



MEP António Marinho e Pinto - source: © European Union 2014 - EP

CCBE Info

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EUROPEAN COURT OF HUMAN RIGHTS UPHOLDS THE FREEDOM OF EXPRESSION OF LAWYERS

The Court in its Grand Chamber judgement on 23 April in the case of *Morice v. France* held that there had been a violation of Article 6 § 1 (right to a fair trial) and Article 10 (freedom of expression) of the European Convention on Human Rights.

The case concerned the conviction of a lawyer, on account of remarks reported in the press, for complicity in defamation of the investigating judges who had been removed from the judicial investigation into the death of Judge Bernard Borrel.

The Grand Chamber noted that Mr Morice had expressed a value

judgement with a sufficient factual basis, and that his comments were part of a debate on a matter of public interest as they referred to the functioning of the justice system.

The CCBE, who intervened in the case as a third party, welcomes the judgement and notes that the freedom of expression of lawyers ensures they can contribute to the proper administration of justice and bolster the confidence of the public in the justice system.

Read more: [[Case of Morice v. France](#)]

UPCOMING STUDY ON PROCEDURAL SAFEGUARDS

The European Commission recently awarded the CCBE and the European Lawyers' Foundation the TRAINAC project. This project will study the implementation in all EU Member States of the three procedural safeguard directives in criminal proceedings: the right to interpretation

and translation (2010); the right to information (2012); and the right to a lawyer (2013). The purpose is to present the views of how the three Directives are being implemented from the point of view of defence practitioners.

The first meeting of the experts will take place in Brussels on 24 June. The final report of TRAINAC is expected to be published in April 2016.

Read more: [[Rights of suspects and accused in the European Union](#)]

REFORM OF THE EUROPEAN COURT OF JUSTICE

Discussions are continuing among the institutions on the reform of the EU's court system. In order to speed up the treatment of cases, Member States proposed to increase the number of judges at the General Court by 12, then 9, and 28 in the latest proposal. The General Court, the EU's second highest court, and the Court of Justice have expressed different viewpoints on the proposed solution.

The European Parliament rapporteur on the file, António Marinho e Pinto, is expected to come up with his report towards the end of May. The CCBE continues to follow the issue closely.

Read more: [\[Reform of the EU's Court System\]](#)

CCBE TO INTERVENE IN COURT CASE ON ILLEGAL WIRETAPPING

The national delegations on 19 May took the decision to intervene in the pending case before the District Court of The Hague brought by the Amsterdam-based law firm Prakken d'Oliveira and the Dutch Association of Criminal Defense Lawyers (NVSA) against the Dutch State. The CCBE maintains a policy of intervening as a third party on request from a national member

Bar in court cases that affect the core values of the profession.

The Dutch Minister of the Interior admitted in December 2014 that the Dutch intelligence and security agency (AIVD) had been spying for years on Prakken d'Oliveira, listening to calls with clients and third parties. The Minister however continues to refuse to take

action to protect the right that clients have to privileged communication with their lawyers.

The plaintiffs request the Dutch intelligence service must immediately stop intercepting privileged communications.

Read more: [\[Dutch Intelligence Service \(AIVD\) taps Prakken d'Oliveira lawyers\]](#)

CCBE ANNUAL REPORT 2014 PUBLISHED

The 2014 activity report provides a complete overview of activities undertaken by the CCBE in defence of the legal profession and the rule of law, as well as events, achievements and publications.

Read more: [\[CCBE Annual Report 2014\]](#)

LEXPOSIA 2015, THE EUROPEAN LEGAL PROFESSIONALS' FAIR

The CCBE is a partner of the 15th edition of LEXposia, the European legal professionals' fair gathering law firms, accountants, businesses, banks, insurance brokers, legal advisors, human resources managers, investors, management

accountants, financiers and their editor partners, integrators and IT services companies for two days of networking and conferences in Brussels on 11-12 June.

Read more: [\[Complete programme of LEXposia 2015\]](#)

UPCOMING EVENTS

29-30/05: *123rd Plenary Session of the CCBE, Gdańsk – event open to the press*

4-6/06: *8th Congress of the Swiss Bar Association, Lucerne*

5-6/06: *Conference 'Handyman or professional? Representation by advocates in court proceedings', Kyiv*

8/06: *Conference on Lawyers' experience with the Jurisprudence of the Court of Justice under the Presidency of M. Skouris, Luxembourg*

10/06: *PECO Committee Meeting, Pristina, Kosovo*

11-13/06: *66th Annual conference of the Deutscher Anwaltverein, Hamburg*

26/06: *CCBE Standing Committee, Brussels*