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Council of Bars and Law Societies of Europe
The voice of European Lawyers

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CCBE response to the European Commission call for evidence and consultation: EU Civil Society Strategy

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EXECUTIVE SUMMARY

This paper contains the CCBE's response to the European Commission's call for evidence on the EU Civil Society Strategy. It welcomes the initiative and the recognition that civil society actors, including lawyers, play a significant role in defending EU values, fundamental rights, and democratic checks and balances.

The CCBE paper highlights the essential role that lawyers play in securing access to justice, the right to a fair trial, and effective defence for individuals and organisations, including civil society actors and human rights defenders. It stresses that the independence and safety of lawyers are prerequisites for a functioning democracy and open civic space. On the other hand, the paper highlights that pressure or attacks on lawyers undermines the rule of law and access to justice, with chilling effects, notably in migration and asylum contexts.

The CCBE response also emphasises that legal aid is a cornerstone for the provision of access to justice. In this regard, the paper calls for well-functioning and properly resourced national State funded legal aid systems that are flexible and accessible from the earliest possible stage. Such legal aid systems need to be regularly evaluated and accompanied by public information on rights and providers, in all relevant languages, and accessible digital channels.
Drawing on the CCBE's 2024 report, the paper refers to rising threats, harassment, and aggression against lawyers, and refers to concrete examples, especially in the area of immigration, human rights, and criminal defence.

The CCBE response also calls for the rapid signature and ratification of the Council of Europe Convention on the Protection of the Profession of Lawyer. It also calls for meaningful consultations with civil society, better planning and timelines for consultations, and relevant engagement with Bars and Law Societies throughout strategy design and implementation.

The Council of Bars and Law Societies of Europe (CCBE) represents the Bars and Law societies of 46 countries, and through them more than 1 million European lawyers. The CCBE responds regularly on behalf of its members on policy issues which affect European citizens and lawyers.

The CCBE welcomes the European Commission's initiative to develop an EU Civil Society Strategy. In particular, it appreciates the recognition of the vital role played by civil society actors, including lawyers, in defending EU values, promoting fundamental rights, and strengthening democratic checks and balances. In this response, the CCBE seeks to highlight the role of lawyers as key civil society actors and to put forward concrete proposals for the forthcoming EU Civil Society Strategy.

The crucial role of lawyers in defending EU values and empowering civil society

Lawyers are essential actors in the protection and promotion of EU values, the rule of law, and fundamental rights. Their work ensures access to justice, the right to a fair trial, and the effective defence of individuals and organisations, including civil society actors and human rights defenders. In the words of the Court of Justice of the European Union (CJEU), lawyers are assigned a fundamental role in a democratic society, that of defending litigants - "*That fundamental task entails, on the one hand, the requirement, the importance of which is recognised in all the Member States, that any person must be able, without constraint, to consult a lawyer whose profession encompasses, by its very nature, the giving of independent legal advice to all those in need of it and, on the other, the correlative duty of the lawyer to act in good faith towards his or her client*"[1].

Lawyers frequently represent those who challenge abuses of power, defend the rights of minorities, and advocate for democratic principles – often in highly sensitive or contentious contexts[2].

The independence and safety of lawyers are not only professional imperatives, but also prerequisites for a functioning democracy and an open civic space. Without lawyers there is no guarantee for free and independent actions, the rights of citizens and civil society actors cannot be effectively protected, and the rule of law is undermined.

Moreover, lawyers are often at the forefront of defending civil society organisations and human rights defenders, providing legal representation, advice, and advocacy in the face of state or non-state pressure. When lawyers themselves are targeted, the entire ecosystem of civil society protection is weakened. The chilling effect of threats and aggression against lawyers extends to civil society actors, who may be left without effective legal support or fear reprisals by association.

Therefore, attacks or pressure on lawyers not only endanger individual lawyers but also undermine the rule of law and access to justice for vulnerable groups and citizens.

[1] Case C-623/22, Belgian Association of Tax Lawyers, 29 July 2024, par. 115.
[2] https://www.ccbe.eu/actions/human-rights-portal/human-rights-letters/

The CCBE also wishes to highlight the valuable contribution of lawyers to civil society through providing legal services for free – whether through initiatives led by Bars and Law Societies, individual law firms, or lawyers engaging in so called pro bono work.

Building on this commitment, the CCBE supports various initiatives that promote access to justice, such as the work of European Lawyers in Lesvos (ELIL) – a charitable, non-profit organisation specialising in asylum law and offering free legal assistance to asylum seekers. The CCBE is proud to have been one of the founding partners of ELIL. At the same time, it is important to recognise the broader contribution of all lawyers. Their work is fundamental to the functioning of the rule of law and the protection of civil rights across society.

The importance of a well-functioning legal aid system

In this context, the CCBE underscores the critical importance of legal aid as a cornerstone of access to justice, particularly for those whose rights are at risk and who lack the financial means to obtain legal representation. By making justice accessible to all, legal aid strengthens the principle of equality before the law. Lawyers providing legal aid play a vital role in protecting individual rights and freedoms, offering the legal expertise necessary for citizens to navigate complex legal systems effectively.

Therefore, the CCBE underlines the importance of well-functioning and properly resourced national State funded legal aid systems which must be flexible, accessible from the earliest possible stage, and subject to regular evaluation in light of emerging societal needs and legal developments. Moreover, the public must be adequately informed of their right to legal aid.

In its 2023 updated "Recommendations on legal aid", the CCBE reiterated the following key points:
"It is a fundamental obligation for governments to ensure that there is adequate funding for legal aid, to ensure compliance with human rights and the rule of law", as well as *"Improving access to justice and strengthening public confidence in institutions requires that citizens are informed about legal aid. This includes making information accessible and child-friendly where appropriate. Where an individual may be eligible for legal aid, they should be informed accordingly and provided with details of available legal aid providers. States must intensify efforts to disseminate such information, using all relevant languages and digital channels. Online application systems for legal aid must be available, while acknowledging that some individuals may face difficulties in accessing or using these systems."*

Threats and pressures faced by the legal profession and the impact on civil society

In recent years, the EU has adopted several measures that (potentially) encroach upon the independence of the legal profession (e.g. AML-package, DAC6, Proportionality Directive, …). The CCBE stresses the importance of recognising the vital and exceptional position of lawyers and Bars within the rule of law and civil society as a whole and the need for a vigilant approach towards initiatives that challenge the fundamental principles of the legal profession.

Individual lawyers are also facing pressure. Despite their central role, lawyers across Europe are increasingly subject to threats, harassment, and aggression. In response to signals about those rising instances of violence, threats, and harassment directed at lawyers across Europe, the CCBE launched in 2023 and 2024 a survey to gather data on these incidents. This survey, aimed at lawyers of member Bars and Law Societies of the CCBE, sought to document both the prevalence and impact of aggression and intimidation faced by lawyers in the course of their work. From this survey, the CCBE published at the end of 2024 a report on threatening behaviour and aggression towards lawyers.

The CCBE's 2024 report, based on responses from nearly 15,000 lawyers across 18 countries, reveals alarming trends:

- 57.65% of lawyers reported being victims of threatening behaviour or aggression at least once in the past two to three years.
- Verbal aggression (64.36%) and harassment (43.91%) are the most common forms, with significant levels of threatening behaviour (36.51%) and even physical aggression (11.86%).
- A substantial proportion of lawyers report impacts on their mental health (24.74%), job satisfaction (32.12%), and professional conduct (16.55%).
- Over one-third (35.36%) have considered leaving the profession due to such threats and aggression.

Additionally, the report shows that the environment for lawyers is worsening, with a significant number of respondents reporting an increase in threats and aggression over the past five years.

These findings are corroborated by concrete examples from across Europe, including targeted harassment campaigns, physical assaults, and public discrediting of lawyers –

particularly those working in fields such as immigration, human rights, and criminal defence[3].

Pressure on lawyers and civil society actors working in the field of migration

In this context, the CCBE has also been informed about a number of worrying attacks on lawyers assisting migrants. The CCBE finds it unacceptable that lawyers, because of their work on assisting migrants and refugees in compliance with the law, are under increased pressure and receive threats, mostly from far-right groups. This concerns all lawyers, including those working for NGOs.[4] The CCBE recalls that in a society governed by the rule of law, everyone's rights need to be protected, and lawyers must be able to freely and independently protect those rights.[5]

Lawyers, when representing their clients or assisting vulnerable people, act as essential actors of the justice system and allow those who have rights to claim them. Therefore, the CCBE categorically rejects any insinuation or argument that by making appeals or acting in front of courts, lawyers abuse the law.

Consequently, the CCBE publicly condemned the stigmatisation of and threats to immigration lawyers, as set out in its dedicated statement, underlining the particular risks faced by lawyers defending migrants and refugees[6].

The CCBE also expressed its concern about the chilling effect that some EU legislation could have on lawyers providing legal assistance to migrants and civil society, or even criminalisation risks. This is in particular the case with the proposal for a new Anti-Smuggling Directive that lacks clarity. In this regard, the CCBE called on the co-legislators

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[3] Harcèlement et intimidation à l'encontre de l'avocate Botagoz Jardemalie (18/12/2024) ; Menaces de mort à l'encontre de 97 avocats ; Préoccupations concernant les menaces et le harcelement à l'encontre d'avocats en France (03/02/2025) ; Attack on lawyer Manolis Papadomanolakis (04/10/2022) Judicial harassment of lawyer Michał Romanowski (04/08/2021) ; Murder of lawyer Derk Wiersum (27/09/2019)

[4] See for example the letter by NGOs providing legal information sent to the European Commission, "Targeting and intimidation of civil society organisations providing legal support to persons denied access to asylum in Greece", August 2025, available here.

[5] EN_MIG_20241121_CCBE-Statement-on-recent-developments-and-upcoming-EU-actions-in-the-field-of-asylum.pdf

[6] CCBE statement condemning stigmatisation of and threats to immigration lawyers (04/04/2025)
See also the concerns raised by the CCBE in its position paper on the proposal for a Directive laying down minimum rules to prevent and counter the facilitation of unauthorised entry, transit and stay in the Union (17/05/2024) regarding the risks for lawyers providing assistance to migrants or civil society acting on humanitarian grounds. The CCBE is particularly worried about the potential chilling effect on lawyers and risks of criminalisation of legal assistance.

to include in the text a clear exemption for lawyers and civil society to make sure that their work is not discouraged or criminalised.[7]

This area of EU law calls for particular attention as the CJEU also recognised that some criminalisation laws might restrict or have a deterrent effect on the rights of asylum seekers foreseen in EU law and on the derived right of lawyers to respond to requests for assistance from asylum seekers.[8]

The CCBE also urges cautiousness regarding the use of the concept of instrumentalisation and creating zones closed to lawyers or other civil society actors. The CCBE reiterates the importance of applying certain principles applicable in the field of migration and asylum regardless of the present difficulties undoubtedly faced by Member States. These principles include the defence of the rule of law, the protection of fundamental rights and freedoms including the right of access to justice. These principles must always prevail over any political or economic consideration.[9]

The CCBE therefore proposes that the upcoming EU Civil Society Strategy encourages that all areas of EU law recognise and allow lawyers and civil society actors to play their role without undue and disproportionate restrictions.

The need for robust protection: The Council of Europe Convention on the Protection of the Profession of Lawyer

Given the scale and seriousness of the threats facing lawyers, the CCBE strongly supports the new Council of Europe Convention on the Protection of the Profession of Lawyer. This binding legal instrument should be rapidly signed – not only by all EU Member States – but also by the EU. It is notably essential to:

- Guarantee the independence, safety, and effective functioning of the legal profession.
- Ensure that lawyers can perform their duties free from intimidation, harassment, and undue interference.
- Strengthen the protection of civil society actors and human rights defenders, who depend on independent legal support.

The Convention, recently adopted by the Council of Europe's Committee of Ministers and already signed by 18 countries, provides a comprehensive framework for the protection of lawyers, including safeguards against threats, attacks, and undue restrictions on their

[7] EN_MIG_20250508_Joint-letter-calling-on-MEPs-to-support-a-mandatory-humanitarian-clause-in-the-anti-smuggling-directive.pdf
[8] Case C-821/19, Commission v. Hungary, 16 November 2021, par.95, available here: CURIA - Documents
[9] EN_MIG_20211215_CCBE-Statement-on-Situation-at-the-EU-border-with-Belarus.pdf

work. Its implementation would reinforce the EU's commitment to the rule of law, its values and the protection of civic space.

The CCBE urges the European Commission to ensure that the EU Civil Society Strategy fully addresses the risks faced by lawyers and commits to robust, coordinated action – including the rapid signature and ratification of the Council of Europe Convention – to guarantee their independence and safety. Only by doing so can the EU safeguard the rule of law, empower civil society, and uphold its values as well as the rights and freedoms at the heart of the EU.

Meaningful consultations with civil society[10]

As a general remark, the CCBE regrets that the public consultations are often launched over a period covering summer/holiday months. This factor can have an impact on the availability of various organisations to prepare their contributions, and on the level of participation of various stakeholders in the consultation. In this regard, the consultation process would be greatly enhanced – both in quantity and quality – if it could be undertaken during an appropriate consultation period.

The Commission's Better Regulation Guidelines set a complementary requirement of sufficient time for participation. This requires allowing sufficient time for planning, responding to invitations and providing written contributions. In order to be fully in line with the spirit of the Better Regulation Guidelines, and in order to increase the chances of obtaining a good amount of quality contributions, the Commission should consider avoiding publishing public consultations during the months covering holiday periods or consider prolonging the period for feedback beyond three months, if this period falls during the holiday months.[11]

The nature of work of many organisations requires some type of approval process for official positions or contributions to public consultations. While the preparatory work may be carried out over the holiday period, it is more difficult to carry out a collaborative process, such as a discussion within a relevant constituent body of an organisation, and then a formal approval process.

The CCBE welcomes that the Commission is aware of the findings of the FRA report of 2024 that noted the lack of opportunities for meaningful consultation.

Moreover, the CCBE observed that in recent months the sheer amount of calls for evidence has increased. While the CCBE welcomes the opportunities this presents, it

[10] EN_TAX_20240729_CCBE-response-to-the-public-consultation-regarding-directive-on-DAC-evaluation.pdf
[11] EN_TAX_20240729_CCBE-response-to-the-public-consultation-regarding-directive-on-DAC-evaluation.pdf

nevertheless wishes to stress that an accumulation of topics on which such consultations were carried out proved to be challenging to handle. This only confirms the need for a better, balanced planning of public consultations and longer deadlines. On the other hand, the CCBE believes that a public consultation should precede any legislative proposal, which in recent years has not been respected, for example, regarding the proposal for a new Return Regulation.[12]

Recommendations for the EU Civil Society Strategy

The protection of lawyers is inseparable from the protection of civil society and the defence of EU values, but lawyers are also part of civil society. In light of the above, the CCBE calls on the European Commission to ensure that the forthcoming EU Civil Society Strategy:

- **Explicitly recognises the fundamental role of lawyers in defending EU values, protecting civil society actors, and upholding the rule of law. As the strategy will include dedicated actions to support, protect and empower those organisations that are a key part of the checks and balances and who are active in promoting and protecting EU values, specific actions to support lawyers and to prevent the erosion of the fundamental principles of the legal profession (independence, confidentiality, …) should be foreseen.**
- **Encourages that all the areas of EU law recognise and allow lawyers and civil society actors to play their role without undue and disproportionate restrictions, mindful of the effectiveness of the rights foreseen within the EU Charter.**
- **Addresses the specific threats and challenges faced by lawyers, including verbal, physical, and legal harassment, and the chilling effect on civil society.**
- **Urges the EU and its Member States to swiftly sign and ratify the Council of Europe Convention on the Protection of the Profession of Lawyer and make it a central pillar of the EU Civil Society Strategy, as an essential step to rapidly implement concrete safeguards for the independence and safety of lawyers, thereby reinforcing an enabling environment for civil society and the rule of law.**
- **Establishes through EU funding, in collaboration with the CCBE and/or EU agencies (for example FRA), monitoring and reporting mechanisms to track**

[12] EUR-Lex - 52025PC0101 - EN - EUR-Lex

threats against lawyers and evaluate the effectiveness of protective measures[13].

- **Engages with Bars and Law Societies as key stakeholders in the development and implementation of the strategy.**
- **Engages with Bars and Law Societies as part of targeted stakeholders' consultations, in particular, with regard to files that might impact the legal profession, legal assistance and representation, and justice systems more generally.**
- **Includes more initiatives to systematically consult with civil society such as Civil Society Dialogue currently coordinated by DG TRADE.**
- **Takes into account that short feedback periods in the public consultations can constitute a challenge for civil society and therefore, avoids accumulating many consultations within the same period of time and foresees them during an adequate period and for sufficient time.**
- **Includes a clear recommendation to Member States to guarantee well-functioning and properly resourced national legal aid systems which must be flexible and accessible from the earliest possible stage. Moreover, Member States should raise and promote awareness about legal aid services available to citizens in each respective country. This should encompass detailed information on lawyers as legal aid providers. It is essential that such information be disseminated through all appropriate languages and accessible digital channels, to ensure that citizens are informed about the availability of legal aid at the earliest possible stage.**

Questionnaire to the public consultation

In your view, what are the main areas in which civil society organisations contribute to society in the EU and at national level? (Please rank each option according to the importance, from 1-5, 1 =most important)

	1	2	3	4	5
*Representing and giving voice to different communities and interest groups	X				

[13] This could take the form of a regular survey similar to the one done by the CCBE in 2024 as mentioned above.

*Advocating for policy change and defending fundamental rights and other common values, such as democracy and the rule of law	X				
*Delivering services and support to communities and individuals, including victim assistance and support	X				
*Acting as watchdogs and promoting transparency, accountability, and good governance			X		
*Strengthening social cohesion			X		
*Strengthening societal resilience and crisis preparedness		X			
*Strengthening democratic participation, and civic engagement		X			
*Accompanying the implementation of EU policies	X				
*Other					

In your view, what role do civil society organisations play in your Member State?

(Leave blank)

1500 character(s) maximum

Challenges and risks faced by civil society organisations in the European Union

Please indicate your perception of the challenges and risks faced by civil society organisations in the European Union. You can provide examples in the field below.

	Very high	High	Neutral	Low	Very low	Do not know
*Restrictive legal framework/legal barriers (disproportionate legislative restrictions concerning the freedom of association, access to information, loss of charitable/public benefit status etc.)				X		

*Legal action / strategic lawsuits against public participation (SLAPPs)			X			
*Criminalisation of the work of civil society organisations	X					
*Subjection to disproportionate or burdensome fines			X			
*Administrative barriers (burdensome registration processes, excessive administrative requirements or controls)				X		
*Suspected surveillance (e.g. by law enforcement)	X					
*Verbal threats and attacks against civil society organisations offline and online (e.g. online threats or harassment, disinformation)	X					
*Negative media reports/campaigns		X				
*Physical threats and attacks (e.g. vandalism of premises or property, physical attacks against employees/volunteers)	X					
*Limits on access to information		X				
*Censorship (e.g. the suppression of public communication, other information by public authorities)				X		
*Limited or inflexible funding, funding cuts		X				
*Operational challenges (e.g. staffing, use of digital tools, cybersecurity, lack of specialised knowledge/training)		X				
*Legal fragmentation within the EU and difficulties to operate in other EU Member States (e.g.			X			

due to lack of recognition, administrative burden, etc.)						
*Other types of challenges (if aware, please provide examples below)						

If relevant, please provide an example in accordance with the above identified challenges

1500 character(s) maximum

Why do you think it is important to protect civil society organisations?

In order to ensure that concrete measures to protect lawyers, ensuring their independence and safety as a condition for an enabling civic space to be rapidly put in place, the EU and its Members States should rapidly sign and ratify the Council of Europe Convention on the Protection of the Profession of Lawyer. More information about the Convention:

https://www.ccbe.eu/actions/council-of-europe/council-of-europe-convention-on-the-profession-of-the-profession-of-lawyer/

1500 character(s) maximum

What is your overall assessment of how these challenges for civil society organisations have evolved over the last 5 years?

Answer
Significantly improved
Answer
Somewhat improved
Answer
Stayed the same
Answer
Somewhat worse
Answer
Much worse

Question (Optional follow-up)

Please briefly describe how the situation has worsened/improved.

Based on our 2024 CCBE report on threatening behaviour and aggression towards lawyers, and following responses from nearly 15,000 lawyers across 18 countries, the results reveal that a significant portion of the responding lawyers across Europe have observed an increase in threatening behaviour, harassment, and aggression over the past five years. On average, 12.6% of respondents indicated that such incidents have strongly increased, while 32.94% reported they have increased. In contrast, only 1.23% of

respondents noted a decrease, and 0.21% observed a strong decrease in these behaviours. Additionally, on average, 37.14% of respondents were uncertain, indicating they do not know whether there has been a change. Finally, 15.88% indicated that they believe the level of threats remained the same over the past five years. Out of fifteen countries, the majority of the responding lawyers in eight countries found that threatening behaviour, harassment, and aggression targeted at the legal profession increased over the past five years. In the other countries, the majority of the responding lawyers indicated that they do not know whether there has been an increase or a decrease. Very few of the responding lawyers from all the countries indicated that there has been a decrease in aggression against lawyers.

Existing measures to support and create an enabling environment for civil society organisations

In your view, how effectively does your country support an enabling environment for civil society organisations to operate freely and independently?

Answer
Very effectively
Answer
Somewhat effectively
Answer
Not very effectively
Answer
Not at all effectively
Answer
Do not know

Which of the following measures do you think are most important to ensure a safe and supportive environment for civil society organisations in your country? *Maximum 3 selection(s)*

Answer
Legal protections for freedom of association, assembly and expression
Answer
Access to predictable, transparent and sustainable funding
Answer
Clear rules and transparent criteria for participation in policymaking and public consultations, and effective mechanisms to enable such participation (e.g. access to information, regular feedback cycles)
Answer
Protection from threats, harassment or attacks
Answer
Public recognition and awareness of civil society organisation's work
Answer

Impact assessments on the impact of laws on civil society organisations

Answer

National policies or strategies on civil society

Answer

Rapid signature and ratification of the Council of Europe Convention on the protection of the profession of lawyer

Dialogue / Participation

Are you aware of existing rules or structure in your country (EU Member State(s)) concerning how public authorities engage with civil society organisations, in particular to allow them to meaningfully participate in the decision-making process? If so, please provide examples, in particular of any relevant best practices.

1500 character(s) maximum

Are you aware of existing measures at EU level to engage with civil society organisations, in particular to allow them to meaningfully participate in the decision-making process? If so, please provide examples, in particular of any relevant best practices.

The CCBE has been participating in the Civil Society Dialogues organised by DG TRADE and also in a Civil Society Forum regarding the EU-UK Trade and Cooperation Agreement. These are best practices that could be replicated into other areas of EU action.

Regarding thematic fora such as European Migration Forum, they are useful, but as they are organised once a year and thematic coverage is quite broad, their impact is limited.

The CCBE has also experience as a member of the Consultative Forum of Frontex and believes this form of consultation between civil society and the agency is another good practice that allows meaningful and continuous dialogue and is a platform for regular, substantial exchange of views on specific topics.

1500 character(s) maximum

*

What further measures could be considered by the EU to engage with civil society organisations to ensure they can meaningfully participate in the decision-making process at EU level?

The Commission should avoid publishing public consultations during holiday periods or consider prolonging the period for feedback beyond three months, if this period falls during the holiday months. This would be fully in line with Better Regulation Guidelines that set a complementary requirement of sufficient time for participation. This would

increase the chances of obtaining a good number of quality contributions. Indeed, the Commission consultations are often launched over a period covering summer/holiday months. This factor can have an impact on the availability of various organisations to prepare their contributions and on the level of participation of various stakeholders in the consultation.[14]
The nature of work of many organisations requires some type of formal approval process of official positions or contributions to public consultations. While the preparatory work may be carried out over the holiday period, it is more difficult to carry out a collaborative process, such as a discussion within a relevant constituent body of an organisation, and then a formal approval process.

Consultation fora which allow regular, substantial, topical discussions, such as the Civil Society Dialogues conducted by DG TRADE are a good practice that should be replicated in other areas. Bars and lawyers should be more proactively consulted as key stakeholders, as part of targeted consultations on the topics related directly to the profession and to justice.

1500 character(s) maximum

In your view, in which policy areas should civil society participation be further strengthened?

Security, internal, home affairs

1500 character(s) maximum

Protection

Are you aware of existing measures <u>in your country</u> to protect civil society organisations that are at risk? If so, please provide examples, in particular of any relevant best practices.

National bars, as well as international lawyers' associations, usually monitor attacks on lawyers and impacts on justice systems.
1500 character(s) maximum

Are you aware of existing measures <u>at EU level</u> to protect civil society organisations that are at risk? If so, please provide examples, in particular of any relevant best practices.

[14] EN_TAX_20240729_CCBE-response-to-the-public-consultation-regarding-directive-on-DAC-evaluation.pdf

The CCBE sends human rights letters to national authorities and issues statements in solidarity with endangered lawyers.

See for example actions taken by the CCBE to highlights threats against the legal profession:

https://www.ccbe.eu/actions/human-rights-portal/
https://www.ccbe.eu/actions/human-rights-portal/human-rights-letters/

The CCBE is not aware of any specific mechanism that would protect civil society of risks. There are some mechanisms that allow for the flagging of issues, but their purpose is not focussed on protecting those at risk. For example, civil society regularly uses the European Ombudsman complaint mechanism. The CCBE is also aware that some EU agencies, e.g. Frontex has a complaint mechanism for which its Fundamental Rights Office is in charge and which has gradually built expertise over recent years. From an international level, both the Council of Europe and UN could serve as inspiration as they have special rapporteurs mechanism. The CCBE in this regard always tries to flag cases where lawyers are threatened to the EEAS and the EU Special Representatives for Human Rights.

A concrete mechanism that will help protect lawyers is the newly adopted Convention on the protection of the profession of lawyer. To become effective, it needs first to enter into force and therefore needs to be signed and ratified as quickly as possible.

Please indicate which of the following measures, to be taken at EU level, would in your view be most important to protect civil society organisations in the EU (ranking from 1 to 5, 1=most important)

	1	2	3	4	5
*Gather, consolidate and report information on the situation of civil society organisations across the EU		X			
*Introduce specific protection measures for civil society organisations facing threats and attacks at national level (e.g. hotlines, dedicated complaint mechanisms within police structures, psychological support, safe housing, relocation, etc.)	X				
*Strengthen the role of National Human Rights Institutions to protect civil society organisations		X			
*Specific protection measures for civil society organisations facing threats at EU level			X		
*Funding for civil society organisations promoting democracy and common values		X			

*Funding for civil society for protection measures, including legal, cyber, physical and psychological protection		X			
*Funding for capacity building and training of civil society organisations, including on holistic protection		X			
*Work with international organisations to strengthen the protection for civil society organisations			X		
*Reinforce regular dialogue with civil society organisations at national level			X		
*Support to EU Member States to put in place participation frameworks for civil society organisations			X		
*Reinforce regular dialogue with civil society organisations at EU level	X				
*Facilitate cross-border activities of civil society organisations in the EU			X		

- **What further measures could be considered by the EU to better protect civil society organisations that are at risk?**

  The EU and its Members States should rapidly sign and ratify the Council of Europe Convention on the Protection of the Profession of Lawyer.
  In addition, it could be considered to establish through EU funding, in collaboration with the CCBE and/or EU agencies (for example FRA), monitoring and reporting mechanisms to track threats against lawyers and evaluate the effectiveness of protective measures[15].

1500 character(s) maximum

Funding

How important do you think it is to provide public funding at EU and national level for civil society organisations' activities to support them in the various roles they play in society (e.g.

[15] This could take the form of a regular survey similar to the one done by the CCBE in 2024 : https://www.ccbe.eu/fileadmin/speciality_distribution/public/documents/HUMAN_RIGHTS/HR_Guides__recommendations/EN_2024_CCBE-report-on-threatening-behaviour-and-aggression-towards-lawyers.pdf

advocacy, support services, watchdog function, awareness raising, etc.)

Answer
Very important
Answer
Important
Answer
Moderately important
Answer
Slightly important
Answer
Not important
Answer
Do not know / no opinion

Do you think that public funding provided in your country for the work of civil society organisations is sufficiently accessible and transparent?

Answer
Yes, it is generally transparent and accessible
Answer
It is somewhat transparent and accessible, but improvements are needed
Answer
No, it lacks sufficient transparency and accessibility
Answer
I am not aware of how funding is managed
Answer
Do not know / No opinion

What are the main obstacles preventing civil society organisations from fully benefiting from public funds at national or EU level?

The time limits and complexity of procedures to apply for public funding are an obstacle.

1500 character(s) maximum

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Do you think that the current legal frameworks in the EU sufficiently allow for cross-border funding (e.g. donations made from a donor in one Member State to a civil society organisation based in another Member State)?

Answer
Yes
Answer
Improvements are needeed
Answer

No, there are barriers

Answer

Do not know / No opinion

Are smaller, grassroots or marginalised community-based civil society organisations adequately supported by existing funding mechanisms?

(leave blank)

1500 character(s) maximum