

ISSUE #102: JUNE-JULY-AUGUST 2023

CCBE-INFO

Newsletter



Special Focus:

2023 Amicus Curiae Contest Award Ceremony

CCBE Plenary
Session in Chania,
Greece • 30 / 06 / 2023

6

Main CCBE
Events
& Activities

10



Table of Contents

— 4

Special Focus:
2023 Amicus Curiae Contest
Award Ceremony

— 6

CCBE Plenary Session in Chania,
Greece • 30 / 06 / 2023

- Statement in response to the creation of the Register of damage caused by the aggression of the Russian Federation against Ukraine
- Statement on the Polish law establishing a State Committee for the examination of Russian impacts on internal security on 30 May 2023
- Comments in response to the European Commission proposal for a Regulation on the transfer of proceedings in criminal matters

— 10

Main CCBE Events & Activities

- Rule of law and justice discussed at the Vatican
- CCBE-ELF webinar on “Artificial Intelligence and lawyers: What you need to know now”
- ERA seminar on “Artificial Intelligence in Criminal Justice: Automated decision-making and its application in criminal law”
- 5th meeting of the Council of Europe’s Committee of Experts on the Protection of Lawyers
- 2023 HELP Network Conference
- ABA Annual Meeting
- XXX International Federation of European Law Congress
- 9th Congress of Portuguese lawyers
- CCBE call for the respect of legal professional privilege in Julian Assange case
- CCBE call for rejection of e-Evidence package
- Exchange of views with the European Union Asylum Agency
- CCBE preliminary comments on Article 17(4) of the proposal for a Long-Term Residents Directive (recast)
- CCBE statement following the shipwreck off Pylos regarding unacceptable practices at EU borders
- 4th LAWASIA Human Rights Conference
- Family law
- CCBE contribution regarding beneficial ownership transparency
- Global Anti-Corruption Consortium Workshop
- CCBE contribution to the 2023 EU Justice Scoreboard
- Digitalisation of justice
- Human Rights

— 25

Upcoming Events



2023 Amicus Curiae Contest Award Ceremony

The CCBE had the pleasure to grant its first Amicus Curiae Contest award to Lily Coisman (Photo 1), a student at the Haute Ecole des Avocats Conseils des Barreaux du ressort de la Cour d'appel de Versailles. The award was granted by CCBE President, Panagiotis Perakis (Photo2), during the CCBE Plenary Session that took place on 30 June 2023 in Chania, Greece.



> Watch the video 2023 CCBE Amicus Curiae Contest Award



subtitles available

en

fr



1



2

What is the CCBE Amicus Curiae Contest?

The CCBE Amicus Curiae Contest is an annual competition addressed to law students (undergraduate, postgraduate, and master) whose degree is a prerequisite to enter the legal profession, as well as trainee lawyers, in countries the Bars and Law Societies of which are members of the CCBE.

The contest consists of a fictitious Amicus Curiae brief (not intended to be used in any actual ongoing proceedings) submitted by the top three candidate law students/trainee lawyers, which will then be analysed by a Jury who will subsequently select the winner.

What is the purpose of such a contest?

- To support a threatened lawyer by providing a forum for their defence.
- To emphasise the essential role of lawyers in the construction and defence of the rule of law.
- To provide practical experience to law students aspiring to become lawyers by giving them the opportunity to practice writing a note that would take the form of an amicus curiae brief.
- To make the CCBE and its work known to the population of young future European lawyers.

CCBE Amicus Curiae Contest



For more information on the second edition of the Amicus Curiae Contest, visit the dedicated page on the CCBE website.



Promote this competition among law students and trainee lawyers by sharing information with the hashtag: #CCBEACC!



READ NEXT

CCBE Standing Committee in Chania · 30/06/2023

The CCBE held its Plenary Session on 30 June 2023 in Chania, Greece. On this occasion, the CCBE welcomed two external speakers: Takis Tridimas, Co-Director of the Centre of European Law at King's College London, who delivered a speech on the role of lawyers in liberal democracy, and Florian Geyer, Head of the European Commission Directorate-General for Justice and Consumers Rule of Law Unit, who presented the 2023 EU Justice Scoreboard. Furthermore, the following papers were adopted during the Plenary Session:

Statement in response to the creation of the Register of damage caused by the aggression of the Russian Federation against Ukraine



READ THE DOCUMENT

On 16 May 2023, the Committee of Ministers of the Council of Europe decided to establish a Register of damage caused by the aggression of the Russian Federation against Ukraine. In response, the CCBE issued a statement recommending the Conference of the Register to invite the Board of the Register to take account of the views of lawyers with practical experience of different categories

of mass claims, and that candidates for the Board of the Register appointed by the Conference should include lawyers with private practice experience of bringing or handling mass claims before national or international courts and tribunals. In addition, the CCBE offered to assist the Council of Europe and organs of the Register in identifying lawyers with such experience. ■

Statement on the Polish law establishing a State Committee for the examination of Russian impacts on internal security on 30 May 2023



READ THE
DOCUMENT

The CCBE issued a statement to convey its concern over the adoption on 30 May of a new law on the State Committee for the examination of Russian influence on the internal security of Poland between 2007 and 2022. In particular, the CCBE is concerned that this new law will lead to the right to professional secrecy not being respected, the violation of the right to have a case examined by an independent tribunal, no participation of defence lawyers during proceedings (which violates the fairness of the proceedings), that the proceedings will be secret to

a large extent, as well as that there will be no right to appeal the decision based on the correctness of the assessment of facts and the weighing of evidence as conducted by the Committee. As a result, the law violates the fundamental principles of democracy, the principles of legality and non-retroactivity of sanctions, general principles of legal certainty and res judicata, the rights to effective judicial protection, and the requirements under EU law relating to data protection. The CCBE concluded by calling on the Polish Parliament to immediately repeal this new legislation. ■

Comments in response to the European Commission proposal for a Regulation on the transfer of proceedings in criminal matters



READ THE
DOCUMENT

In its comments in response to the European Commission proposal for a Regulation on the transfer of proceedings in criminal matters, the CCBE expressed support for the objectives of the proposal and the decision to prepare a Regulation in order for there to be a uniform application of the measures by all Member States.

However, the CCBE wished to raise some concerns as to ensure that the Regulation truly facilitates an efficient administration of justice, not simply processing of criminal litigation, as well as to ensure that the rights of suspects are adequately represented and accessible to them and their lawyers. ■

> Photo 1 and 2: The CCBE Presidency and members at the Plenary Session in Chania, Greece

> Photo 3: The CCBE President, Panagiotis Perakis

> Photo 5: Takis Tridimas, Co-Director of the Centre of European Law at King's College London

> Photo 4: Florian Geyer, Head of the European Commission Directorate-General for Justice and Consumers Rule of Law Unit



Main CCBE Events & Activities

21.07.2023

Rule of law and justice discussed at the Vatican

On 21 July 2023, Pope Francis received a delegation of European lawyers, among which was the CCBE President, Panagiotis Perakis (Photo 1 and 2). The extraordinary meeting was organised thanks to the Conseil National des Barreaux (CNB) and its President, Jérôme Gavaudan.

The meeting followed from the “Vienna Declaration” signed in 2022 by several Bars and lawyers’ organisations, and for which the Pope thanked European lawyers “for this important contribution to the promotion of democracy and respect for freedom and human dignity.” This Declaration urged Member States of the Council of Europe to commit themselves in favour of the rule of law and the independence of the judiciary, in particular in the context of the war in Ukraine.

In his address, Pope Francis also highlighted the importance of the protection of confidentiality of lawyer–client communications, drawing a parallel with the secret of Confession, and underlying that this is a forum “where a person is able to speak the truth to his or her lawyer so that the lawyer might help.” Moreover, he encouraged European lawyers to persevere in the exercise of their profession as to provide “service of truth and the justice needed for the advancement of peace in the world and harmony in our society.” ■

> [Read the full press release of the Vatican news here](#)





26.06.2023

CCBE-ELF webinar on “Artificial Intelligence and lawyers: What you need to know now”

The CCBE and the European Lawyers Foundation (ELF) organised another successful webinar on “Artificial Intelligence and Lawyers: What you need to know now”, which attracted more than 500 participants.

The webinar took place on 26 June 2023, and consisted of several interesting presentations and enriching exchanges on the topic of Artificial Intelligence (AI) and lawyers. Some important questions which the experts particularly delved into were: What is the EU AI Act? What does the CCBE do to assist lawyers and Bars on AI? How to use AI in legal practice? And what pitfalls should lawyers avoid? ■

> [Click here to view the presentations and the recording of the event](#)



15.06.2023 – 16.06.2023

ERA seminar on “Artificial Intelligence in Criminal Justice: Automated decision-making and its application in criminal law”

CCBE Secretary-General, Simone Cuomo, participated in a seminar organised by the Academy of European Law (ERA) on 15 June 2023 regarding “Artificial Intelligence (AI) in Criminal Justice: Automated decision-making and its application in criminal law”. During the seminar, he made a presentation on “The impact of AI on procedural safeguards and legal practice”. ■

03.07.2023 – 05.07.2023

5th meeting of the Council of Europe's Committee of Experts on the Protection of Lawyers

From 3 to 5 July 2023, the CCBE participated in its observer capacity in the 5th meeting of the Council of Europe's Committee of Experts on the Protection of Lawyers (CJ-AV), which is tasked with the drafting of a convention aiming to improve the protection of lawyers. During this meeting, the CJ-AV continued working on the text of the draft convention and examined possible options for a mechanism to monitor its implementation by State Parties. ■

> Further details can be found here



07.07.2023 – 05.07.2023

2023 HELP Network Conference

The CCBE President, Panagiotis Perakis, spoke at the 2023 Human Rights Education for Legal Professionals (HELP) Network Conference of the Council of Europe on 7 July 2023 (Photo 1 and 2). During his speech, he emphasised examples of successful cooperation between CCBE and HELP. Furthermore, he reaffirmed the essential need of training legal professionals on EU and cross-border issues in ensuring the effective implementation of judicial proceedings and to build mutual trust. In that regard, he stressed the crucial role of HELP in providing high-quality training to lawyers around the world and highlighted the excellent results (96% success rate) of the HELP course “Ethics for Lawyers” which was launched in Strasbourg for a group of lawyers in 2022. Moreover, he praised the involvement of CCBE representatives in the development of HELP courses, mentioning the recent course on Artificial Intelligence, which will also be useful for lawyers to follow when it becomes available. ■

> Find more information here



02.08.2023 – 08.08.2023

ABA Annual Meeting

The CCBE President, Panagiotis Perakis, and Secretary-General, Simone Cuomo, were delighted to participate in several events of the American Bar Association's (ABA) annual meeting in Denver, Colorado. During the annual meeting, which took place from 2 to 8 August 2023, they had the great pleasure to meet with the ABA President-elect, Mary Smith. The International Bar Leaders Roundtable which they participated in also gave rise to fruitful exchanges with American and other Bar leaders from around the world on important issues that go beyond Europe's borders, such as the threats to the independence of Bars and lawyers. Additionally, the CCBE had the opportunity to express the views of European lawyers on digitisation, including in regard to Artificial Intelligence, cloud computing and data protection during the Council meeting of the Science and Technology Law Section. ■



> From left to right: CCBE Secretary-General, Simone Cuomo, ABA President-elect, Mary Smith, and CCBE President Panagiotis Perakis

02.06.2023

XXX International Federation of European Law Congress

As part of the 30th International Federation of European Law Congress (FIDE 2023), the CCBE President Panagiotis Perakis was invited to moderate the panel on 2 June 2023 concerning “The interaction between the Rule of Law, Democracy and Fundamental Rights in EU law” in Sofia, Bulgaria. ■

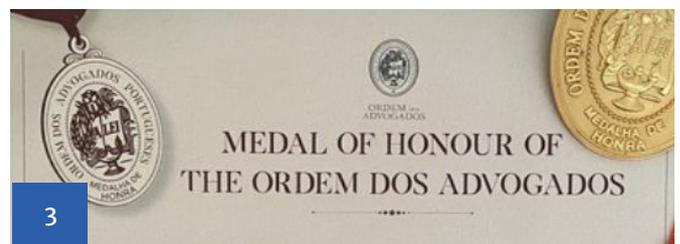
14.07.2023

9th Congress of Portuguese lawyers

The CCBE President, Panagiotis Perakis, spoke at the 9th Congress of Portuguese lawyers on 14 July 2023 in Fátima, Portugal (Photo 1 and 2). His speech focused on the legislative reform in Portugal affecting the lawyer’s profession.

> [Read the full speech here](#)

He was also very grateful to receive a medal of honour from the Ordem dos Advogados Portugueses for the CCBE’s support to the Portuguese legal practice (Photo 3). ■



25.05.2023

CCBE call for the respect of legal professional privilege in Julian Assange case

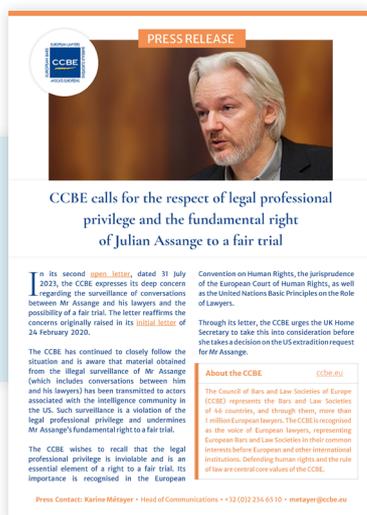


READ THE LETTER

In its [second open letter](#), dated 31 July 2023, the CCBE expressed its serious concern regarding the surveillance of conversations between Julian Assange and his lawyers, and reaffirms the concerns originally raised in its initial letter of 24 February 2020.

The CCBE has continued to closely follow the situation and is aware that material obtained from the illegal surveillance of Julian Assange (which includes conversations between him and his lawyers) has been transmitted to actors associated with the intelligence community in the US. Such surveillance is a violation of the legal professional privilege and undermines

Julian Assange's fundamental right to a fair trial. The CCBE wished to recall that the legal professional privilege is inviolable and is an essential element of a right to a fair trial. Its importance is recognised in the European Convention on Human Rights, the jurisprudence of the European Court of Human Rights, as well as the United Nations Basic Principles on the Role of Lawyers. Through its letter, the CCBE urged the UK Home Secretary to take this into consideration before she takes a decision on the US extradition request for Julian Assange. ■



> Read the CCBE press release here



CCBE call for rejection of e-Evidence package

On 12 June 2023, the CCBE, in a joint open letter with a number of associations and internet service providers, urged the Members of the European Parliament to reject the European Commission's "e-Evidence" package during their Plenary vote on this matter. The reason for this is that there are several concerns that the proposal lacks an effective notification system, fails to account for national contexts with weakened rule of law and heightened risks of political repression, has poorly design safeguards and provides limited rights to effective remedies. As outlined in the letter, these concerns regarding the proposal may risk severely undermining fundamental rights, including press and media freedom, the right to privacy, the right to a fair trial, as well as professional secrecy and confidentiality. ■



> Read the joint open letter here

29.06.2023

Exchange of views with the European Union Asylum Agency

On 29 June 2023, the Migration Committee had the pleasure to welcome Jette Christiansen, Head of Greece Sector of the EU Asylum Agency (EUAA). During the exchange, the CCBE experts listened to a presentation to learn more about the role and tasks of the agency in Greece and a question-and-answer session followed.

The CCBE inquired about possible ways of cooperation between the EUAA and lawyers, and expressed its readiness for further engagement. This discussion offered a good opportunity for the CCBE to learn in more detail about the EUAA mandate, which should allow it to better participate in the Consultative Forum of the EUAA of which the CCBE is part. ■

27.05.2023

CCBE preliminary comments on Article 17(4) of the proposal for a Long-Term Residents Directive (recast)



READ THE
PRELIMINARY
COMMENTS

On 27 July 2023, the CCBE adopted preliminary comments to convey its tentative views on some provisions and their potential consequences of the European Commission proposal for a Directive concerning the status of third-country nationals who are long-term residents (recast). While the CCBE considers that there are several positive changes

for long-term residents introduced by the proposal, it has particular concerns in regard to the consequences of the new Article 17(4) on the rules governing access to the lawyer's profession, especially on the special EU Lawyers regime set in the Lawyers' Establishment Directive. ■



28.07.2023

CCBE statement following the shipwreck off Pylos regarding unacceptable practices at EU borders



READ THE
FULL STATEMENT

In a statement published on 28 July 2023, the CCBE expressed deep concern regarding a series of recent developments that marked a new threshold in unacceptable practices at the EU external borders that are characterised by their non-conformity with the EU and international fundamental rights framework. In particular, the statement focused on the sinking of the Adrianna ship on 14 June 2023 in international waters off the coast of Pylos, which shocked the lawyers'

community and for which the CCBE wished to show solidarity to the survivors and those close to the deceased. Additionally, the CCBE called on Member States to stop the dangerous tendency of developing practices at the EU external borders that lead to fundamental rights violations and put the lives of migrants at risk. ■

28.07.2023

4th LAWASIA Human Rights Conference

On 3 September 2023, CCBE Secretary-General, Simone Cuomo, represented the CCBE in the 4th Law Association for Asia and the Pacific (LAWASIA) Human Rights Conference in a panel on "Remedying human rights violations against

migrants and refugees and the role of lawyers in the Asia-Pacific region". During the conference, he presented the CCBE's contributions from a European perspective and the work of CCBE's Migration Committee. ■

> For more information, see the dedicated webpage here

26.08.2023

CCBE initial comments on the Council of Europe draft Recommendation on the protection of the best interests of the child and his or her rights in parental separation proceedings



READ THE
INITIAL COMMENTS
OF THE CCBE

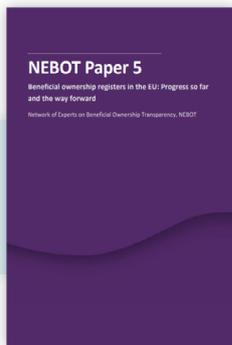
On 26 July 2023, the CCBE submitted initial comments on the Council of Europe draft Recommendation and the accompanying preliminary draft explanatory memorandum on the protection of the best interests of the child and his or her rights in parental separation proceedings. In its paper, the CCBE welcomed the efforts of the Council of Europe on this important matter and expressed support for the aims and principles set out. However, the CCBE noted that a number of important issues had not been addressed and had several concerns in relation to the assistance and support for children. ■

08.06.2023

CCBE contribution regarding beneficial ownership transparency

The Network of Experts on Beneficial Ownership (NEBOT) project papers, which were submitted to the European Commission as part of the Civil Society Advancing Beneficial Ownership Transparency project, were published in June. In 2022, the CCBE participated in the discussions on the topics covered by these papers, and the CCBE representative,

Rupert Manhart, contributed to paper No. 5 on “Beneficial ownership registers in the EU: Progress so far and the way forward”, which provides several policy recommendations to ensure that beneficial ownership registers in the EU are able to serve as effective tools to combat money laundering and related crimes. ■



[Read the NEBOT papers here](#)

28.06.2023

Global Anti-Corruption Consortium Workshop

On 28 June 2023, the CCBE Chair of the Anti-Money Laundering Committee, Claudio Cocuzza, and an expert, Emma-Jane Williams, attended a workshop organised by the Global Anti-Corruption Consortium on “Revealing and Reining in the Professional Enablers of Corruption”. The event

was an opportunity to better understand the perspective of civil society and journalists on the topic of the workshop. The CCBE is of the opinion that it is important to have more exchanges of this kind to increase the mutual understanding and find practicable solutions. ■



CCBE contribution to the 2023 EU Justice Scoreboard

On 8 June 2023, the European Commission published the eleventh edition of the EU Justice Scoreboard, which provides an annual overview of comparative data on the efficiency, quality, and independence of justice systems among the EU Member States. As in past years, the CCBE and its member Bars once again contributed by providing the necessary information for the preparing of this comparative data. ■

> [Read the EU Justice Scoreboard](#)

21.06.2023

ELI project kick-off webinar on “Digitalisation of Civil Justice Systems in Europe”

On 21 June 2023, the Chair of the IT Law Committee, Jiří Novák, attended the European Lawyers Institute (ELI) project kick-off webinar on “Digitalisation of Civil Justice Systems in Europe” as a speaker and CCBE representative. Speaking from the perspective of practitioners, he highlighted the practical aspects of digitalisation of the civil justice systems, such as modalities of communicating with the courts, rules for appearing in person and remotely, and taking of evidence digitally (for example, during a videoconference). ■

European Law Institute's 2023 Webinar Series

ELI Project Kick-Off Webinar: Digitalisation of Civil Justice Systems in Europe



> The webinar is accessible on Youtube



en



#EndangeredLawyers

During the months of June, July and August 2023, the CCBE sent 27 letters and joined several initiatives in support of endangered lawyers in the following countries:

 ARMENIA	Violences against lawyers	🔗
 BANGLADESH	Arrest of lawyer Kazi Rubayet Hasan Sayem	🔗
	Continuous threats and harassment against lawyer Shahanur Islam and his family	🔗
	Acts of torture against trainee lawyer Runa Laila	🔗
 BELARUS	Detention of lawyer Yulia Yurhilevich	🔗
	Sentencing of lawyer Aliaksandr Danilevich	🔗
 CHINA	Surveillance and harassment of lawyer Zhou Shifeng	🔗
	Sentencing of lawyer Guo Feixiong	🔗
	Sentencing and ill-treatment of lawyer Chang Weiping	🔗
	Travel restrictions and safeguard human rights of Li Heping and his family	🔗
	'709 Crackdown 2.0' – Global call against China's renewed crackdown on human rights lawyers	🔗

	CUBA	The situation of lawyers in Cuba	
	HONG KONG	Urgent Calls for Support from the International Legal Community for Hong Kong Lawyers Wanted under the Hong Kong National Security Law	
	IRAN	Sentencing of lawyers Farzaneh Zilabi Mohammad Seifzadeh and Marzieh Nikara	
		Independence of the Iranian Bar Association threatened	
	JORDAN	Death threats, defamation and smear campaign against lawyer Hala Ahed	
	LEBANON	Restriction on lawyers' freedom of expression in Lebanon	
	MALAYSIA	Attempted killing of lawyer Siti Zabedah Kasim	
	NICARAGUA	Disbarment of 26 lawyers	
	NIGERIA	Attempted killing of lawyer Cyril N. Orogwu	
	SAUDI ARABIA	Continued detention of lawyer Waleed Abu Al-Khair	
	SRI LANKA	Threats and intimidation against lawyer Ptiyalal Sirisena	
		Continued detention against lawyer Hejaaz Hizbullah	
	SUDAN	Murder of lawyers Mohammed Ahmed Kudia, Khamis Arabab, Abdelkhalig Matar	
	THAILAND	Disbarment proceeding against lawyer Arnon Nampa	
	TURKEY	Violent Assault against lawyer Aytekin Aktaş	
	ZIMBABWE	Assault on lawyer Obey Shava	
For more information, please visit the CCBE Human Rights Portal:			> Click here to visit

Upcoming CCBE Events

> Consult the CCBE agenda on the extranet for a full overview



: 29 September 2023

CCBE Standing Committee
– Warsaw



: 10 October 2023

Launch Event of the joint CCBE-HELP training course
on “The Environment and Human Rights”
– Strasbourg



: 23 October 2023

CCBE event: “The role of the European institutions and Council
of Europe in defending and promoting the core values of the legal
profession in the administration of justice”
– Brussels



: 25 October 2023

European Lawyers Day 2023: “Confidentiality of client-lawyer
communications: a must for protecting your rights”
– Brussels



: 24 November 2023

CCBE Plenary Session
– Athens



: 01 December 2023

Meeting between the European Court of Human Rights and
representatives of the European national Bars and Law Societies
– Strasbourg



: 01 December 2023

EU Forum of the Legal Professions: The Media and the Legal Professions
– Brussels (free online participation: register [here](#))

10.10.2023

CCBE-HELP training course on “The Environment and Human Rights”



The launch of the joint CCBE-HELP training course on “The Environment and Human Rights” will take place in Strasbourg, France on 10 October 2023. This launch event will be followed by online training. Participants of this training course are lawyers nominated by the national Bars and Law Societies. After the training, those who successfully completed the course will receive certificates issued by the HELP Programme of the Council of Europe.

[> Click here to read more](#)

23.10.2023

CCBE Event "Meet the profession Day"



In the framework of European Lawyers Day and European Day of Justice, the CCBE is organising a conference on 23 October 2023, at the European Parliament in Brussels (as well as live-streamed), to highlight the role of the EU institutions and Council of Europe in defending and promoting the core values of the legal profession in the administration of justice. This event will gather high-level representatives of the EU institutions, the Council of Europe, and the European Court of Human Rights. Participation in person is only possible upon invitation, but the event will be live-streamed.

[> Click here to read more](#)