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Vilnius Standing Committee

STANDING COMMITTEE IN VILNIUS

On 23 March, the CCBE held its 227th Standing Committee in Vilnius, Lithuania. The CCBE welcomed a special guest, Ignas Végélé, the Chairman of the Lithuanian Bar, who underlined how important it was to increase collaboration between like-minded organisations during these trying times. The CCBE President, Antonín Mokry, then lead discussions on matters such as Tax Law, Deontology and Anti-Money Laundering issues. In addition to this, some important texts were adopted, such as the Guide to mediation for lawyers. The Guide is the product of an extensive cooperation with the Working Group on Mediation of the European Commission for the Efficiency of Justice (CEPEJ) within the context of promoting a better implementation of mediation in the Member States of the Council of Europe. Its main purpose is to raise awareness amongst lawyers with respect to mediation and demonstrate various professional challenges, opportunities, and incentives for lawyers that stem from the use of mediation, as well as benefits for clients. The paper has been submitted to the CEPEJ Member States with a view to present the final joint CCBE/CEPEJ paper for approval to the CEPEJ Plenary meeting in June 2018.

The Standing Committee also agreed on a set of recommendations on legal aid, which set out several important guiding principles for the proper delivery of legal aid, which is an essential tool for ensuring access to justice

The following papers were also approved by the CCBE Standing Committee:

- CCBE comments on the proposed amendment of the rules of court of the European Court of Human Rights relating to the treatment of classified material
- Interpretation of the Principles and Rules of the CCBE Charter of Core Principles of the European Legal Profession, Code of Conduct for European Lawyers and Model Code of Conduct

LEGAL PROFESSIONAL PRIVILEGE: CHALLENGES IN MODERN SOCIETY

On Thursday 22 March 2018, an international conference focusing on the challenges of Legal Professional Privilege in modern society took place in Vilnius, Lithuania. The conference was organised by the Lithuanian Bar Association, with a helping hand from the CCBE and the American Bar Association (ABA).

The President, Mr. Antonín Mokrý, was one of the conference's opening speakers alongside Mr. Végélé, the Chairman of the Lithuanian Bar, and Mr. Steven Richman, Chair of the American Bar Association's Section of International Law. Mr. Mokrý reminded the assembly of the importance of Legal Professional Privilege, he stated that "a lawyer is required to act in the interests of their client and they must act independently." Indeed, a lawyer's mission is reliant on the confidence granted by their client who must be able to consult their lawyer with all the confidentiality needed and without fearing that their confidence may be betrayed.

As the conference took place in the margins of the CCBE's Committee Meetings, a number of CCBE experts were able to assist the conference. The second Vice-President, Mr. Ranko Pelicarić, several Committee Chairs such as Ms. Claudia Seibel, Mr. Rupert Manhart, Mr. Jacques Taquet, and finally Vice-Chair Bertrand Debosque, shared their thoughts, expertise, and personal experiences regarding anti-money laundering, aggressive tax planning and criminal actions against advocates.



CCBE President, Antonín Mokrý, at the Legal Professional Privilege Challenges in Modern Society

MEETING THE POLISH JUDICIARY AT THE EUROPEAN PARLIAMENT



On 21 March, the CCBE attended an event on the Rule of Law in Poland at the European Parliament alongside MEPs, Ms. Sippel and Mr. López Aguilar

On 21 March, the CCBE's Secretary General, Philip Buisseret, met with representatives from the Polish Judiciary and the Polish legal profession at the European Parliament. The delegation was invited by members of the European Parliament's Committee on Civil Liberties, Justice and Home Affairs.

The European Commission Representation in Poland and the European Commission Victors Centre had organised the visit of the European institutions in Brussels and Luxembourg by 25 Polish judges and representatives of other legal professions. The aim of this visit was to exchange on recent Polish legislation and to highlight how it could potentially threaten the Rule of Law in Poland.

The meeting was attended by Members of the European Parliament and by external organisations such as the CCBE. This wide variety of attendants led to a lively and engaging debate and it proved to be an excellent opportunity for many to obtain first-hand information on the state of play of the Judiciary in Poland.

The CCBE is intent on fostering a constructive and fruitful dialogue on the potential repercussions of various policies on European citizens' and the Rule of Law. The CCBE, therefore, took the initiative to use this event to continue its engagement with members of the European Parliament.

Indeed, the CCBE publicised the event to interested Members of the European Parliament and was pleased to see and discuss this issue with MEPs such as Ms. Sippel, Mr. López Aguilar, and Mr. Frank Engel.

The CCBE plans on hosting additional events in the future in order to raise awareness on, and discuss, pressing issues for European lawyers.

SPOTLIGHT ON EUROPEAN LAWYERS: DAGMAR BUREŠOVÁ

Welcome to **Spotlight on European Lawyers**, a new series of articles which seek to highlight European lawyers who are doing, or have done, exceptional work in the defence of fundamental right. For its first article in this new series, the CCBE has decided to focus its attention on the exceptional work of JUDr. Dagmar Burešová, from the Czech Republic. Ms. Burešová exemplified the core virtues of the legal profession throughout her career and stands as an example to every member of the legal profession.

The CCBE is thus very proud to launch this series by shining a light on a lawyer with such a unique career.

Born in Czechoslovakia in 1929, Dagmar Burešová was a member of the Czech Bar Association and a practising lawyer until January 2012. During her years in activity, she was perceived by many as one of the most influential lawyers in the dissemination of democratic ideals in the former Czechoslovakia and in central Europe.

Ms. Burešová faced many unique situations during her career. She was professionally active during the invasion of Czechoslovakia by the Warsaw Pact armies in 1968 – a time commonly known as the normalisation period – and provided legal assistance to dozens of citizens in need of representation. These citizens had been targeted by the communist regime who tried to intimidate and imprison them. Ms. Burešová incessantly pursued justice for those suffering from political persecution and she was eventually targeted and threatened herself. Yet she never ceased defending the rights of those who needed defending.

She famously represented the family of Jan Palach in their defamation lawsuit against the state. Jan Palach was a young activist who lost his life after he protested the occupation of Czechoslovakia through an act of self-immolation. Following his death, members of the communist regime had suggested that Jan Palach was tricked into harming himself. Her representation of the Palach family remains a landmark event in her professional career.

It was during the aftermath of the Velvet Revolution and the fall of the communist regime in 1989, that Ms. Burešová's career veered into politics. Her years in activity proved successful as she joined the Ministry of Justice, under future President Václav Havel, and initiated a great number of the reforms to the judicial system. In 1990, she became the chairwoman of the Czech National Council: the supreme legislative body of the Czech Republic. Finally, it is also acknowledged that she contributed greatly to the peaceful dissolution of the Czechoslovak Federal Republic.

Throughout her entire professional life, Dagmar Burešová's commitment to fellow citizens has been unwavering and she therefore departed the political arena in 1992 in order to resume her work in the Czech legal profession. She remained there until her retirement in 2012. Her illustrious career has seen her awarded the order of Tomáš G. Masaryk, one of the highest honours of the Czech Republic. Likewise, Ms. Burešová was the recipient of the St. Yves Prize and even entered the country's Legal Hall of Fame on 25 January 2008. JUDr. Burešová exemplifies the virtues of the legal profession and the CCBE is proud to count her as a fellow lawyer.



CURRENT CHALLENGES AND OPPORTUNITIES OF THE BARS AND LAW SOCIETIES OF THE COUNCIL OF EUROPE MEMBER STATES

On 9 March 2018, the Second Vice-President, Mr. Ranko Pelicarić, and several Committee Chairs took part in a conference in Yerevan, Armenia. The conference, which explored the current challenges and opportunities of bars and law societies in Council of Europe Member States, was organised by the Council of Europe Project “Support to the implementation of judicial reform in Armenia”, the CCBE and the Chamber of Advocates of Armenia.

The conference was a success as over 65 attendees, from a wide spectrum of states, gathered to debate data protection issues, the scope of rules of ethics, but also advocacy ethics such as relations between the attorney and the court, and respectful behaviour towards the court. In addition to Mr. Pelicarić, the CCBE was represented by Mr. Balik, the Chair of the PECO Committee, Mr. Klatka, the Chair of the Towards a Model Code of Conduct Committee, Mr. Novak, the incoming Chair of the IT Law Committee, and finally by Ms. Bule, Legal Advisor for the PECO Committee.

In his opening speech, Mr. Pelicarić insisted on the fact that, as Armenia undergoes judicial reforms, it is crucial to reinforce the independence of the bars. He also underlined the vital need for dialogue between stakeholders during the ongoing process. Mr. Balik pursued on the same thread and emphasised that effective relations between an attorney and the court are utterly dependent on whether the judiciary is independent. Finally, Mr. Klatka introduced the audience to the CCBE charter of core principles of the European legal profession and code of conduct for European lawyers.

EUROPEAN LAWYERS DAY 2018

The next European Lawyers Day will be organised on 25 October 2018, to coincide with European Justice Day. The theme for this year will be “Why lawyers matter: Defending the defenders of the Rule of Law.”

More information about ELD will be available over the coming months.

CCBE ATTENDS 4TH EUROPEAN FORUM ON MIGRATION

The CCBE was represented by Noemi Alarcon Velasco, Vice-Chair of the Migration Committee during the 4th European Forum on Migration organised in Brussels on 6 and 7 March 2018. The Forum is a platform for dialogue organised by the European Commission and the European Economic and Social Committee (EESC). The conference was centred on the challenges and the integration of migrants in the European workplace.

Ms. Alarcon Velasco participated in a panel on “Addressing the issue of irregular migrants in the Labour Market” during which she acted as the rapporteur for the sub-group treating the issue of regularisation within EU countries. She also contributed to the panel on “Prevent Labour Exploitation/Ensuring Decent Working Conditions” in which they discussed best practices within specific countries.

The keynote speaker, Mr. Georges Dassis, President of the European Economic and Social Committee (EESC), highlighted the importance of migration for an ageing European population and that migrants need to be treated equitably and integrated into EU societies.

The complete report of the reunion is available [here](#).

VENEZUELA



Alonso Hernández-Pinzón, European Lawyers Foundation, meets with Norwegian MP Ms. Ingjerd Schou, Ambassador Dag M. Ulnes, Alfredo Romero from Foro Penal Venezolano, and Ms. Schou's advisor on foreign policy, at the Norwegian Parliament.

On 1 October 2017, the European Lawyers Foundation (ELF) began working on its second project on Venezuela. Whereas the first project (2016-2017) dealt with the re-establishment of the rule of law in Venezuela, the second project focuses on the independence of the Venezuelan judiciary. The project will aim to draft a report outlining the different steps which need to be taken to achieve this independence. It will include the possible creation of an independent Constitutional Court, the re-establishment of the Council for the Judiciary in Venezuela, and the requirements for a judicial career based on excellence, knowledge, and skills. As part of this new project, ELF participated in various meetings which took place in Oslo (Norway) from 28 February - 2 March 2018. Moreover, ELF also

participated in a [seminar](#) organised by the Norwegian Latin America Research Network, the Norwegian Centre for Human Rights, and the Norwegian-Venezuelan Justice Alliance. ELF took this opportunity to address the issue of judicial reform in Venezuela. Finally, ELF also contributed to meetings between Foro Penal Venezolano and the Norwegian-Venezuelan Justice Alliance. Also present were representatives of the Ministry of Justice, Ms. Ingjerd Schou, Member of Parliament and of the Standing Committee on Foreign Affairs and Defence, and Mr. Dag Mork Ulnes, the former Norwegian Ambassador to Venezuela.

NEWS IN SHORT

▷ ELIL is currently seeking more volunteers and will be welcoming applications until 30 June 2018. To ensure the continuation of its activities, [ELIL are also seeking additional funds.](#)

For more information, please visit: www.elil.eu and/or contact the Managing Director Philip Worthington (p.worthington@europeanlawyersinlesvos.eu).

▷ The CCBE is always very happy to welcome national delegations to its offices. The Finnish Bar Association was in Brussels on 19 March and we wish to thank them for taking the time to join us.

▷ The Innovative Legal Services Forum (ILSF) will be held on 17 May 2018 in Prague. The ILSF is a unique event and focuses on three major areas: technology, business, and CEE visions.

The conference will gather some of the finest experts in their respective fields and the CCBE will have the privilege of hosting a panel on "The Future of the legal profession".

A promotion code has been secured for all CCBE members which provides a 25 % discount during online registration. Contact the CCBE to secure this code.

▷ As our February issue announced, the [EVIDENCE2e-CODEX project](#) was officially kicked off in Florence, on 7 and 8 March 2018. CCBE and European Lawyers Foundation (ELF) representatives were in attendance.

UPCOMING EVENTS

17/05/2018 *Innovative Legal Services Forum – Prague*

18/05/2018 *CCBE Plenary Session – Prague*

29/06/2018 *CCBE Standing Committee – Brussels*