

**President Borut Pahor**  
**Office of the President of the Republic**  
**Erjavceva 17**  
**SI-1000 Ljubljana**  
**Slovenia**

Brussels, 20 January 2014

**Re: Concerns regarding the illegal search of lawyers' offices, homes and vehicles**

Dear President,

The Council of Bars and Law Societies of Europe (CCBE) represents the bars and law societies of 32 member countries and 12 further associate and observer countries, and through them more than 1 million European lawyers.

The CCBE attaches great importance to the principle of professional secrecy and lawyer-client confidentiality, which has been recognised as a core value of the legal profession and an indispensable instrument to ensure the proper application of the rule of law by the European Court of Justice in its decision in the AM&S case (case C-155/79).

The CCBE writes to express its concern over searches conducted in the offices, homes and personal vehicles of three members of the Slovenian Bar Association on the basis of a decree issued by the Ljubljana District Court on 18 November 2013.

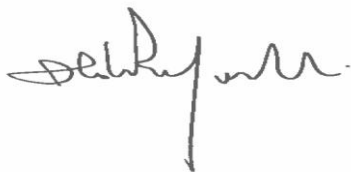
According to the information that we have received, paragraph 8 of the Slovenian Bar Act states that the search of lawyers' offices and homes is allowed under certain conditions, namely: a prior search order issued by the Court explicitly identifying the object of the investigation, the presence of a representative from the Bar Association, and respect for the confidentiality principle.

The Slovenian Bar Association has informed us that the investigations prompting these searches did not involve the lawyers, but were rather focused on their clients. In addition, the Slovenian Bar Association noted that they did not receive prior notification of the search warrant regarding the investigations of the lawyers' homes and personal vehicles. Therefore, representatives of the Bar could not be present during these searches. Moreover, the CCBE was also informed that the investigative authorities seized documents not connected to the case that initiated the investigation and which were not explicitly mentioned in the search warrant issued by the Ljubljana District Court.

The CCBE believes that the way in which these searches were conducted undermines the proper application of the fundamental principles of professional secrecy and the confidentiality of lawyers' communications.

In view of the above, the CCBE asks you to investigate these facts and to take all necessary measures to ensure that law enforcement authorities carry out their functions in full compliance with the relevant provisions of national law and with the fundamental principles of professional secrecy and confidentiality of lawyers' communication.

Yours faithfully,



Aldo BULGARELLI  
CCBE President