



Day of the Endangered lawyer: demonstration outside the Chinese Embassy in Brussels

CCBE Info

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NEW PRESIDENCY OF THE CCBE

On 1 January 2017, Ruthven Gemmell WS became the new President of the Council of Bars and Law Societies of Europe (CCBE).

His presidency will be supported by Antonín Mokrý (Czech Republic) as 1st Vice-President, José de Freitas (Portugal) as 2nd Vice-President, and Ranko Pelicarić (Croatia) as 3rd Vice-President.

Mr Gemmell was president of the Law Society of Scotland from 2006-07, and joined the CCBE as the Scottish representative to the UK delegation in 2007. Ruthven Gemmell takes over from Michel Benichou.



Ruthven Gemmell WS

Antonín Mokrý

José de Freitas

Ranko Pelicarić

EC PACKAGE ON SERVICES IN THE SINGLE MARKET

On 10 January 2017, the European Commission (EC) presented a set of initiatives focusing on regulated professions, as announced in its previous ‘Single Market Strategy’ Communication of 28 October 2015, with the aim of deepening the economic integration of the services market in the EU (see [press release](#)). The Package contains:

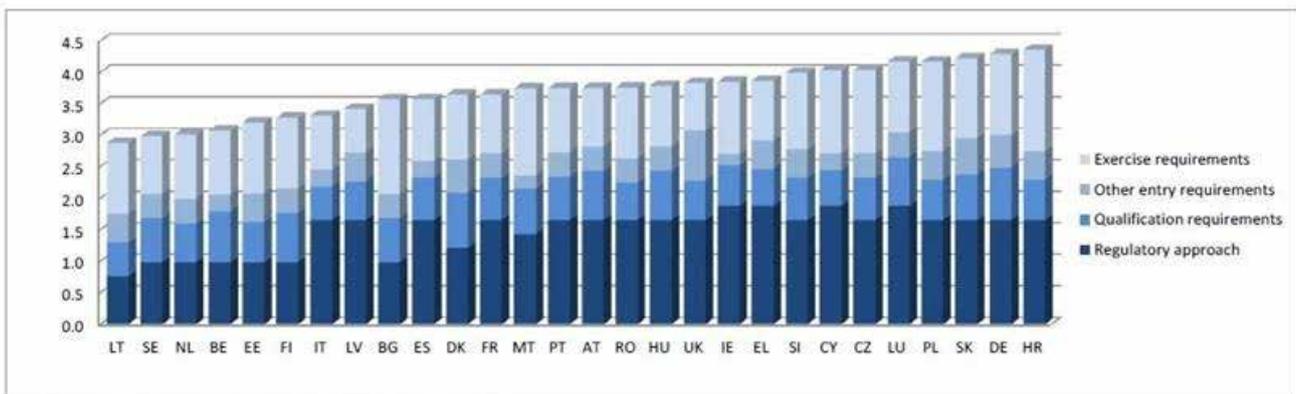
- a Guidance on reform recommendations for regulation in professional services (see [Communication and staff working document](#)). It identifies possibilities for improving the regulatory environment towards a number of selected professions, among them lawyers. The guidance includes a new restrictiveness indicator developed by the EC and based on the following criteria: Regulatory approach (exclusive or shared reserved activities, and protection of title) / Qualifications requirements / Other entry requirements / Exercise requirements. This guidance

complements the [European Semester](#) evaluations by specifically addressing the requirements applicable to these professions.

- a [Proposal for a Proportionality Test](#): To ensure a coherent and consistent approach, the Commission is proposing a comprehensive and transparent proportionality test before adopting or amending national rules on professional services. The proportionality test is therefore designed to support better regulatory practices and to fully appreciate their effects upon stakeholders and the broader business environment.
- a [Proposal for a Services Notification Procedure](#)
- a [Proposal for a Services e-card](#)

The CCBE will thoroughly examine such proposals and their potential effects for its member Bars and Law Societies and the legal profession across the EU.

Chart on the restrictiveness as to the access and exercise of the profession of lawyer in all Member States:



Source: European Commission, November 2016.

EUROPEAN PARLIAMENT COMMITTEE OF INQUIRY INTO MONEY LAUNDERING, TAX AVOIDANCE AND TAX EVASION (PANA)

The CCBE was invited to participate in a hearing on 24 January organised by the European Parliament Committee of Inquiry into Money Laundering, Tax Avoidance and Tax Evasion (PANA).

During the hearing, the CCBE highlighted its support for the fight against money laundering, and explained how the profession has

been actively engaged in countering existing and potential risks. The CCBE explained how lawyers are covered by the obligations included in the EU anti-money laundering Directive and the International standards set by the FATF. The CCBE emphasised that its member Bars and Law Societies do not, and never will, condone the actions of any lawyer who knowingly participates in any criminal activity of

a client, whether relating to money laundering, tax evasion or any other criminal activity. It is in our interest to protect the reputation of the legal profession, and any lawyer that is involved in illegal activity hurts the reputation of the entire profession. The CCBE concluded by stating that it is in favour of clear, workable and proportionate rules to fight money laundering and tax evasion.

INGO CONFERENCE ADOPTS RESOLUTION ON SURVEILLANCE OF LAWYERS

On 27 January, the INGO Conference of the Council of Europe adopted with an overwhelming majority the following resolution: Recommendation on '[Surveillance of lawyers: the need for standards safeguarding client confidentiality](#)'.

This resolution was prepared by the CCBE and is in line with its [Recommendations on surveillance](#).

The CCBE enjoys participatory status in the INGO Conference, which is the body representing civil society in the Council of Europe and works to promote participatory democracy.

The Resolution will in due course be submitted to the Council of Europe bodies, including the Committee of Ministers, and to other international or national institutions as well as to the media.

DAY OF THE ENDANGERED LAWYER

On 24 January, the CCBE supported the Day of the Endangered Lawyer 2017 devoted to the situation of lawyers in China. This initiative is organised every year by the Day of the Endangered Lawyer Foundation and the European Democratic Lawyers (AED), with the support of several other lawyers' organisations. Each year, there is a focus on a

different country. This year the country chosen was China, given the particularly intense crackdown against lawyers which has happened since 2015. The CCBE participated in a demonstration outside the Chinese Embassy in Brussels, together with representatives of the Belgian Bar and other lawyer and human rights organisations. The CCBE

also participated in the conference organised by the International Observatory for Lawyers in danger (OIAD) in Paris. Demonstrations happened in 19 countries around the world.

More information about the Day of the Endangered Lawyer can be found on [their website](#).

TRALIM PROJECT

On 15 June 2016, the European Lawyers Foundation began implementing the TRALIM project, co-financed by the European Union. The aim of the project is to train 130 lawyers from 5 different Member States (Spain, Greece, Ireland, Italy and Poland) on EU Law relating to asylum and immigration from the perspective of the EU Charter of Fundamental Rights. The project, which takes place through 4 seminars, will last 12 months. After the first 6 months, and now that the two first seminars have been held, it is time to undertake a mid-term evaluation.

The first seminar was held in Madrid in October, and the second one in Athens in December 2016. The seminars each had a duration of 1,5 days (more information can be found [here](#)). The TRALIM seminars offer a good example of how training can deal with important topics while at the same time offering the participants networking opportunities.

By the mid-term of the project's life, TRALIM has proved to be a success story. The seminars in Madrid and Athens have been well attended (indeed we have surpassed the expected number of lawyers so far by 17, and we expect by the end of project to have trained more than the 130 lawyers we were committed to with the European Commission). The evaluations of the two seminars also show that the participants are satisfied with the speakers, the content, the mix of participants from different countries and the structure.

The success is thanks to the highly-qualified lawyers selected by the bars to participate in the seminars, the high quality of the speakers and the excellent relationship between the European Lawyers Foundation and its project partners (the Spanish Bar, the Athens Bar, the Law Society of Ireland, the Italian Bar and the Polish legal advisors).

We look forward to the two remaining seminars in Dublin (February 2016) and Rome (April 2016).

For more information, please contact Vassilis Stathopoulos: stathopoulos@europeanlawyersfoundation.eu

UPCOMING EVENTS

- 1-7/02 ABA Midyear Meeting (Miami)
- 16-18/02 Festivity of Sant Raimon de Penyafort, conference of the European Bars Federation/ Fédération des Barreaux d'Europe (FBE), opening of the legal year, Barcelona
- 23/02 Standing Committee (Vienna)
- 23-25/02 45th European Presidents' Conference (Vienna)