

CCBE Statement on the occasion of the 30th anniversary of the UN Basic Principles on the role of lawyers

07/09/2020

The Council of Bars and Law Societies of Europe (CCBE), recognised as the voice of the European legal profession, unites the Bars and Law Societies of 45 European Countries, including the 27 EU Member States. Through them, the CCBE represents more than 1 million European Lawyers. The CCBE promotes access to justice, respect for Human Rights and the defence of the rule of law.

On the occasion of the 30th anniversary of the UN Basic Principles on the role of lawyers, the CCBE and all the undersigning organisations wish to underline the importance of these principles for the legal profession and the need for an effective application of the guarantees provided by these principles to ensure better access to justice and the defence of fundamental rights of citizens.

The UN Basic Principles on the Role of Lawyers were set forth in order to promote and ensure the fundamental role of lawyers whose independence and role as active defenders of citizens fundamental rights and freedoms are constantly under threats.

Lawyers play an essential role amongst professions as actors in the system of justice and so by their contribution to protecting the rule of law, ensuring access to justice for fellow citizens, and protecting fundamental rights and freedoms. For the same reason, the legal profession can come under considerable pressure from the executive and legislative powers, as well as sometimes the judiciary, and non-State actors.

Although the UN Basic Principles in their 30 years of existence have proved their relevance to the necessity of protecting in all circumstances the rights and obligations attached to the profession of lawyers and the defence of citizens, lawyers worldwide are still harassed, threatened, arrested, prosecuted and even murdered because of their professional activity.

Attacks on the legal profession also occur in Europe. Binding instruments such as the European Convention on Human Rights (ECHR) protects various critical rights associated with the lawyers' role in maintaining the rule of law, and should continue to do so unamended. However, other rights and obligations specific to the legal profession remain outside the scope of the ECHR.

Other specific instruments, due to their non-binding nature, have not generated the necessary conditions for effective accountability of States and non-State actors.

In that context, in 2017, the CCBE submitted that there was a compelling case for a European Convention on the Profession of Lawyer to establish binding obligations for those rights envisaged by existing non-binding instruments which were not already reflected in the ECHR. This was followed, in January 2018, by a recommendation adopted by the Parliamentary Assembly of the Council of Europe (PACE) asking the Committee of Ministers to look into the possibility of drafting a European Convention on the Profession of Lawyer.

On the occasion of the 30th anniversary of the UN Basic Principles on the role of lawyers and in view of the above, the CCBE and all the undersigning organisations, therefore call for a more effective application of the guarantees provided by the UN Basic Principles on the role of lawyers and reiterates its strong support to the work carried out by the Council of Europe on a future European Convention on the profession of lawyer, considering that such a specific binding instrument is needed in order to preserve the independence, integrity of the administration of justice and the rule of law.



Day of the Endangered Lawyer



ELDH European Association of Lawyers for Democracy and World Human Rights



Lawyers for Lawyers



Public Association «Dignity»



Japan Federation of Bar Associations



Austria – Österreichischer Rechtsanwaltskammertag



Belgium – Ordre des barreaux francophones et germanophone



Belgium – Orde van Vlaamse Balies



Belgium – Barreau de Liège-Huy



Belgium – Ordre des avocats du barreau de Luxembourg



Belgium – Barreau de Mons



Belgium – Barreau de Namur



Belgium – Barreau de Tournai



Bulgaria – Висшият адвокатски съвет /
Supreme Bar Council



Croatia – Hrvatska odvjetnička komora /
Croatian Bar Association



Czech Republic – Czech Bar Association



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Estonia – Eesti Advokatuur



Finland – Finnish Bar Association



France – Ordre des avocats de Paris



France – Conseil national des barreaux



BUNDESRECHTSANWALTSKAMMER

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Greece – Plenary of Presidents of the
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**Poland – Naczelna Rada Adwokacka/The
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**AUDEMUS IURA
NOSTRA DEFENDERE**

**Poland – Warsaw Bar Association of
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