

The Council of Europe Convention on
the Protection of the Profession of Lawyer



EXPLANATORY NOTE

The Council of Europe Convention on the Protection of the Profession of Lawyer



The CCBE selected this theme for European Lawyers' Day 2025 as it wishes to ensure that the Convention, when adopted, is signed and ratified by as many countries as possible both in and outside Europe. In this context, this handbook has been prepared to provide Bars and lawyers with comprehensive information about the Convention and to serve as a tool for fostering broad support for its adoption, signature and ratification.

Lawyers are fundamental to the rule of law and the protection of human rights. They play a critical role in upholding justice, ensuring access to justice, and defending the rights of everyone. However, the safety and independence of lawyers have increasingly come under threat in various parts of

Europe and of the world. Lawyers are often targeted for performing their professional duties. Whether through physical attacks, threats, harassment, or legal restrictions, the profession faces numerous challenges. In some countries, state authorities have sought to undermine the independence of lawyers and their professional associations, which are fundamental for the protection of the rights of clients, the integrity of the legal system and the rule of law

To ensure that lawyers can continue to carry out their work without fear of harassment, retaliation, or improper interference, the establishment of a Convention on the Protection of the Profession of Lawyer has become essential.

The Role of the CCBE and its Member Bars and Law Societies

The idea of a Convention to protect the profession of lawyer initially emerged within the CCBE in response to growing concerns about the erosion of legal freedoms and independence. The Council of Bars and Law Societies of Europe (CCBE), which represents the bars and law societies of 46 countries, and through them more than 1 million European lawyers, has been a key advocate in the creation of this Convention. The CCBE has played a pivotal role in advocating for a binding international instrument that upholds the independence of lawyers and guarantees their ability to carry out their professional duties without fear of persecution or undue influence. As an observer member of the Committee of Experts on the Protection of Lawyers (CJ-AV), which was tasked with drafting the Convention, the CCBE actively contributed to shaping its content.

The CCBE ensured that the Convention is consistent with the applicable practices and rules pertaining to the legal profession in the different existing legal systems in Europe. In close collaboration with its member Bars and Law Societies, the CCBE has actively engaged with various Council of Europe bodies to shape the Convention. Their efforts have focused on ensuring the Convention addresses the most pressing challenges faced by lawyers, including threats to their physical safety, encroachments on their professional independence, and obstacles to effectively representing their clients.

The CCBE European Convention Working Group and its Chair, Laurent Pettiti, have been among the main driving force behind this ambitious project on behalf of the CCBE.

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The Council of Europe Convention on the Protection of the Profession of Lawyer represents a very important step towards better protection of the rights and independence of lawyers in Europe. It provides a sound and binding legal framework to address the current and future challenges facing the profession, while reinforcing its essential role in the defence of the rule of law and human rights.

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Laurent Pettiti
Chair of the CCBE European
Convention Working Group



Find more information about the origin and timeline of the establishment of the Convention in annex page 8.

What is the added value of a legally binding



This is a landmark achievement, since it will be the first international binding legal instrument dedicated to protecting the rights of lawyers.

A binding legal instrument, such as a Convention, signifies that countries agreeing to be bound by it will have a legal obligation to adhere to its provisions. This ensures that the rights of lawyers are effectively protected.

To support its implementation, the Convention is accompanied with a monitoring mechanism, designed to ensure that its provisions are implemented and upheld. The Group of experts on the protection of the profession of lawyer (GRAVO) will monitor the implementation of the Convention through two different procedures.

On the one hand, a standard evaluation process for monitoring the general implementation of the Convention. Evaluations are conducted in rounds, using tools such as questionnaires and country visits. GRAVO collects data from multiple sources, including states, professional associations, NGOs, and international bodies. Based on the information gathered, it prepares draft reports with analyses, suggestions, and proposals, which are shared with the evaluated State Party for comments. The final report, with conclusions and any comments, is made public and sent to relevant bodies. The Committee of the Parties, which is composed of the representatives of the States parties to the Convention may issue recommendations to support proper implementation.

On the other hand, an urgent procedure requiring immediate attention to prevent or limit the scale or number of serious violations of the Convention. GRAVO may request a special report from the State Party concerned and conduct

inquiries, potentially including visits (with State Party consent). Findings are reviewed and shared with relevant bodies, along with comments and recommendations. The report and conclusions are also made public. However, this urgent procedure does not mean that there would be a possibility for individual requests.

Nevertheless, by establishing enforceable obligations, it offers a strong legal framework to address situations where lawyers are targeted due to their professional activities in defending and protecting citizens. Lawyers will notably be able to use the Convention as a reference document in their legal argumentation in national or international proceedings when it comes to the rights protected under the Convention.

The Convention's impact will also depend on its ratification and effective implementation by individual States. The extent to which national legal systems integrate these new standards and their influence on the everyday practice of lawyers remains to be determined.

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What does the Convention protect?



The Convention aims to strengthen the protection of lawyers and their professional rights, recognising their essential role in defending individual rights, upholding justice, and safeguarding access to justice for everyone in society. To achieve this, the Convention establishes the following key principles and obligations for its signatory states:

1. Independence and autonomy

- Guarantee the independence and autonomy of professional associations, such as bars and law societies, ensuring they can effectively promote the interests of lawyers and the public while upholding professional standards of conduct¹.
- Refrain from actions that undermine the independence of lawyers or professional associations.

2. Bars and Law Societies (professional associations)

- Professional associations will be empowered to represent lawyers' interests, defend their independence, elaborate and promote the observance professional standards of conduct, ensure access to the profession, support training of lawyer, co-operate on legal matters with intergovernmental and non-governmental organisations, and promote lawyers' welfare.
- Governments will have to consult professional associations promptly and effectively on legislative or regulatory changes affecting lawyers or their profession.

3. Rights of lawyers

- Lawyers will effectively be able to provide legal advice, assistance, and representation, including defending human rights, and have the freedom to accept, refuse, or terminate client relationships (with possible exceptions necessary to guarantee access to justice).
- Lawyers will have prompt access to clients, even those deprived of liberty
- Lawyers will have effective access to relevant materials held by public authorities and courts, and unrestricted communication with courts or tribunals where they are qualified to appear.

4. Confidentiality

- Safeguard the confidentiality of lawyer-client communications, a cornerstone of the legal profession, to enable individuals to seek legal advice and representation without fear of exposure or retribution.

¹ See also [Independent lawyers, stronger democracies: understanding why self-regulation matters](#)

5. Protection from unlawful actions and threats

- Protect lawyers from unlawful actions such as assaults, threats, harassment, intimidation, or unjust disciplinary proceedings in connection with their professional activities.
- Protect lawyers' freedom of expression, particularly in matters relating to their clients' affairs, to ensure robust advocacy.
- Ensure that lawyers are not penalised for representing individuals or causes that may be controversial or politically sensitive, as this would undermine access to justice and the protection of rights.
- Guarantee lawyers access to legal representation if they are deprived of their liberty.
- Provide safeguards for lawyers subject to search and seizure.
- Conduct effective investigations into attacks or threats against lawyers to hold perpetrators accountable.

6. Access to the profession

- Ensure that admission, retention, and re-admission to the legal profession are based on objective, relevant, and transparent criteria, without discrimination.
- Require that decisions on admission are taken by an independent body and are subject to appeal, ensuring fairness and transparency.

7. Fair disciplinary procedures

- Establish fair, impartial, and transparent procedures for disciplinary matters, ensuring that lawyers' rights are protected and that the legal profession remains independent.



Protecting lawyers, strengthening justice for all



The Convention not only establishes binding legal standards and a monitoring framework to strengthening the independence and integrity of the legal profession, but it also enhances access to justice for citizens.

By safeguarding lawyer professional rights, it improves the protection of clients' rights and reinforces the rule of law in signatory countries.

Practical examples:

- ✓ One important aspect of the Convention is that it ensures that lawyers can provide legal advice to clients or prospective clients in private when meeting in person, communicate confidentially with them by any means or in any form, and are not compelled to disclose, surrender, or give evidence regarding any information or material received from clients or prospective clients, including exchanges and materials prepared in connection with those exchanges or legal proceedings. Moreover, to ensure that the rights of the clients are effectively protected, the Convention extends the protection of the lawyer–client confidentiality principle to persons employed or engaged by lawyers to assist them in carrying out their professional activities².
- ✓ The Convention will also ensure have prompt and effective access to their clients and prospective clients even when they are deprived of liberty, ensuring that their rights can effectively be protected.
- ✓ The Convention also guarantees that lawyers can file motions or applications for their clients, including requests for recusal or challenges to judicial or prosecutorial impartiality, and ensures their effective participation in all proceedings on behalf of their clients.

If these principles are infringed, lawyers will be able to rely on the Convention as a reference in their legal arguments during national or international proceedings, particularly regarding the rights it safeguards. Moreover, in cases of repeated violations, the Convention empowers the monitoring body (GRAVO) to take action to address and remediate these issues.

² See also: [Confidentiality of lawyer client communications: a must for protecting your rights](#)
["Confidentiality of client–lawyer communications: a shield for citizens right" by Claudio Cocuzza](#)



Beyond Europe?

The Convention also provides the possibility for non-Member States of the Council of Europe to join and sign, extending its protective reach beyond Europe.

While the Convention will be binding only for countries that choose to be bound by it, it serves as a powerful model for the effective protection of the legal profession and the rule of law, inspiring similar initiatives worldwide.

Conclusion

At its core, the Convention is not solely about protecting the rights of lawyers; it is about safeguarding the very foundation of the rule of law. When lawyers can perform their duties free from fear or undue interference, they are enabled to defend the rights of individuals, uphold justice, and ensure the access to the legal system for all. This is vital for the functioning of democratic societies where the rights of every person must be respected and protected. By safeguarding the profession of lawyer, the Convention ensures continued access to justice and the preservation of the rule of law.



Find more information about
European Lawyers' Day 2025
on www.ccbe.eu.

Annex 1: Origin and timeline

Although the work on the Convention has been launched and led by the Council of Europe, the CCBE has actually been a key player in initiating the idea of having such a Convention. Here is a timeline of all the main events that led to the establishment of the Convention:

2016

- **27/09/2016:** CCBE letter to the Secretary General of the Council of Europe proposing to the Council of Europe to work on the establishment of a binding legal instrument on the protection of the profession of lawyer.
- **13/10/2016:** [Motion for a recommendation by the Parliamentary Assembly of the Council of Europe \(PACE\)](#)

2017

- **15/09/2017:** [CCBE contribution on the proposed European Convention on the profession of lawyer](#)
- **15/12/2017:** [Report from the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe on the case for drafting a European convention on the profession of lawyer](#)

2018

- **24/01/2018:** CCBE side event at PACE in Strasbourg and publication of a CCBE Leaflet: "[Why a European Convention on the profession of lawyer is needed?](#)"
- **24/01/2018:** [Recommendation 2121 \(2018\) – The case for drafting a European convention on the profession of lawyer](#)
- **March 2018:** Creation of the [CCBE European Convention Working Group](#)
- **17/05/2018:** [First response](#) from the Committee of Ministers informing the Parliamentary Assembly that it has communicated its Recommendation 2121 (2018) for consultation to the Steering Committee for Human Rights (CDDH), the European Committee on Legal Co-operation (CDCJ), the European Committee on Crime Problems (CDPC) and the European Commission for the Efficiency of Justice (CEPEJ).

2019

- **05/02/2019:** [Second response](#) adopted by the Committee of Ministers on PACE's Recommendation 2121 inviting the CDCJ to prepare a feasibility Study on the need of a Convention on the protection of the profession of lawyer.

2020

- **23/10/2020:** [Resolution 2348 \(2020\)](#) and [Recommendation 2188 \(2020\)](#) adopted by the Parliamentary Assembly of the Council of Europe (PACE)
- **November 2020:** CDCJ adopts [Feasibility study on a new, binding or non-binding, European legal instrument on the profession of lawyer – Possible added-value and effectiveness](#)

2021

- **30/06/2021:** [Response](#) adopted by the Committee of Ministers on Recommendation 2188
- **08/10/2021:** [CCBE position on the proposed new legal instrument on the Profession of Lawyer: The need for a binding legal instrument accompanied by an implementation mechanism](#)
- **24/11/2021:** [Mandate](#) adopted by the Committee of Ministers for the creation of the [Committee of experts on the protection of lawyers \(CJ-AV\)](#)

2022

- **06-08/04/2022:** First meeting of the CJ-AV

2023

- **16/02/2023:** [CCBE position on the draft Convention on the protection of the profession of lawyer](#)
- **November 2023:** Extension of the CJ-AV's [mandate](#) until 2024

2024

- **09-11/09/2024:** 9th and final meeting of the CJ-AV: adoption by the CJ-AV of the draft Convention and explanatory report
- **19-21/11/2024:** [Adoption](#) by the CDCJ of the draft Convention for the Protection of the Profession of Lawyer and its explanatory report, and invitation to the Committee of Ministers to adopt the draft.
- **December 2024:** [CCBE Leaflet 1 | A European Convention on the protection of the profession of lawyer](#)

2025

- **End of January 2025:** Opinion of PACE
- **12/03/2025:** Adoption of the text of the Convention and its Explanatory Report by the Committee of Ministers
- **Mid-May 2025:** Opening of the Convention for signature.

Annex 2: Resources

For more details about the Council of Europe Convention on the Protection of the Profession of Lawyer and the role of the CCBE, please refer to the following resources:

- [CCBE Website](#)

Council of Europe website:

- [European Committee on Legal Co-operation](#)
- [Committee of Experts on the Protection of Lawyers \(CJ-AV\)](#)

Related documents:

- [Convention on the Protection of the Profession of Lawyer](#)
- [Explanatory Report to the Convention](#)
- [CCBE report on threatening behaviour and aggression towards lawyers \(2024\)](#)
- [Leaflet 1 | A European Convention on the protection of the profession of lawyer](#)
- [15/03/2021: Feasibility study on a new, binding or non-binding, European legal instrument on the profession of lawyer – Possible added-value and effectiveness](#)
- [23/10/2020: Resolution 2348 \(2020\) and Recommendation 2188 \(2020\) adopted by the Parliamentary Assembly of the Council of Europe \(PACE\)](#)
- [24/01/2018: Recommendation 2121 \(2018\) – The case for drafting a European convention on the profession of lawyer](#)
- [15/12/2017: Report from the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe on the case for drafting a European convention on the profession of lawyer](#)
- [13/10/2016: Motion signed by several members of the Parliamentary Assembly of the Council of Europe \(PACE\) inviting the Committee of Ministers to initiate work on the drafting of a European Convention on the profession of lawyer](#)