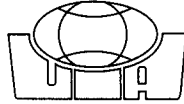


# UNION INTERNATIONALE DES AVOCATS

INTERNATIONAL ASSOCIATION OF LAWYERS  
INTERNATIONALE ANWALTS-UNION



UNION INTERNACIONAL DE ABOGADOS  
UNIONE INTERNAZIONALE DEGLI AVVOCATI

الاتحاد الدولي للمحامين

## **PROFESSIONAL CONFIDENTIALITY IN THE EUROPEAN UNION. THE DIRECTIVE ON MONEY LAUNDERING.**

*Motion voted during the Oporto Seminar,  
on September 30, 2000*

We, lawyers from eight European Union countries and four from outside the Community, gathered in Oporto at the initiative of the Union Internationale des Avocats (International Association of Lawyers) and the "Ordem dos Advogados de Portugal" to discuss "Professional confidentiality and draft directives on money laundering", hereby adopt the following resolutions:

- 1- The observation of professional confidentiality by lawyers is a fundamental right of citizens and an essential duty of lawyers that they may not abdicate. It is indispensable for the State of Law and for the proper functioning of justice and is guaranteed by Articles 6 and 8 of the European Convention on Human Rights and the permanent jurisprudence of the Strasbourg Court.
- 2- The participants at the seminar are of the unanimous opinion that the temptation of confusing the role of authorities in prosecution with that of Defence and Legal Council constitutes a step backward in the democratic organisation of society.

The seminar invites all Bar Associations and professional lawyers' Organisations in Europe to follow developments in the draft directive in question closely and to take all necessary steps to uphold the principles enunciated in the preceding point.

- 3- The fact that the scope of application of the draft directive has been expanded from the persecution of organised crime and drug trafficking to the protection of "the financial interests of the Community", insufficiently defined, is a cause for serious concern.

The European Parliament and the Law Ministers of European Community countries must be urged to defend the foundations of the Rule of Law and the individual rights of citizens uncompromisingly.