
CCBE

**CONSEIL DES BARREAUX DE
L'UNION EUROPEENNE RAT DER
ANWALTSCHAFTEN DER
EUROPÄISCHEN UNION CONSEJO DE
LOS COLEGIOS DE ABOGADOS DE LA
UNION EUROPEA CONSIGLIO DEGLI
ORDINI FORENSI DELL'UNIONE
EUROPEA RAAD VAN DE BALIES
VAN DE EUROPESE UNIE CONSELHO
DAS ORDENS DE ADVOGADOS DA UNIÃO
EUROPEIA ΣΥΜΒΟΥΛΙΟ ΤΩΝ
ΔΙΚΗΓΟΡΙΚΩΝ ΣΥΛΛΟΓΩΝ ΤΗΣ
ΕΥΡΩΠΑΙΚΗΣ ΕΝΩΣΗΣ RÅDET FOR
ADVOKATERNE I DEN EUROPÆISKE
FAELLESKAB EUROOPAN UNIONIN
ASIANAJAJALIITTOJEN NEUVOSTO
RÅD LÖGMANNAFELAGA I
EVROPUSAMBANDINU RÅDET FOR
ADVOKATFORENINGENE I DET
EUROPEISKE FELLESKAP RÅDET FOR
ADVOKATSAMFUNDEN I DEN
EUROPEISKA UNIONEN **COUNCIL OF
THE BARS AND LAW SOCIETIES OF THE
EUROPEAN UNION****

**CCBE POSITION ON THE ORGANISATION OF THE
DEFENCE BEFORE THE INTERNATIONAL
CRIMINAL COURT**

**CCBE Position
on the organisation of the defence before the International Criminal Court**

The Council of the Bars and Law Societies of the European Union (CCBE), which represents over 500.000 lawyers through the national Bars and Law Societies of the European Union and the European Economic Area, is pleased to note the creation of the International Criminal Court.

As the sixtieth ratification, which was necessary for the Treaty on the creation of the Court to come into force, was obtained on April 11th, 2002, it will be possible now to implement the establishment of this new permanent Court, which has the power to exercise jurisdiction for crimes of genocide, crimes against humanity, war crimes and crimes of aggression.

The establishment of this new judicial instrument must, however, be backed up with guarantees regarding the defence.

The CCBE emphasises therefore the importance of the organisation of a truly independent defence.

It will only be possible to guarantee an efficient independent defence if a sufficient budget is provided for this. Therefore, a properly funded legal aid system should be established in order to provide proper remuneration to lawyers who will represent clients before the Court.

Furthermore, the CCBE is in favour of establishing a structure for the organisation of the defence. Within the framework of this structure, the CCBE considers that, among other things, a supervisory board should be created. This board, composed of regional bar organisations (at a world level), would be responsible for deciding difficult deontological, pay and other issues which might arise out of defence cases. The CCBE wishes to play an active role within that body as the regional organisation representing the Bars and Law Societies of Europe.