

## STATEMENT

Paris, 6 June 2025

### **Council of Europe Convention on the Protection of the Profession of Lawyer**

On 13 May 2025, high-level representatives of 13 member States of the Council of Europe signed the Convention on the Protection of the Profession of Lawyer in Luxembourg. Since then, four additional countries have joined, bringing the number of signatory States to 17.

This will be the first legally binding international instrument specifically dedicated to lawyers, enshrining the fundamental role they play in ensuring access to justice and upholding the rule of law.

The Convention is therefore of historic importance, not only for the legal profession but also for individuals seeking justice, as it aims to enhance access to justice for citizens and to strengthen the rule of Law in the States Parties.

It is worth noting that non-European States may also sign and adopt the Convention.

#### *Why such a Convention?*

Lawyers are increasingly facing threats, both individually and against representatives of the profession, that undermine their independence, whether from state or non-state actors. These include acts of violence, harassment, intimidation, and the adoption of legal restrictions on the practice of law.

As a result, the ability of lawyers to protect rights and uphold the rule of law is being compromised to varying degrees across countries.

#### *What are the objectives of the Convention?*

- To protect lawyers from violence, threats, and acts of intimidation.
- To guarantee their independence and professional autonomy.
- To safeguard and reinforce the essential role of the legal profession in upholding justice, the rule of law, and human rights.

#### *The importance of the Convention*

- Signatory States undertake to ensure the independence and safety of lawyers.
- A monitoring mechanism, the Expert Group on the Protection of the Legal Profession (GRAVO), will oversee the implementation of the Convention. GRAVO will operate through a dual mechanism: periodic evaluations to monitor general implementation, and an emergency procedure to respond rapidly to serious or systemic violations.

- Lawyers will be able to invoke the Convention as a reference in their legal arguments, as it will constitute a minimum rule of law standard that must be achieved and respected across legal systems.

*When will the Convention enter into force?*

Once it has been ratified by eight States, including six Council of Europe member States.

*What are the key principles of the Convention?*

### **1. Independence and autonomy**

- The independence and autonomy of professional associations such as Bar Associations will be guaranteed.
- All actions undermining the independence of lawyers or their associations shall be prohibited.

### **2. Bar Associations (professional associations)**

- Bar Associations will be empowered to represent the interests of lawyers, defend their independence, develop and promote professional conduct standards, oversee access to the profession, support legal training, cooperate on legal matters with intergovernmental and non-governmental organisations, and promote the well-being of lawyers.
- Governments must consult Bar Associations promptly and effectively on legislative or regulatory changes affecting lawyers or the profession.

### **3. Rights of lawyers**

- Lawyers will be able to effectively provide legal advice, assistance, and representation, including in the defence of human rights. They will have the freedom to accept, decline, or terminate client relationships (with limited exceptions to ensure access to justice).
- Lawyers shall have prompt access to their clients, including those deprived of liberty.
- Lawyers shall have effective access to relevant documents held by public authorities and courts, and be able to communicate freely with the courts and tribunals before which they are authorised to appear.

### **4. Confidentiality**

- Lawyer-client confidentiality, a cornerstone of the legal profession, will be protected.

### **5. Protection from unlawful acts and threats**

- Lawyers shall be protected against violence, threats, harassment, or unfair disciplinary proceedings.
- Lawyers' freedom of expression, particularly in relation to their clients' cases, shall be guaranteed to ensure effective representation.

- Lawyers shall not be penalised for representing individuals or causes that may be controversial or politically sensitive, so as not to undermine access to justice and the protection of rights.
- Lawyers in detention shall have access to independent legal representation.
- Investigations into attacks or threats against lawyers shall be carried out thoroughly to hold perpetrators accountable.

## 6. Access to the profession

- Admission, retention, and readmission to the legal profession shall be based on objective, relevant, and transparent criteria, free from discrimination.
- Admission decisions shall be taken by an independent body and be subject to appeal, ensuring fairness and transparency.

## 7. Disciplinary proceedings

- Fair, impartial, and transparent disciplinary proceedings shall be established to protect the rights of lawyers and to safeguard the independence of the legal profession. Appeals against disciplinary decisions shall be available to an independent court or tribunal.

## IN CONCLUSION

Following a special session of the UIA International Bar Leaders Senate held in London on 6 June 2025 during which the Convention has been presented to and discussed by Bar leaders from different continents, UIA solemnly calls upon all its members to engage with their respective States, whether European or not, in order to promote the signature and ratification of this pioneering Convention, which represents a major step forward in the protection of the legal profession and the rule of Law.

### More about the UIA

*UIA is the global and multi-cultural organisation for the legal profession, established in 1927 and now with members in 110 countries, which provides professional development, learning, promotes the rule of law, defends the independence and freedom of lawyers worldwide, and emphasizes friendship, collegiality and networking among members.*

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