Human rights violations are often committed in the name of security, public order and peace.

The International Human Rights Defense Law Firm (C.A.I.D.D.H.) is nevertheless convinced that if human and peoples' rights are observed and respected in practice, other social virtues will naturally follow. There can be no genuine peace without respect for human and peoples' rights. Once peace is established, security and tranquility will follow.

Post-independence Africa has faced serious obstacles to development, including conflicts, poor governance, corruption, and failure to respect human and peoples' rights and the rule of law. Recognition of the relationship between good governance and human and peoples' rights is encouraging.

Human rights violations are often characterized by abuse of power. Such abuse can also lead to violent conflicts and, consequently, to massive and repeated violations of human and peoples' rights throughout the continent.

The International Human Rights Defense Law Firm (C.A.I.D.D.H.) is a law firm possessing high moral authority and recognized legal, judicial and academic competence and experience in the field of human and peoples' rights. It was founded in 2006 in the United States of America, in the State of Texas, by Maître Ruyenzi Schadrack, of Congolese origin, a criminal defense lawyer and human-rights advocate.

As a legal professional exercising an independent profession, the lawyer may, outside litigation, inform and advise clients and draft legal and judicial instruments. The lawyer may also undertake procedures and formalities on behalf of clients.

The International Human Rights Defense Law Firm remains firmly convinced that significant socio-economic and political development of the African continent cannot be achieved without a stable and enduring foundation of human and peoples' rights.

The International Human Rights Defense Law Firm (C.A.I.D.D.H.) is, on the one hand, a non-governmental organization (NGO), namely a non-profit, public-interest association independent of the State and international institutions, and a legal person that, although not a government, operates at national and international levels; and, on the other hand, a single-member limited liability enterprise (EURL).

## Article 2 – Purpose

The International Human Rights Defense Law Firm (C.A.I.D.D.H.), both as a law firm and as an international NGO, has the following purposes:

1. To contribute to the promotion and protection of human and peoples' rights at the continental level in accordance with the African Charter on Human and Peoples' Rights and other relevant human-rights and international human rights-law instruments.
2. To complement and strengthen the African human and peoples' rights system and other relevant human-rights instruments, particularly the right to a fair trial, which is one of the foundations of human-rights protection in a State governed by the rule of law and is recognized in numerous international and regional human-rights instruments.
3. To maintain constructive relations with the leading human-rights institutions of the African Union, namely the African Commission on Human and Peoples' Rights, the African Court on Human and Peoples' Rights, and the African Committee of Experts on the Rights and Welfare of the Child.
4. To contribute to good governance, equality for all, and respect for human and peoples' rights throughout the continent.
5. To maintain relationships with other national, regional and foreign law firms.
6. To cooperate with other African and international institutions concerned not only with the defense, but also with the protection and promotion, of human and peoples' rights.
7. To ensure the protection, promotion, strengthening and safeguarding of human and peoples' rights under the African Charter on Human and Peoples' Rights and other national and international legal instruments, because no one is above the law and laws apply equally to every person regardless of social status.
8. To study and clarify all legal and professional matters concerning the International Human Rights Defense Law Firm (C.A.I.D.D.H.), both in its first capacity as a human-rights and business law firm and in its second capacity as an NGO.
9. To organize and administer a permanent legal and judicial consultation service for the public. Many countries around the world remain far from being models of access to justice, including the Democratic Republic of the Congo.
10. To ensure the establishment and observance of conditions under which, subject to reciprocity, foreign lawyers may be admitted to practice within the International Human Rights Defense Law Firm (C.A.I.D.D.H.) and its business-law activities.
11. To contribute to access to justice and fair trial, equality before the law and equal protection of the law, in order to promote the enjoyment and protection of human and peoples' rights throughout Africa and worldwide.
12. To position itself firmly as an effective instrument serving continental integration, respect for human rights, the rule of law, good governance, peace, unity and development.
13. To contribute to an Africa possessing a pragmatic culture of human rights, genuinely reflecting the promotion and protection of human and peoples' rights as a collective responsibility.
14. To combat impunity and promote unconditional respect for human and peoples' rights capable of leading Africa toward prosperity.

15. To urge all stakeholders—including Member States, African Union organs, national and regional human-rights institutions, bar associations, academia and civil-society organizations—to continue supporting the African human and peoples’ rights system, and especially the African Court on Human and Peoples’ Rights, as a collective and continuing responsibility.
16. To invite African countries that have not yet ratified the Protocol to the African Charter on Human and Peoples’ Rights establishing an African Court on Human and Peoples’ Rights to do so.
17. To urge countries that have not yet deposited the declaration accepting the competence of the Court to receive cases directly from individuals and NGOs to do so, thereby enabling the Charter and the ideals and principles of justice to be applied to those who need them throughout Africa.
18. To strengthen peace and security on the African continent through the fight against impunity and unconditional respect for human dignity.
19. To complement the African Court on Human and Peoples’ Rights at normative, procedural and doctrinal levels.
20. To inform and educate the African public about the existence, role and mandate of the African Court on Human and Peoples’ Rights.
21. To contribute to ending the culture of impunity at national, regional and continental levels.
22. To assist and represent victims of violations of human and peoples’ rights before the African Court on Human and Peoples’ Rights, so that their cases may be heard and they may obtain remedies for harm suffered when the courts and jurisdictions of their countries have been unable to provide justice.
23. To contribute to the vision of a united, peaceful and prosperous Africa characterized by good governance, respect for human and peoples’ rights and strengthened democracy.
24. To contribute to establishing a culture of respect for human rights and the rule of law throughout Africa.
25. To urge African States that have not yet ratified the Protocol establishing the African Court on Human and Peoples’ Rights to do so and to make the declaration accepting the Court’s jurisdiction so that individuals and NGOs may directly access the Court.
26. To help replace the image of an Africa of hardship with recognition of the continent’s potential as a place of prosperity and opportunity.
27. To contribute to the promotion and protection of human-rights and democratic principles in Africa.
28. To strengthen the promotion of freedom, equality and human dignity in Africa by establishing legal instruments to uphold these values at national, regional, continental and global levels.
29. To contribute to strengthening a sustainable culture of human and peoples’ rights and a person-centered approach to justice. In many developing countries, people have limited access to justice, with profound effects on daily life. In informal settlements and city centers, disregard for fundamental rights often results in poor people living in overcrowded and miserable conditions without safe drinking water or sanitation services. Such populations may also face violent and arbitrary eviction. Throughout Africa, national and international investors may threaten to displace rural communities from their traditional lands, depriving them of their livelihoods.
30. To contribute to a democratic Africa in which human rights and fundamental freedoms are of great importance, and to the creation of a vision of human rights that is not only common and universal but also genuinely global.
31. To provide high-quality legal and judicial services and to carry out an optimal defense mission for clients. Collaborating and associated lawyers of the International Human Rights Defense Law Firm (C.A.I.D.D.H.) must continuously remain informed about legal and judicial developments at national and international levels.

## TITLE II – ASSOCIATED MEMBERS Article 3 – Eligibility Requirements

To become an associated member of the International Human Rights Defense Law Firm (C.A.I.D.D.H.) and its business-law practice, an applicant must be a lawyer or trainee lawyer belonging to a national or international bar.

Legal professionals possessing high moral authority and recognized legal, judicial and academic competence and experience in human and peoples' rights and business law may also be admitted as associated members.

A lawyer who is a member of the International Human Rights Defense Law Firm (C.A.I.D.D.H.) and its businesslaw practice may not engage in another professional activity or function unless it is compatible with the dignity of the legal profession and the fundamental duties of independence and professional confidentiality.

## Article 4 – Application for Admission as an Associated Member

An application for admission shall be submitted in writing to the Secretary, who shall refer it to Attorney Ruyenzi Schadrack. If Maître Ruyenzi Schadrack rejects the application, he must state the reasons for his decision.

The lawyer has the right to respond to a decision of inadmissibility within one month from the date on which written notice of the decision was received.

## Article 5 – Acceptance of the Statutes

An application for admission as an associated member constitutes an unconditional acceptance of the statutes of the International Human Rights Defense Law Firm (C.A.I.D.D.H.) and an undertaking to honor and comply with decisions of the firm.

## Article 6 – Conflicts; Obligation to Refer Matters to the Founder

An associated member may not act in his or her own name or on behalf of a client against the Secretary of the International Human Rights Defense Law Firm (C.A.I.D.D.H.) without first referring the matter to Maître Ruyenzi Schadrack, who shall attempt to resolve the conflict amicably.

**Article 7 – Loss of Associated-Member Status** Associated-member status is lost:

- a) by resignation, which must be submitted at least six months in advance for the end of a calendar year; however, a lawyer who ceases to practice may submit a resignation with immediate effect;
- b) by removal of the associated lawyer from the roll of the bar to which the lawyer belongs;
- c) by failure to pay dues despite a reminder by registered letter;
- d) by expulsion;
- e) by death.



## Article 8 – Membership Dues

Members of the International Human Rights Defense Law Firm (C.A.I.D.D.H.) shall pay the dues and contributions established by the founding lawyer, Maître Ruyenzi Schadrack.

## Article 9 – Exclusion of Personal Financial Liability of Associated Members

Members are not personally liable for financial obligations incurred by the International Human Rights Defense Law Firm (C.A.I.D.D.H.).

### **TITLE III – AREAS OF PRACTICE OF THE C.A.I.D.D.H.**

The C.A.I.D.D.H. is presented as a global business law firm. The following is an illustrative, non-exhaustive list of practice areas:

## ADMINISTRATIVE AND CONSTITUTIONAL LAW

- General administrative law
- Criminal law
- Administrative litigation
- Constitutional law, human and peoples' rights, and civil liberties
- Public-authority liability
- Public-service law
- Education law
- Administrative health law
- Constitutional litigation
- Pharmaceutical law
- Hospital law
- Environmental law
- Urban-planning law
- Expropriation law
- Public procurement and administrative contracts
- Public economic law
- Institutional law, including local authorities
- Administrative media law

## IMMIGRATION AND FOREIGNERS' LAW

- Family reunification
- Marriage and legal cohabitation: applications, refusals or annulments
- Certificate of no impediment to marriage

- Belgian nationality by naturalization or declaration
- Statelessness
- Regularization of residence on humanitarian or medical grounds
- Foreign students
- Recovery of Belgian nationality
- Asylum and subsidiary protection

## (INTERNATIONAL) FAMILY LAW AND PRIVATE INTERNATIONAL LAW

- International divorce
- International adoption
- Parentage and filiation

Our business law firm represents and defends individuals, companies and public or private entities before courts and tribunals. Matters may be civil—such as divorce, succession and disputes—or criminal, including misdemeanors and serious offenses. The firm may also be retained by companies as legal counsel.

## HISTORICAL OVERVIEW OF THE ROLE OF THE LAWYER AND OUR BUSINESS LAW FIRM

A lawyer is a specialist in legal advice and, as an auxiliary of justice, performs an essential role in the administration of justice.

The lawyer pleads and serves as the natural legal adviser of litigants before courts and tribunals. The lawyer advises, assists and defends.

The lawyer assists and defends natural and legal persons in all aspects of everyday life, including individuals, associations and businesses—craftspeople, merchants, sole proprietors and commercial companies.

In all areas of law, including outside litigation, the lawyer works alongside or in partnership with other legal professionals to protect the client's interests, including bailiffs, notaries and accountants. The lawyer advises clients and defends them when litigation arises.

The following list of functions is not exhaustive and is intended only to provide an overview of the lawyer's areas of activity.

### 1. THE LAWYER INFORMS AND ADVISES

Your lawyer will inform you about the regulations applicable to your situation and help implement your projects by giving them the appropriate legal form, in strict compliance with applicable regulations, across areas such as business law, employment law, tax law, family law, transport law, insurance law, criminal law, real-estate law and environmental law.

Before litigation, the lawyer may assist you in drafting necessary correspondence with counterparts or business partners, potentially avoiding the need for court proceedings.

For individuals, the lawyer provides advice throughout life, including contract drafting, matrimonial-property regimes, civil partnership arrangements, succession matters, estate planning, and relationships with partners, contractors, public authorities, insurers, banks and employers.

In cases of accidents or bodily injury, the lawyer advises on available remedies and on compensation offers made by insurers.

In cases of dismissal, the lawyer advises on appropriate action and, where applicable, brings proceedings before the competent employment tribunal.

Where a neighbor or third party causes disturbance or damage to property, the lawyer advises on compensation and assists in securing payment.

For professionals, entrepreneurs, tradespeople, merchants or companies, the lawyer assists in selecting the appropriate business structure and provides advice throughout the life of the business.

The lawyer assists with company formation, drafting corporate documents, restructuring and mergers, transfers of interests, business sales and transfers, corporate legal secretarial work, and registration and protection of trademarks and patents.

The lawyer may conduct legal, employment and tax audits. The lawyer assists companies and individuals in drafting agreements and, where there is a risk of dispute, in seeking negotiated solutions.

## 2. THE LAWYER ACTS ON YOUR BEHALF

Where a creditor is not paid by a debtor, tenant or customer, the lawyer undertakes the necessary amicable or judicial measures to secure payment and, where appropriate, obtain security such as pledges or mortgages.

Where a client is in financial difficulty or over-indebted, the lawyer advises and, where appropriate, undertakes the measures necessary to negotiate or obtain judicial debt-repayment plans and other available legal relief.

Where construction defects exist in a home or office, whether the client is a tenant or owner and whether the premises are residential or commercial, the lawyer promptly undertakes the necessary measures with contractors and/or insurers.

Where a residential or commercial lease expires or requires revision, the lawyer completes the necessary formalities for renewal, revision or termination.

Where a client is injured in an accident, the lawyer undertakes the necessary steps to obtain compensation and reviews insurers' offers to ensure that they comply with the client's rights and applicable case law.

Where a client is a victim of an offense or damage caused by a third party, or where business partners fail to honor their commitments or contracts, the lawyer undertakes the necessary measures to stop the harm and obtain compensation.

Where a client wishes to acquire real property at a judicial auction, the lawyer handles the necessary formalities.

## 3. THE LAWYER DRAFTS AND SETTLES: DOCUMENTS COUNTERSIGNED BY A LAWYER

The lawyer also acts as a legal drafter for contracts and agreements for both individuals and companies.

By way of example, and without limitation, the lawyer drafts employment contracts, residential leases, commercial leases, promises of sale, transfers of businesses, transfers of corporate interests, legal instruments relating to the economic and social activities of businesses and individuals, corporate documents, minutes of meetings, and business-transfer instruments.

Where difficulties are resolved through an agreement reached before or during litigation, the lawyer drafts a settlement agreement bringing the dispute to an end and helping prevent recurrence of the dispute.

In jurisdictions recognizing lawyer-countersigned private instruments, the lawyer's countersignature certifies that the lawyer has examined the document and fully informed the client of the legal consequences of the undertaking.

The lawyer's countersignature also confirms that the client signed with knowledge of the consequences, strengthening the reality and integrity of the parties' consent and reducing the possibility of later challenge.

The lawyer-countersigned instrument is therefore a flexible legal tool that may be used where an authentic instrument is not mandatory. It combines flexibility with legal security.

#### Enhanced Evidentiary Value

A lawyer-countersigned instrument may have enhanced evidentiary value compared with an ordinary privately signed document, depending on the applicable law.

By countersigning a private instrument, the lawyer confirms that the parties have been fully informed about its legal consequences. This promotes contractual balance and informed consent and reduces the risk of later challenges and litigation.

The lawyer belongs to a profession regulated by law and must comply with strict professional and ethical duties, including duties concerning conflicts of interest, professional liability and the handling of client funds where applicable.

## 4. THE LAWYER DEFENDS

When no amicable solution can be reached and litigation has been or must be commenced, the lawyer defends the client at all stages of the proceedings, including at first instance and on appeal, before judicial courts and tribunals.

The lawyer may act before criminal courts from the stage of police custody or pre-trial detention, depending on the legislation of the relevant country; before investigating judges where applicable; during interrogations; and before trial courts.

The lawyer may act before administrative courts and administrative appellate courts; before judicial or quasi-judicial bodies such as administrative and disciplinary commissions and victim-compensation bodies; and before arbitral tribunals and mediation centers.

Where appropriate, the lawyer may seek protective or investigative measures, including the depositing or securing of funds, advance payments, or appointment of a judicial expert in fields such as medicine, construction or mechanics.

The lawyer provides the defense, prepares the necessary written submissions and pleads before Congolese and U.S. courts and tribunals, according to the country and applicable law.

**EXECUTED IN HOUSTON, TEXAS, UNITED STATES OF AMERICA, ON MAY 27, 2024**

By Attorney Ruyenzi Schadrack

## FINAL STATEMENT

The International Human Rights Defense Law Firm (C.A.I.D.D.H.) is a dual-purpose law firm founded upon a firm commitment to promote, protect and defend human rights, democracy and the rule of law throughout the world. Established in 2006, its headquarters are in Houston, Texas, United States of America.

The International Human Rights Defense Law Firm (C.A.I.D.D.H.) is also a hybrid international NGO specializing in criminal law and international human rights law, access to justice, and the defense of human rights for victims of torture and, above all, victims of massive and repeated human-rights violations and international crimes, as well as persons accused of international crimes, including genocide, crimes against humanity, war crimes and the crime of aggression.

It also seeks to assist indigent and vulnerable prisoners detained unlawfully at the international level and other persons subject to criminal proceedings under ordinary criminal law in areas where the rule of law is weak or absent, in Africa and elsewhere in the world.