

**Mr Gérald Darmanin**

Minister of Justice, Keeper of the Seals  
Ministère de la Justice  
13, place Vendôme  
75042 Paris Cedex 01  
France

10 April 2026, Brussels,

**Re: Draft Bill on Criminal Justice and Respect for Victims**

Dear Minister Darmanin,

I am writing in my capacity as President of the Council of Bars and Law Societies of Europe (CCBE). The CCBE is recognised as the voice of the European legal profession representing, through its members, more than 1 million European lawyers.

The CCBE represents European bars and law societies in their common interests before European and other international institutions. It regularly acts as a liaison between its members and the European institutions, international organisations, and other legal organisations around the world. Access to justice, the regulation of the profession, the defence of the rule of law, human rights and democratic values are the most important missions of the CCBE.

On behalf of the CCBE, I would like to raise concerns regarding the recently proposed draft bill on criminal procedure, which has raised profound concern across the legal profession in France and beyond.

Foremost among these concerns is the proposed introduction of plea bargaining in criminal matters. While we fully acknowledge the pressing need to address delays within the French justice system, we must firmly express our opposition to reforms that risk undermining its foundational principles. The delays currently affecting the system are indeed unacceptable, and we share the view that they demand urgent and meaningful action. However, the solution cannot lie in the adoption of mechanisms that would lead to an increasingly expedited form of justice at the expense of fairness, transparency, and the right to a full and proper hearing.

Justice cannot be reduced to a process devoid of hearings, nor can it be equated with a form of negotiation that risks imbalance. The introduction of plea bargaining in criminal law carries the inherent danger of transforming justice into an administrative exercise, where efficiency is prioritised over truth and the application of essential procedural safeguards. In doing so, it risks weakening both the presumption of innocence and the right to a fair trial, as protected under Article 47 of the Charter of Fundamental Rights of the European Union, which affirms the right to an effective remedy and to a fair and public hearing. Such a shift would mark a profound departure from the values that underpin the French legal tradition.

Equally troubling is the possible erosion of the lay jury system, which plays a vital role in ensuring that citizens remain directly involved in the administration of justice. Distancing the

public from this function risks weakening confidence in the judiciary and diminishing the democratic legitimacy of criminal adjudication.

Furthermore, the proposed restrictions on the ability of defence counsel to raise procedural objections represent a significant curtailment of defence rights. These safeguards are not mere technicalities - they are essential guarantees of a fair trial and a cornerstone of the rule of law.

Plea bargaining risks introducing a form of justice where expediency supplants truth and negotiation replaces adjudication. A justice system that resolves criminal matters without a genuine hearing ceases to be justice - it becomes case management. Consequently, this would not be a reform of justice, but a transformation of its very nature.

We therefore respectfully submit that this moment calls for reflection rather than acceleration. The challenges faced by the French justice system are real and pressing, but they must be addressed through adequate resourcing and structural support - not through measures that compromise its integrity.

We therefore urge you to reconsider the proposed measures and to engage in meaningful dialogue with the legal profession to ensure that any reform strengthens - rather than weakens - the fundamental principles of justice.

In conclusion, the CCBE appreciates and recognises the importance of the challenges that justice systems face. However, the problem is not that there is too much justice, but that there are too few resources to deliver it - and systems are never strengthened by lowering the standards upon which they are built.

Yours sincerely,



**Roman Završek**  
President  
Council of Bars and Law Societies of Europe (CCBE)