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# Annual Report

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

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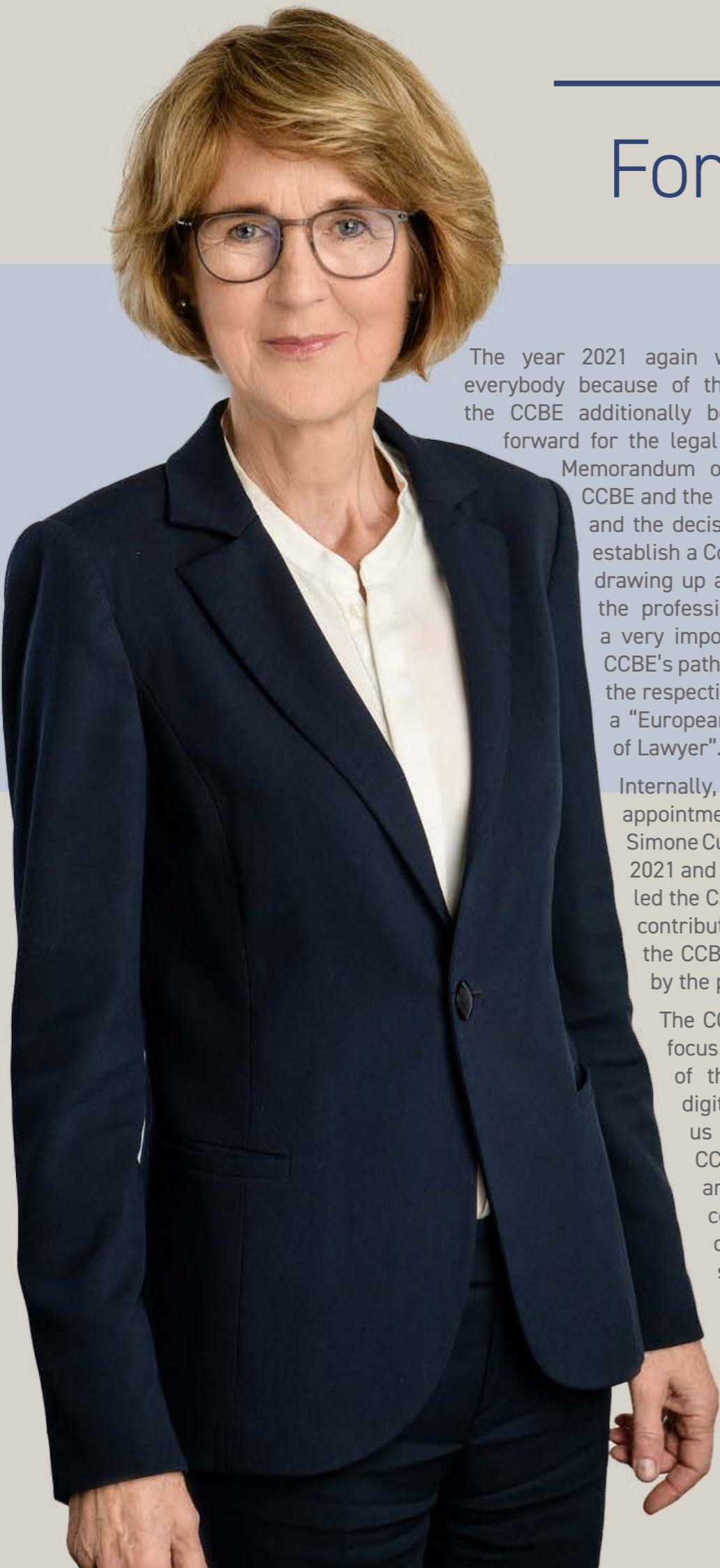
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# Foreword of the President

The year 2021 again was an exceptional year, for everybody because of the ongoing pandemic, and for the CCBE additionally because of two positive steps forward for the legal profession: the signing of the Memorandum of Understanding between the CCBE and the Council of Europe in Strasbourg and the decision of the Council of Europe to establish a Committee of Experts tasked with drawing up a European legal instrument on the profession of lawyer. This constitutes a very important intermediate step on the CCBE's path to persuade the legal world and the respective politicians of the necessity of a "European Convention on the Profession of Lawyer".

Internally, the year began with the appointment of a new Secretary General, Simone Cuomo, who took office in February 2021 and has since then very successfully led the CCBE Secretariat in Brussels and contributed to a very productive year for the CCBE despite the challenges raised by the pandemic.

The CCBE very much appreciated the focus of the Portuguese Presidency of the Council of the EU on the digitalisation of justice, which gave us the opportunity to present the CCBE's expertise in conferences and statements. The CCBE will continue to be involved in the development of the e-CODEX system (which provides easy access to cross-border justice for citizens, businesses and legal professionals all over Europe) as well as in other

issues relating to the digitalisation of legal services. During 2021 again, it was a pleasure to observe that, due to the excellent work of its IT Law Committee, the CCBE is considered as an important stakeholder with regard to digitalisation and artificial intelligence in the area of justice.

The CCBE also welcomed the European Judicial Training Strategy, in which the EU Commission announced the ambitious aim of training 15% of European lawyers by 2024 on EU law. However, we identified substantial difficulties regarding the system of funding and the possibilities for Bars and Law Societies to access the funding tools. In close cooperation with DG Justice of the Commission, the CCBE addressed these difficulties and will continue to try to make the expected training for lawyers more accessible.

In June 2021, my first travel for the CCBE since the start of the pandemic brought me to Strasbourg, where I had the pleasure and honour to sign the Memorandum of Understanding between the CCBE and the Council of Europe together with the Secretary General of the Council of Europe, Marija Pejčinović Burić. This agreement is an historic step for strengthening the cooperation with the Council of Europe. The Memorandum creates a new framework for a continuous cooperation between the two organisations to promote the rule of law by strengthening the role of an independent legal profession, as one pillar of the rule of law, and to enhance public confidence in the role of the legal profession. I would like to thank my predecessors and the CCBE experts for the excellent work which finally made this Memorandum of Understanding possible.

Throughout the year 2021, significant attention was devoted to the rule of law. The CCBE presented its views regarding the rule of law and the role of the legal profession in various high-level conferences. As an effect of the deplorable developments in some EU Countries regarding the rule of law, the promotion of the rule of law standards took centre stage. This development gave the CCBE the opportunity to present the legal profession as an indispensable pillar of the rule of law at several occasions. It was a pleasure to note that the CCBE was recognised as an important stakeholder when it comes to discussions about the rule of law and that it was possible to convey the message of the importance of the legal profession with regard to this fundamental principle of democracy. Part of this development is the annual Rule of Law Report published by the European Commission since 2020 and for which the CCBE continues to demand an adequate consideration of the legal profession.

In 2021, the Commission published a comprehensive Anti-Money Laundering package of proposals. The CCBE highlighted a number of difficulties with regard to the proposals which the CCBE believes impact on the independence of the profession, including aspects regarding legal professional privilege and measures which would have a significant impact on the issue of self-regulation. The CCBE fully supports the fight against money laundering, but it cannot support the idea of establishing oversight on the legal profession by national authorities and a supranational European body. Such oversight would not comply with the principle of independence



of the legal profession, which is guaranteed by the system of self-regulation which is an essential component of the rule of law. Bars and Law societies in the European Union are dedicated to fulfilling their duties regarding the effective supervision of anti-money laundering measures and it is of utmost importance that the legal profession is not used as an extended arm of the state.

In 2021, the CCBE unfortunately again observed many cases of harassment, detention, and deprivation of the right to exercise the legal profession, and even the murder of lawyers in many countries, including Europe. As a consequence of the dramatic deterioration of the situation of lawyers in Belarus, our yearly Human Rights Award went to four Belarusian Lawyers who paid for the exercise of their profession with years of imprisonment and disbarment. 2021 was also the year of the total breakdown of the legal profession in Afghanistan. After the takeover of the Taliban, the Independent Afghan Bar Association was closed, lawyers' licences were no longer valid and especially women lawyers were deprived of their right to exercise the legal profession. The CCBE tried to support the Afghan colleagues as much as possible and gave an exceptional Human Rights Award to all endangered lawyers in Afghanistan. For me personally, it was very touching to speak with several women lawyers from Herat in a videoconference and to listen to their reports on how they have lost everything they had achieved. The CCBE addressed the political decision-makers at EU-level to demand the

reestablishment of the Independent Afghan Bar Association from the Taliban Regime.

The year 2021 also brought a New Pact on Migration and Asylum, which was proposed by the European Commission. Although the CCBE supports the efforts to harmonise asylum law in Europe, it notes with deep concern that access to justice and legal aid provided by independent lawyers seems not to be part of the agenda of the new proposals. The CCBE expressed this concern, and will also use the opportunity as a member of the Frontex Consultative Forum to monitor the practice at borders with regard to access to lawyers and access to justice.

Finally, being a criminal defence lawyer myself, I should mention that in 2021, the European Public Prosecutor commenced her work. It was very helpful that we had an open and constructive exchange with Deputy European Chief Prosecutor Danilo Ceccarelli shortly after the start of the European Public Prosecutor's Office. We identified shortcomings with regard to defence rights on the central European level and offered our cooperation for the future.

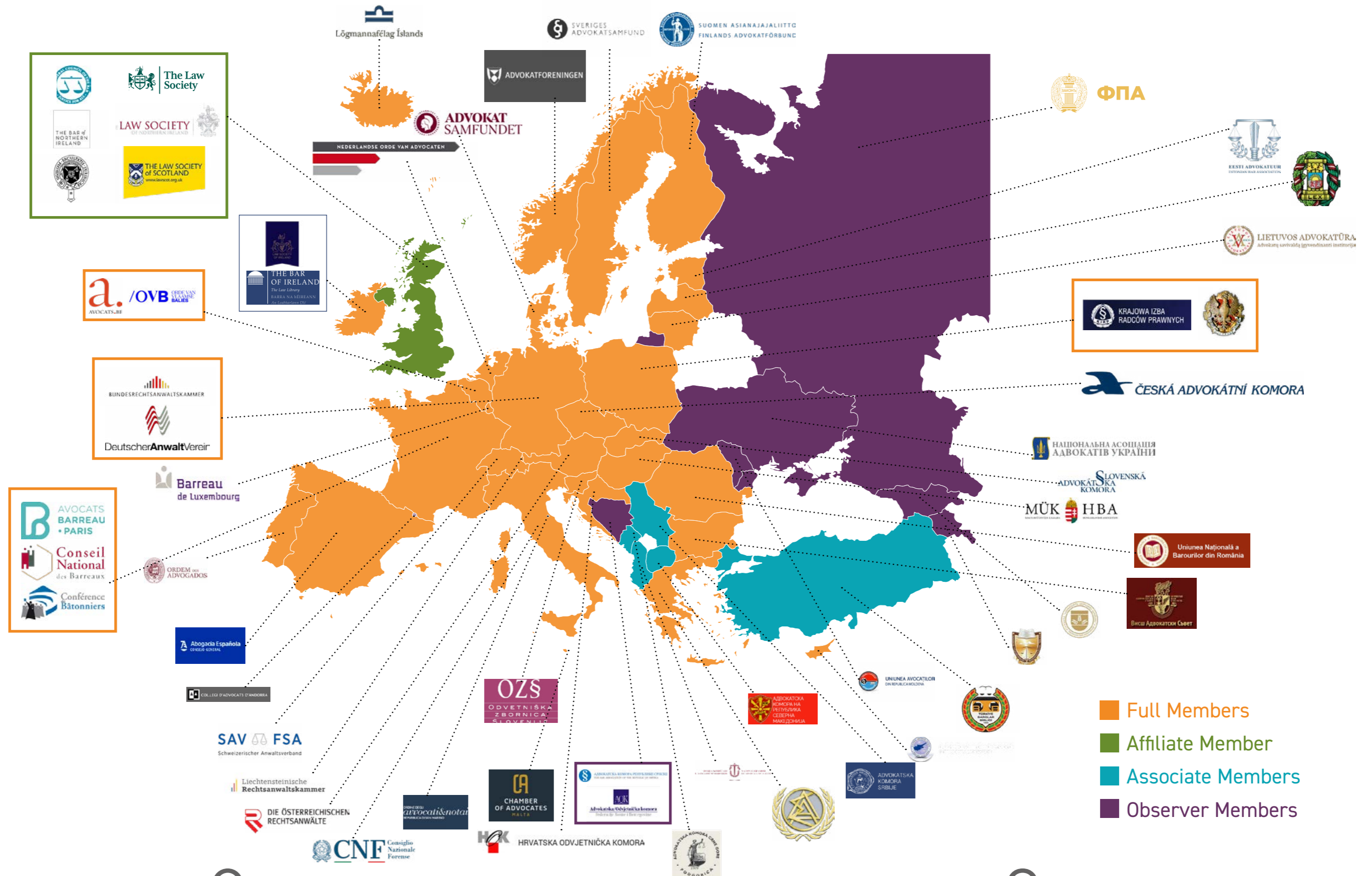
The year ended with a Plenary Session which, much to my regret, could not take place in Berlin, but was to be held online again. At least we were able to have one presential meeting for the October Standing Committee in Brussels. A highlight of this Plenary Session was the approval of the "CCBE Model Code of Conduct" on which our experts had worked for many years. With this Model Code, the CCBE as the voice of the legal profession in Europe sets standards for good practice. Looking at a

world where lawyers keep being threatened, harassed, prosecuted or detained because they fight for citizens' rights, I hope that one day all countries will allow their lawyers to

exercise their profession independently and in freedom, and to practice the values which are described in this Model Code.

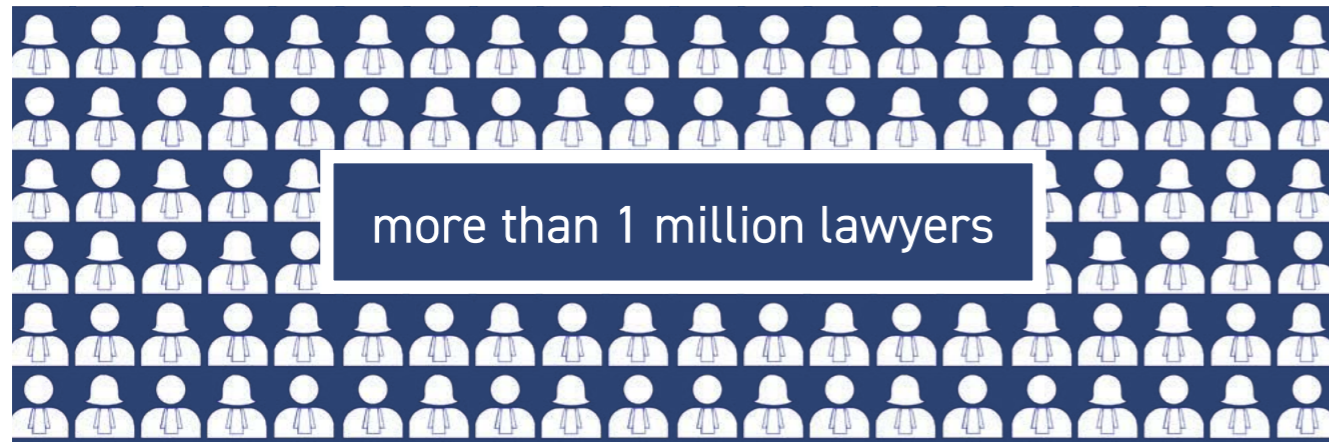


# CCBE Membership 2021





# The CCBE in figures



# 2021 in figures



# 2021 in figures

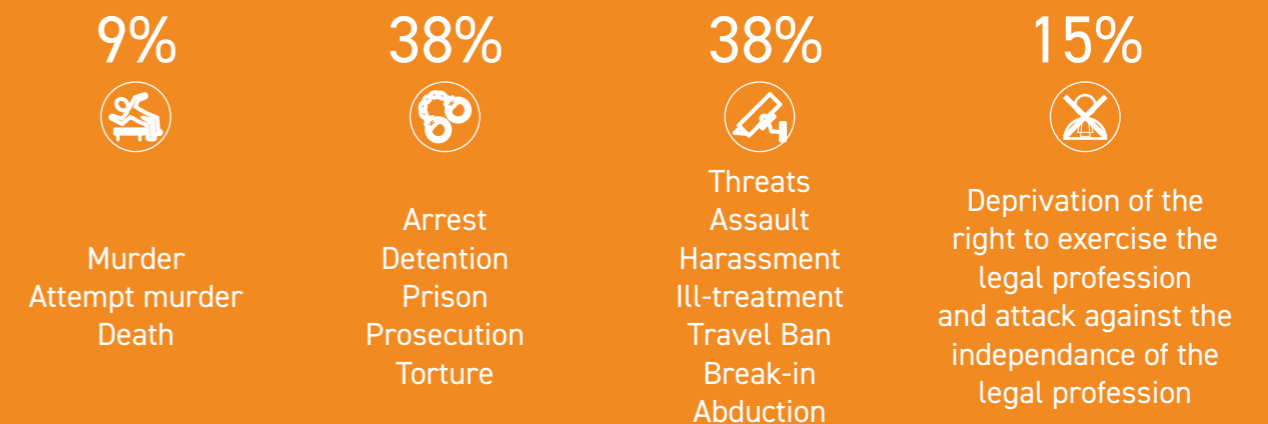
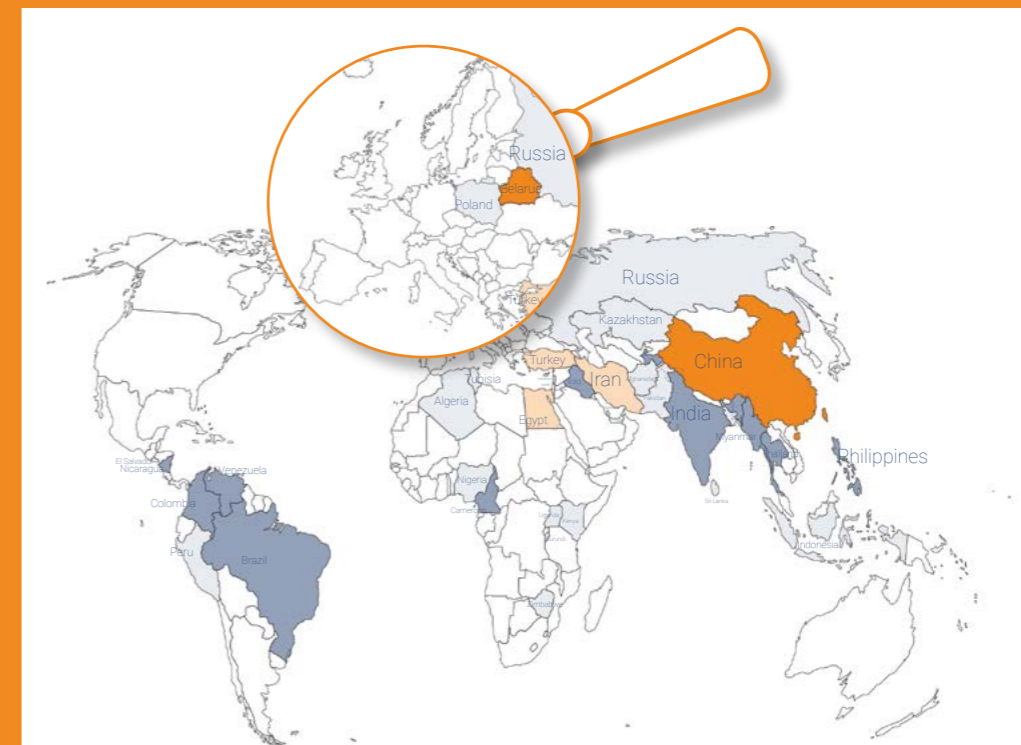


8 Online events

- 21.01.2021 CCBE **ROUNDTABLE** on National Enforcement of European Court of Human Rights' Monetary Awards of Just Satisfaction
- 08.03.2021 CCBE/ European Women Lawyers Association **WEBINAR** on gender and the Legal Profession
- 09.03.2021 CCBE **WORKSHOP** on available EU funds for Bars and lawyers
- 23.03.2021 CCBE **WORKSHOP** on exchange of experience applying for EU funds for the training of lawyers
- 07.10.2021 CCBE **WORKSHOP** on how to enhance cooperation between Bars
- 22.10.2021 European Court of Human Rights /CCBE **ONLINE MEETING** with European national bars of the 47 Council of Europe Member States
- 25.10.2021 CCBE **ROUNDTABLE** for European Lawyers Day 2021 – No justice without independent lawyers on a binding international legal instrument on the legal profession: a necessity for the proper administration of justice and the respect of the Rule of Law
- 24.11.2021 CCBE/EU Agency for Fundamental Rights **WEBINAR** on the EU Charter of Fundamental Rights and related FRA materials for learning

# 2021 in figures

103 Letters in support of endangered lawyers  
sent to  
38 Countries around the world



For more information, click here >>



# Highlights

## A. Signature of a Memorandum of Understanding between the CCBE and the Council of Europe

*A new historical step has been taken to strengthen the cooperation between the two organisations*



© Council of Europe - Signature of the MoU between Margarete von Galen, the CCBE President (left) and Marija Pejčinović Burić, the Council of Europe Secretary-General (right)

On 18 June 2021, the Council of Europe Secretary-General, Marija Pejčinović Burić, and the CCBE President, Margarete von Galen, signed a **Memorandum of Understanding** aiming to create a framework of cooperation for the purpose of promoting the rule of law by supporting and strengthening the independence of lawyers to exercise their profession freely, to provide effective and high-quality advice, assistance and representation to their clients, and to enjoy public confidence in their profession. The CCBE has already a longstanding history of cooperating with the Council of Europe on certain specific topics, however, this cooperation was made on a case-by-case basis. The CCBE considers that, in a world where the respect for the rule of law is in perdition and where continuing interferences in the free and independent exercise of the legal profession in Member

States are more and more frequent, a closer cooperation between the Council of Europe and the CCBE as the voice of European lawyers can strengthen the guarantees for lawyers in Europe to be able to exercise their profession freely and therefore guarantee respect for the rule of law by providing individuals with effective access to their human and other legal rights.

The Memorandum of Understanding is available on the dedicated CCBE [webpage](#).

The practical aspects of the implementation of the Memorandum of Understanding were discussed at a meeting with the Director of the Human Rights Directorate of the Council of Europe, Christophe Poirel, and the Head of Division for Legal Co-operation and Secretary to the European Committee on Legal Co-operation, Livia Stoica.



© Council of Europe - From left to right: Nathan Roosbeek, CCBE Legal Advisor, Livia Stoica, Head of Division for Legal Co-operation and Secretary to the European Committee on Legal Co-operation, Simone Cuomo, CCBE Secretary-General, Margarete von Galen, CCBE President, Christophe Poirel, Director of the Human Rights Directorate, Ranko Pelicarić, CCBE past president, and Laurent Pettiti, the European Convention Working Group Chair

At the occasion of the signing of the Memorandum of Understanding, the CCBE President was interviewed by the Council of Europe. She highlighted the core missions of the CCBE and the importance of the cooperation between the Council of Europe and the European legal profession.



© Council of Europe - Signature of a Memorandum of Understanding between the Council of Europe and the CCBE

## The Council of Europe and the CCBE: a long-standing cooperation

The CCBE has been actively involved in the work of the Council of Europe for many years, in particular through its observer status in several committees such as the European Commission for the Efficiency of Justice, the Steering Committee for Human Rights as well as the Ad hoc Committee on Artificial Intelligence. The CCBE is also involved in the Programme for Human Rights Education for Legal Professionals (HELP) and participates in the work of the European Committee on Legal Co-operation, and the Cybercrime Convention Committee.



## B. European Convention on the profession of lawyer

*In 2021, through a strong stand and continued cooperation with the Council of Europe, the CCBE reiterated the urgent need for a new binding legal instrument on the profession of lawyer.*

### New position paper on the need for a European Convention on the profession of lawyer



The CCBE adopted a [position](#) in October 2021 which reiterated that there are compelling reasons for adopting a new binding legal instrument on the profession of lawyer. Furthermore, this new binding legal instrument should be accompanied by an implementation mechanism which could consist in a complaint mechanism with a body with the responsibility for ruling on individual or collective complaints about non-compliance with the standards set out in the instrument.

### 30<sup>th</sup> Anniversary of the UN Basic Principles on the Role of Lawyers

On 13 March 2021, the CCBE President, Margarete von Galen, spoke at the International symposium organised by the Japan Federation of Bar Associations (JFBA), the Union Internationale des Avocats (UIA) and the National Group of Japan, and the International Association of Penal Law (AIDP) on the 30<sup>th</sup> Anniversary of the adoption of the UN Basic Principles on the Role of Lawyers. In her [speech](#), she underlined the importance of these UN Basic Principles for the legal profession and more broadly for the rule of law. She then presented the CCBE's experience with the UN Basic Principles in the implementation of its missions. Finally, she elaborated on the current challenges and how to improve the situation. In particular, she reiterated the CCBE's strong support for the work carried out by the Council of Europe on a future European Convention on the profession of lawyer and said that such a specific binding instrument is needed in order to preserve the independence, the integrity of the administration of justice, and the rule of law.

### CCBE Roundtable discussion with the Council of Europe

An online event was organised by the CCBE on the occasion of European Lawyers' Day 2021 (ELD) on 25 October 2021. The event included an interesting roundtable discussion on the topic "a binding legal instrument on the legal profession: a necessity for the proper administration of justice and the respect of the rule of law". Based on the findings of the feasibility [study](#) on "a new, binding or non-binding, European legal instrument on the profession of lawyer - Possible added-value and effectiveness", the aim of the roundtable was to bring together representatives of the Council of Europe, lawyers and representatives of lawyers' organisations to discuss the need for a European Convention on the legal profession. This event gathered 120 participants with the special interventions of Christophe Poirel, Director of the Human Rights Directorate of the Council of Europe; Christoph Henrichs, Vice-Chair of the European Committee on Legal Co-operation (CDCJ); Diego García-Sayán, UN Special Rapporteur on the independence of judges and lawyers, Frédéric Krenck, ECtHR Judge; and Aleksandr Bashkin, Senator and Russian Federation representative at the Committee on Legal Affairs and Human Rights of the PACE.

More information on the roundtable is available on the CCBE [website](#).



## C. Rule of Law

*The rule of law has been at the heart of the CCBE's considerations for several years now. This year, both at conferences and in dialogue with the European institutions, the CCBE emphasised the importance of lawyers' work in protecting the rule of law, and how protecting lawyers is an indispensable component of the rule of law.*

### CCBE Contribution for the Rule of Law Report 2021



The CCBE submitted its [contribution](#) to the 2021 Rule of Law Report in March 2021 in response to the invitation of the European Commission and the public consultation that was launched beforehand. In its submission, the CCBE highlighted the most important rule of law developments and concerns involving the profession of lawyer which were identified by its members, and called for the recognition of the independence of lawyers and bars as an indispensable component of the independence of justice systems and of the rule of law.

Following the discussions and the presentation of the 2021 Rule of Law [Report](#) by the European Commission during the CCBE Standing Committee meeting in October 2021, the CCBE also issued a [Statement](#) on the 2021 Rule of Law Report.

### High-level conference “Rule of Law in Europe”

The CCBE was invited by the Portuguese Presidency of the Council and the European Commission to participate and to address the participants of the high-level conference “Rule of Law in Europe”, which took place in May 2021. The CCBE Third Vice-President, Pierre-Dominique Schupp, represented the CCBE as a speaker in the panel on ‘The role of European and national courts for upholding the rule of law’. It was an excellent opportunity for the CCBE to be represented in such a high-level EU event and to stress the important role of lawyers and Bars in upholding the rule of law, as well as to underline the independence of lawyers as part of the independence of the judiciary.



### European Parliament Resolution on the Rule of Law

In June 2021, the European Parliament adopted its resolution on the Commission 2020 Rule of Law [Report](#) indicating the ways to improve the rule of law mechanism to better protect EU values. This resolution also referred to the independence of lawyers and the legal profession in the context of the need stressed by the European Parliament for the accurate, dynamic, and integral assessment of the *de jure* and *de facto* independence of judicial systems. In such a way, the European Parliament recognised the important role of independent lawyers and Bars for ensuring the independence of judicial systems.

### High-level policy dialogue “How to secure compliance with the Rule of law?”

In October 2021, the CCBE President participated in the high-level policy dialogue on “How to secure compliance with the Rule of law?” organised by the School of Transnational Governance in Florence, Italy. A prominent number of participants, including Věra Jourová (Vice-President of the European Commission), exchanged views on topics such as judicial independence, media pluralism, and COVID-19 related measures.



### Conference on Fundamental rights and the rule of law

In November 2021, the CCBE Secretary-General, Simone Cuomo, participated in the panel discussion on justice during a conference on “Fundamental rights and the rule of law – civil society perspectives on the European Rule of Law Mechanism” organised by the European Economic and Social Committee (EESC). He stressed that the rule of law cannot exist without access to justice, and lawyers are key in ensuring access to justice by helping persons to assert and enforce their rights when they are being violated. The role of bars and law societies in guaranteeing lawyers' independence and professional integrity is, therefore, a crucial component of the rule of law which requires constant protection.

### UN Special Rapporteur on the Independence of Judges and Lawyers' consultation

The CCBE also contributed to the UN Special Rapporteur on the Independence of Judges and Lawyers' consultation in preparation of his forthcoming 2022 report to the UN Human Rights Council which will focus on the protection of lawyers from undue interferences faced in the free and independent exercise of their profession. The CCBE closely collaborated with the Special Rapporteur for the preparation of his upcoming report, notably in organising an informal regional consultation meeting for Europe during which several lawyers' and human rights organisations were given the opportunity to exchange and provide information about the situation of the legal profession in Europe.



Diego García-Sayán,  
UN Special Rapporteur on the  
Independence of Judges and Lawyers



## D. Digitalisation of justice

*The digitalisation of justice was one of the key issues that the CCBE addressed in 2021. In particular, the CCBE shared comments with the European Commission calling for the development of EU-wide minimum standards, and the monitoring of the impact of the use of AI tools in justice. The CCBE published several position papers in this regard.*

### CCBE position paper on the communication on the Digitalisation of justice



In March 2021, the CCBE adopted a [position paper](#) on the communication on the Digitalisation of justice, in order to present its own priorities regarding this issue, such as e-identification, e-CODEX, the digitalisation of cross border judicial procedures, and the use of Artificial Intelligence in justice systems. The position paper was shared and discussed with the European Commission.

In April 2021, the CCBE responded to the public [consultation](#) on the digitalisation of cross-border judicial procedures which was launched by the European Commission in February 2021. The CCBE raised concerns regarding the need to ensure a high level protection of fundamental rights, such as access to justice, by maintaining for instance both means of communications (digital and paper) before courts.

### CCBE position paper on the Digital Services Act (DSA) and the Digital Markets Act (DMA)



In March 2021, the CCBE adopted a [position paper](#) on the DSA and the DMA. The CCBE noted that some aspects of the DSA are of particular interest to lawyers, such as the definition of “online illegal content” which can also include unauthorised practice of law. Also, Bars can be considered as “trusted flaggers”. Regarding alternative dispute resolution mechanisms, the CCBE underlined the need for clear and fair rules of procedures, to protect the right to a fair trial and professional secrecy. The same guarantees should apply to all intermediary service providers, whether they are small or very large online platforms, in all planned procedures. Regarding the DMA, the CCBE considered that the Commission should ensure a fair and impartial procedure before taking any final decision, including the right to be heard, the right to have access to the file, confidentiality, professional secrecy/legal professional privilege, as well as the obligation to give meaningful reasons for the decisions.

### CCBE position paper on the e-CODEX proposal



The CCBE presented a specific [position paper](#) on the e-CODEX proposal where it welcomed the establishment of e-CODEX and its handover to an EU Agency, eu-LISA. However, the CCBE requested specific safeguards to ensure the involvement of lawyers in the management of the system, the independence of the judiciary as well as fundamental rights. The CCBE Secretariat and experts from the IT Law Committee, including its Chair, presented their concerns to the Rapporteur of the European Parliament on e-CODEX during an online meeting. The position paper was also circulated to other members of the European Parliament as well as to the European Economic and Social Committee which requested the assistance of the CCBE on this issue and presented a report taking into account the CCBE's concerns. The CCBE was very pleased to note that most of its concerns were taken into account in the final agreement between the Council and the European Parliament.

### CCBE position paper on the Artificial Intelligence Act



In its [position paper](#) adopted on 8 October 2021, the CCBE called upon the EU institutions to adopt specific provisions on the use of AI in the justice field. The CCBE considers that the entire decision-making process must remain a human-driven activity, with a right to a human judge guaranteed at all stages of proceedings. Furthermore, the CCBE stresses that the proposal should exclude the use of AI tools which may infringe a person's fundamental rights, such as predictive policing. The principles of transparency and explainability must be strictly observed when AI is used by law enforcement authorities. The proposal must contain a clear prohibition regarding social scoring and automated recognition of human features in publicly accessible spaces. It called for a ban or moratorium on the use of automated technologies in border and migration control until they are independently assessed for compliance with international human rights standards. Moreover, the CCBE underlines that specific provisions should be adopted on AI liability issues.

Furthermore, in 2021, the CCBE engaged with the work of the **Council of Europe** on the digitalisation of Justice, especially within the European Commission on the Efficiency of Justice (CEPEJ) and the Ad hoc Committee on Artificial Intelligence (CAHAI). In this regard, the CCBE participated in two meetings of the CEPEJ regarding the **drafting of guidelines on videoconferencing before courts**, which were adopted during the CEPEJ Plenary session in June 2021. These guidelines reflected many of the issues proposed by the CCBE. The CCBE also responded to a consultation of the CAHAI regarding the use of Artificial Intelligence.

### High-Level Conference on e-Justice

The CCBE President, Margarete von Galen, addressed the issue of the digitalisation of justice in Europe and the importance of the role of lawyers at the high-level conference “For a People-centred e-Justice” organised under the Portuguese Presidency of the Council of the EU. She stressed that digitalisation efforts should stay focused on improving the quality of justice systems and are not only introduced to achieve efficiency gains or cost savings. She also highlighted the importance of structural dialogue and collaboration among all justice stakeholders, including lawyers. For this purpose, she proposed the establishment of a kind of High-Level Expert Group on the digitalisation of justice and the use of AI in justice as advisory body to the European Commission. Read her speech [here](#).

### Digital Justice Ministerial Forum

The CCBE President, Margarete von Galen, participated in the Digital Justice Ministerial Forum on 12 October 2021, hosted by the European Commission. The Forum focused on the digital transition of justice systems in the EU, highlighting the challenges and opportunities in this area. The CCBE president intervened in a session dedicated to the overall EU approach to digitalisation in light of the general principles and needs of society and various legal professions. She shared her views on the impact of new digital technologies and AI on access to justice as well as on the quality of the justice system.

## E. Protection of citizens' right to confidentiality of exchanges with their lawyer

*The rule of law, human rights, and democratic values are at the core of the CCBE's missions. To protect them, the CCBE constantly reviews and monitors the impact of the use of new technologies, such as artificial intelligence, on justice and legal practice. The CCBE insists on the importance of the independent practice of the legal profession and of the protection of professional secrecy in the digital era. Furthermore, the CCBE stresses the importance of the legal professional privilege in the context of the fight against money laundering (AML) and tax evasion, when some measures have the potential to undermine the citizens' right to confidentiality of exchanges and the independence of lawyers.*

### Model Code of Conduct



The [Model Code of Conduct](#) for European Lawyers ("Model Code") was adopted by the CCBE at its Plenary Session on 10 December 2021. This Plenary Session therefore completed the work started in 2007, enabling the CCBE to adopt its third instrument on professional

ethics. The aim of the Model Code is to provide a coherent and evolving set of deontological rules to serve as an inspiration for bars and law societies.

### Position on the AML package



The CCBE has been working on the AML policies for several years, as lawyers fall under AML obligations under EU law. Therefore, the CCBE analysed the package of proposals on AML published by the European Commission in July 2021. First, the CCBE

issued preliminary [comments](#) on the package and engaged in a dialogue with representatives of the Commission from DG FISMA in order to better understand the package. Subsequently, in its [position](#) paper, the CCBE commented on the package in more detail. The paper stressed that, whereas the CCBE supports the efforts of the Commission with regards to AML/CTF, some proposed measures have to be vigorously opposed. In particular, the CCBE expressed its concerns that the new provisions on the oversight by national authorities and by a supranational European body would erode the independence of lawyers and bars from governments and other state actors.

### Meeting between the CCBE and the OECD

On 19<sup>th</sup> July, the President of the CCBE and the Chair of the AML Committee took part in an online meeting with representatives of the Organisation for Economic Cooperation and Development (OECD) following the publication by the latter of a [report](#) entitled "Ending the Shell Game: Cracking down on the Professionals who enable Tax and White Collar Crimes". The meeting was an opportunity to discuss the importance of self-regulation in the context of AML and tax issues, and clarify the meaning and use of the legal professional privilege that seemed to be misunderstood by the authors of the report. In a longer perspective, the meeting was a first step to establish a good relationship with the OECD Task Force on Tax Crimes and Other Crimes.



## F. Cooperation with the European Court of Human Rights

*For the first time, the European Court of Human Rights together with the CCBE organised a meeting gathering the entire European legal profession*



The CCBE has a long tradition of meeting the European Court of Human Rights (ECtHR) on an annual basis; but in October 2021, for the first time, a wider (online) meeting was organised with representatives of the national bars and law societies of the Council of Europe Member States. The objective behind this initiative was to create a broader and more institutionalised dialogue between the ECtHR and the national bars and law Societies of Europe in order to better improve the protection of human rights through the work of the ECtHR and the important contribution of the legal profession.

This event was co-organised by the ECtHR together with the CCBE and gathered more than 70 lawyers representing Bars and Law Societies from 34 countries.

The event started with addresses from the President of the ECtHR, Robert Spano, the Registrar of the ECtHR, Marialena Tsirli, and the CCBE First Vice-President, James MacGuill.

The meeting was divided in three panel discussions focusing on the following topics:

- ▷ Case-processing efficiency, including impact strategy, prioritisation policy, the non-contentious phase, friendly settlements, and unilateral declarations. In this regard, the CCBE [position](#) for reform of the ECHR machinery was highlighted.
- ▷ Improving the Court's working methods and communication with applicants and their representatives, including the operation of Rule 47.
- ▷ Information technologies, including the means of communication, and remote access to case-files, shedding light on the concrete example of the process of the advanced digitalisation of judicial proceedings in Estonia.

Overall, this was a successful first edition for which the ECtHR concluded that it would welcome the organisation of similar meetings in the future in Strasbourg.

Furthermore, the CCBE met with the President of the ECtHR, Robert Spano, and the Registrar, Marialena Tsirli, in conjunction with the signature of the Memorandum of Understanding with the Council of Europe on 18 June 2021 (See page 14).



© Council of Europe - From left to right: Robert Spano, President of the European Court of Human Rights; Margarete von Galen, the CCBE President; Marialena Tsirli, the Registrar and Laurent Pettiti, the CCBE European Convention Working Group Chair

### The European Court of Human Rights - Questions & Answers for Lawyers



The cooperation between the CCBE and the ECtHR also includes the publication and regular updating of a practical guide for lawyers.

# Committees & Working Groups

## Overview of publications in 2021

Click on the title of the document to open it

### Access to Justice

- CCBE position paper on abusive litigations targeting journalists and right defenders

### Criminal Law

- CCBE response to the public consultation "Supporting crime victims evaluation of the Victims' Rights Directive"
- CCBE statement on defence issues and procedural rights in EPPD proceedings

### Anti-Money-Laundering

- CCBE preliminary comments on the AML package
- CCBE response to the public consultation on public-private partnerships
- CCBE position paper on the AML package

### EU Lawyers

- Guidelines for Bars & Law Societies on Free Movement of Lawyers within the European Union
- CCBE Comments on DG Grow Studies

### Company Law

- Response from the Council of Bars and Law societies of Europe CCBE to the Commission Consultation on Sustainable Corporate Governance

### European Private Law

- CCBE response to the public consultation on adapting liability rules to the digital age and Artificial Intelligence

### Deontology / Towards a Model Code of Conduct

- Model Code of Conduct for European Lawyers

### Family & Succession Law

- CCBE response to the consultation on the recognition of parenthood between Member States

### IT Law

- CCBE comments on the Communication on Digitalisation of justice in the European Union
- CCBE Position paper on the e-Codex proposal
- Public consultation on digitalisation of cross border judicial cooperation
- CCBE position paper on the Artificial Intelligence Act

### European Convention on the Profession of Lawyer

- CCBE position on the proposed new legal instrument on the Profession of Lawyer: The need for a binding legal instrument accompanied by an implementation mechanism

### Future of the Legal Profession and Legal Services

- CCBE position paper on the Digital Services Act and the Digital Markets Act

### Permanent Delegation to the Court of Justice and the General Court of the European Union and the EFTA Court

- CCBE response to the EFTA Court's Consultation on the possible publication of Written Observations in Advisory Opinion Cases



## Permanent Delegation to the European Court of Human Rights

- Proposals on further reform of the ECHR machinery

## Human Rights

- The CCBE sent 103 letters in support of endangered lawyers to 38 countries around the world
- Joint Statement on the occasion of the 2021 Day of the Endangered Lawyer - The struggle to protect Azerbaijani lawyers
- Resolution on Lawyers at Risk and Recommendations to the G7 governments
- Joint Statement on the Russian state's measures against lawyer Ivan Pavlov
- Joint Statement on the occasion of the 1st International Fair Trial Day
- Joint statement : The Philippines: Attacks against lawyers further escalating
- Joint Statement: Calls for Release of Detained Egyptian Human Rights Lawyer Mohamed El-Baqer
- Statement on the mounting repression against Belarusian lawyers and the disbarment
- G7 Bars Statement on the situation in Afghanistan
- Press release: Fact Finding Mission, taking place in Istanbul from 15 to 20 September 2021, to monitor and observe current mass trials against lawyers in Turkey (ÇHD trials)
- Joint Statement on the situation of lawyers in Belarus: Bar Association should reinstate disbarred lawyer Natalia Matskevich
- Joint call in support of endangered lawyers in Afghanistan
- Joint statement on the harassment of Crimean lawyer Edem Semedliaiev
- Joint statement in support of Russian lawyer Ivan Pavlov
- CCBE response to the UN Special Rapporteur on the Independence of Judges and Lawyers
- Joint statement on the suspension of Lin Qilei's and revocation of Liang Xiaojun's legal practice licenses
- Joint Statement in Solidarity Statement with Egyptian Human Rights Lawyer Mohamed El-Baqer

## Migration

- CCBE position on the Proposal for a Regulation introducing a screening of third country nationals at the external borders
- CCBE position on the amended proposal for a Regulation establishing a common procedure for international protection in the Union
- CCBE Statement on the situation in Afghanistan and the need to guarantee the fundamental rights of all persons requesting international protection at EU borders
- CCBE Statement on Situation at the EU border with Belarus

## Quality

- Ensuring Quality in the Legal Profession

## Rule of Law

- CCBE contribution for the Rule of Law Report 2021
- Statement with respect to the Ruling of the Polish Constitutional Tribunal
- CCBE Statement on the rule of law

- CCBE Statement for Europe Day 2021

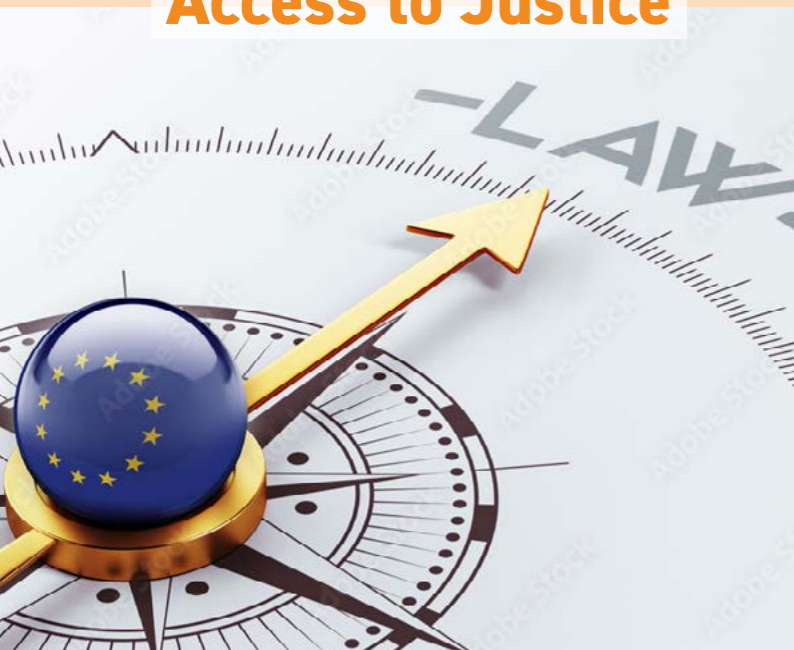
## Surveillance

- Open letter on the CCBE contribution to the trilogue on the e-evidence proposal
- CCBE Position Paper on the Proposal for Regulation amending Regulation (EU) 2016/794, as regards Europol's cooperation with private parties, the processing of personal data by Europol in support of criminal investigations, and Europol's role on research and innovation
- Joint letter on e-evidence

## Training

- CCBE comments on the European Judicial Training Strategy

## Access to Justice



Chair: Elisabeth SCHEUBA (Austria)

Throughout the year, the Committee dealt with EU initiatives to counter abusive litigations targeting journalists and right defenders, also referred to as SLAPPs (Strategic Lawsuit Against Public Participation). Through its CCBE representative, Roya Sangi, the Committee participated in the European Commission Expert Group Against SLAPP, developed a [position](#) paper on abusive litigations targeting journalists and rights defenders, and responded to a public consultation on the same topic. In its approach, the CCBE highlighted the importance to protect journalists and rights defenders from strategic lawsuit against public participation launched against them

in an attempt to silence public debate.

For the annual edition of the EU Justice Scoreboard, the Committee also collaborated with the European Commission regarding the gathering of data on the level of court fees, financial eligibility criteria for legal aid in civil and commercial law across EU Member States, as well as on the independence of Bars and lawyers.

The Committee also started exchanges and discussions on an update of the CCBE Recommendations on legal aid adopted in 2018.

## Anti-Money Laundering

Chair: Rupert MANHART (Austria)

In July 2021, the European Commission published a series of proposals aiming at establishing a “new and more coherent regulatory and institutional framework” on AML. This so-called AML package is composed of four proposals, i.e.: a Regulation establishing a new AML authority (AMLA); an AML Regulation with rules for the private sector; a 6th AML Directive; and a Regulation on crypto-assets. Following a preliminary scrutiny and a subsequent exchange of views with the Commission, the AML Committee prepared in autumn 2021 initial comments on the package. A deeper analysis was then undertaken and in December 2021, the CCBE adopted a detailed position paper focusing on the main issues of relevance for the legal profession (See highlights).

The AML Committee also prepared a response to the public consultation on EU rules on public-private partnerships. Moreover, at an international level, the Committee engaged in a number of exchanges with the OECD and FATF on a range of issues.





## Company Law



**Chair: Antigoni ALEXANDROPOULOU (Greece)**

The Company Law Committee started off the year by providing a [response](#), in cooperation with the CSR Committee, to the European Commission's public consultation on Sustainable Corporate Governance. In addition, the book "Modernisation of European Company Law" was published, which was directed by the Committee's Chair, Antigoni Alexandropoulou, and includes contributions from various CCBE experts and the main presentations made during the CCBE conference "Modernisation of European Company Law" on 27 November 2019.

The Committee continued to follow topics such as the regulation of data regarding the Business Registers Interconnection System (BRIS),

corporate due diligence and accountability, corporate reporting, the creation of a European statute for associations and non-profit organisations, and the possible amendment of the blocking statute/ stronger EU response against unlawful extra-territorial application of sanctions to EU operators by countries outside the EU.

The Chair of the Committee was invited to attend a stakeholder and Member States meeting organised by the European Commission on the investigation task under Action 12 of the Capital markets union action plan. This matter was also discussed within the Committee, and several delegations provided information on the situation in their respective countries.

## Corporate Social Responsibility (CSR)

**Chair: Alix FRANK-THOMASSER (Austria)**

The CSR Committee submitted the [response](#) prepared with the support of the Company Law Committee to the European Commission's public consultation on Sustainable Corporate Governance. The Committee continued to follow topics such as diversity, corporate due diligence, and corporate accountability. It also discussed and provided contributions to various other CCBE committees in relation to issues such as strategic lawsuits against public participation (SLAPP), the Pandora Papers, and on the environment and climate change. The CSR Committee also started to prepare a new edition of the CCBE Practical Issues for Bars and Law Societies on CSR. This paper should be ready for adoption in 2022.



## Criminal Law

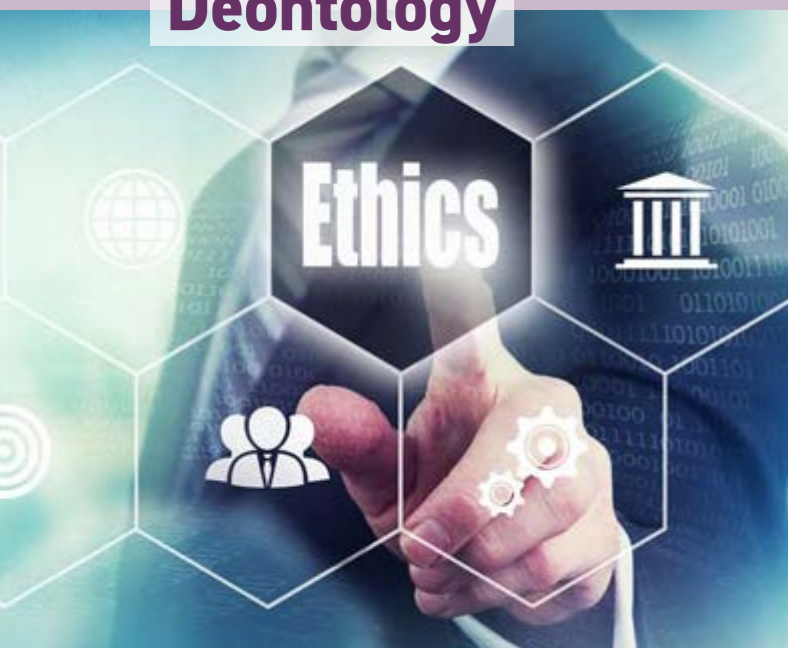
**Chair: Ondrej LACIAK (Slovakia)**

The Committee prepared a CCBE [response](#) to a Commission public consultation entitled "Supporting crime victims - evaluation of the Victims' Rights Directive". 2021 was also the year during which the European Public Prosecutor's Office (EPPO) became operational and the Committee continued to examine issues regarding the defence with respect to procedural rights in EPPO proceedings. The CCBE adopted a [statement](#) on this topic. This statement touches upon the following four issues: the lack of specific regulations of defence and procedural rights; the impact on the rights of the suspect at the national level; the foreseeable problems relating to access to the case file; the possibilities of the EPPO's permanent Chamber to decide in which jurisdiction the case shall be investigated or indicted.

In addition, the Committee contributed to a number of European Commission studies in the area of cross-border use of evidence in criminal proceedings and on procedural safeguards for vulnerable adults who are suspects or accused persons in criminal proceedings. Finally, in December, the CCBE met with a representative from the French Permanent Representation to the EU in order to discuss the priorities of the French Presidency of the Council, especially in the field of criminal law. A similar meeting took place with a representative from the Portuguese Presidency in June 2021.



## Deontology



**Chair: Bertrand DEBOSQUE (France)**  
**Vice-Chair: Nick FLUCK (United Kingdom)**

The Deontology Committee finalised the work on the Model Code of Conduct. In February 2021, the [model article on relations between lawyers](#) was adopted by the Standing Committee. Regarding the [model article on fees](#), following a debate and a questionnaire sent to the delegations, the Committee reviewed the wording in order to present the final version of the article. A drafting group was set up to draft the [Preamble of the Model Code](#) and in December, the CCBE Plenary Session adopted the complete [Model Code of Conduct](#) (See Highlights).

Furthermore, the Committee continued to monitor disciplinary and ethical issues. It contributed and distributed questionnaires from delegations on professional secrecy and disciplinary procedures. At the end of 2021, it started to work on a draft report of the European Parliament on responsible private funding of litigation in order to prepare CCBE comments.

In 2021, the European Transparency Register Working Group was remerged into the Deontology Committee, following the adoption of the mandatory European Transparency Register. The subgroup, led by Rapporteur Jean-Louis Joris, participated in the consultation organised by the European Commission on the guidelines accompanying the new Register.

## EU Lawyers



**Chair: Joanna Wiśta-Płonka(Poland)**  
**Vice-Chairs: Aldo BULGARELLI (Italy),**  
**Michael Jürgen WERNER**  
**(Germany)**

The Committee continued to deal with various aspects related to the cross-border practice of the legal profession within the EU. The Committee closely followed the publication by the European Commission of various policy initiatives and studies affecting the regulation of lawyers. In this regard, in October 2021, the CCBE adopted [comments](#) on DG GROW studies prepared by the EU Lawyers Committee, regarding a “Study on the impact of regulatory environment on digital automation in professional services” and the summary report of a study entitled “Mapping and assessment of legal and administrative barriers in the services sector”. Moreover, the Committee continued its work on promoting the free movement of lawyers through the sharing of information and best practices in the application of the Lawyers’ directives within the EU/EEA, and on facilitating and maintaining good cooperation and assistance between Bars and Law Societies across Europe. In this regard, first, the Committee updated and revised the Free Movement of Lawyers Guide, published in May. Second, in October, the Committee organised an online workshop entitled “How to enhance the cooperation between Bars”. Finally, the Committee generally followed matters related to EU competition law developments impacting the practice of the legal profession.



## European Convention



Chair: Laurent PETTITI (France)

The Working Group continued to work in close cooperation with key actors at Council of Europe level, developed a strategy to raise awareness on the need for a European Convention on the Profession of Lawyer, and coordinated the initiatives to be taken by Bars and Law Societies at national level. In October 2021, the CCBE [position](#) on “The need for a binding legal instrument accompanied by an implementation mechanism” was issued. On 25 October 2021, on the occasion of European Lawyers' Day, the CCBE organised a roundtable dedicated to the need for a Convention (See Highlights).

## Family & Succession Law

Chair: Katell DROUET-BASSOU (France)

The Committee continued to follow closely the developments regarding digital assets, the protection of vulnerable adults, out-of-court divorces, parentage/surrogacy (both at national and international level), as well as of several relevant projects of the Hague Conference of Private International Law (HCCH) and the European Law Institute. In addition, one of the main topics focused on by the Committee this year was the recognition of parenthood between Member States. The Committee provided a [response](#) to the European Commission public consultation on this matter, and the Chair attended a stakeholder meeting to discuss the existing problems, possible solutions, and the next steps of the initiative. The Committee is currently preparing a position paper on this issue, which will be presented for approval in 2022.



## European Private Law

Chair: Pedro PORTELLANO DÍEZ (Spain)

The Committee continued to follow the developments and provided contributions in regard to the Digital Services Act package and several Artificial Intelligence (AI) related matters, such as the European Commission's AI Act proposal and AI liability. In relation to the latter, the Committee drafted the CCBE [response](#) to the European Commission's public consultation on adapting liability rules to the digital age and AI.

During the year, the Committee also discussed the EU's potential accession to the Judgments Convention, regulation on the law applicable to the third-party effects of assignments of claims, as well as the draft updated Guidances prepared by the European Commission regarding the Unfair Commercial Practices Directive (Article 6a), the Consumer Rights Directive, and the Price Indication prepared by the European Commission. The finalised Guidances were recently published by the European Commission and will be further discussed by the Committee.



## Future of the Legal Profession and Legal Services

Chair: Thierry WICKERS (France)  
Vice-Chair: Christian LEMKE (Germany)

The Committee continued to be involved in developments regarding the use of AI in justice systems and its impact on legal services. Its members contributed to draft the CCBE position paper on the EU proposal for an AI Act. Furthermore, the Committee prepared a CCBE [position](#) paper on the Digital Services Act and the Digital Markets Act presented by the European Commission (See Highlights). The Committee continued to consider and assess the impact of innovation and technology on the justice systems, the resilience

of such systems in times of crisis, the role of lawyers in our society, the need for our core values, and how the legal profession and its organisations could possibly adapt to be an essential part of this future. In this regard, the Committee started to work on the CCBE high-level policy objective to establish a coherent and credible position with regard to innovation in legal services, including which boundaries must be put in place and how to promote innovation in full compliance with the values of the legal profession.





## Human Rights



**Chair: Stefan VON RAUMER (Germany)**  
**Vice-Chair: Magdalena WITKOWSKA (Poland)**

Following a recommendation from the Human Rights Committee, the [CCBE Human Rights Award 2021](#) was granted to Belarusian lawyers **Lilya Vlasova, Maksim Znak, Dmitry Laevski and Leanid Sudalenko** for their courage, determination, and commitment to defending citizens' fundamental rights and the rule of law in Belarus.

The CCBE continued to act in support of lawyers being harassed, threatened, imprisoned, or even murdered because of their professional activities. In 2021, the CCBE sent over 100 letters to national authorities in cases where lawyers have been victims of human rights violations in 38 different

countries (See the overview [here](#)). The CCBE also participated in joint actions and statements with other Bars, Law Societies and lawyers' associations (more information [here](#)).

Furthermore, the CCBE [contributed](#) to the consultation of the UN Special Rapporteur on the Independence of Judges and Lawyers in preparation of his forthcoming 2022 report to the UN Human Rights Council which will focus on the protection of lawyers from undue interferences faced in the free and independent exercise of their profession. The CCBE closely cooperated with the Special Rapporteur for the preparation of his upcoming report, notably by organising an Informal Regional Consultation meeting for Europe during which several lawyers' and human rights organisations were given the opportunity to exchange and provide information about the situation of the legal profession in Europe.

## Insurance

**Chair: Herman BUYSENS (Belgium)**

The Committee analysed issues regarding lawyers' professional indemnity insurance in cross-border practices and monitored the European Commission policy activities in this area with the recent publication of a study on professional indemnity insurance. As regards the area of legal expenses insurance, the Committee continued its work for a better understanding of the free choice of a lawyer principle by insurers, taking into account a recent ruling by the Court of Justice. In this regard, the Committee set out a dialogue with the representatives of Legal Protection International (International Association of Legal Expenses Insurance).



## International Legal Services



**Chair: Carlo FORTE (Italy)**

The Committee focused on monitoring developments regarding trade in services, mutual recognition agreements, and the EU-UK Trade and Cooperation Agreement (TCA). The Committee met with Commission representatives to discuss the EU-UK TCA and also welcomed guests from the European Services Forum and the American Bar Association. In October, the CCBE registered to be part of the DG TRADE Civil Society Dialogue in order to increase its engagement with DG TRADE. The registration provides access to meetings between Commission officials and civil society representatives regarding trade negotiations and developments. Finally, the ILS Committee commenced its work on a model Foreign Consultant Status which will be continued in 2022.



## IT Law



**Chair: Jiří NOVÁK (Czechia)**  
**Vice-Chair: Carla SECCHIERI (Italy)**

The Committee drafted the CCBE [comments](#) on the digitalisation of justice in the EU as well as the [position paper](#) on the proposal for a regulation establishing the e-CODEX system. The latter was presented to the European Economic and Social Committee and discussions were organised with the Rapporteur of the European Parliament. The Committee also prepared the CCBE [response](#) to the public consultation on the digitalisation of cross-border cooperation in judicial procedures. Furthermore, the Committee participated in the drafting of the CCBE [position](#) paper on the AI Act (See Highlights), and started preparing position

papers on the proposal on a new e-ID regulation, reviewing the e-IDAS regulation, and the proposal for a regulation on the digitalisation of cross-border procedures. Several members of the IT Law Committee also took part in the joint CCBE/ELF project called "AI4Lawyers" which aims to provide a better understanding for European lawyers and law firms regarding the use of AI and other novel IT technologies in their daily practice. Finally, the Committee worked on the new CCBE strategy on lawyers' use of cloud services, for which a specific working group was created.

## Migration



**Chair: Noemí ALARCÓN VELASCO (Spain)**  
**Vice-Chair: Barbara PORTA (Italy)**

The Committee closely followed the developments in the area of migration at national and EU level. The Committee drafted the CCBE positions on some of the proposals of the New Pact on Migration and Asylum, namely the CCBE [response](#) on the amended proposal for a Regulation establishing a common procedure for international protection in the Union, and the CCBE [response](#) on the Proposal for a Regulation introducing a screening of third country nationals at the external borders. The Committee also issued a [statement](#) on the need to guarantee the fundamental rights of all persons requesting international protection at EU borders,

in particular regarding the situation in Afghanistan, and a [statement](#) on the situation at the EU border with Belarus. The Committee also actively followed the work of the Council of Europe and established close contact with the Secretary General's Special Representative on Migration and Refugees. In addition to his membership to the EASO Consultative Forum, the CCBE became in 2021 a member of the Frontex Consultative Forum. The Migration Committee furthermore followed and supported the European Lawyers in Lesvos initiative (ELIL), launched by the CCBE and the German Bar Association (DAV) in 2016 and later joined by the CNB in 2020 and which is now managed by an independent non-profit charitable organisation. ELIL still needs funding in order to be able to continue offering independent pro bono legal advice to asylum seekers.

See donation page: <https://www.europeanlawyersinlesvos.eu/donate>

## PECO (Platform for Exchange, Cooperation and Outreach)

# PECO

**Chair:** Roman ZAVRŠEK (Slovenia)  
**Vice-Chairs:** Marc JOBERT (France),  
Constantin PARASCHO (Romania),  
Maria ŚLAZAK (Poland)

The Committee continued to monitor and assess the developments of advocacy in different countries, provided assistance and organised exchanges between members on requests received. In this regard, 10 bilateral online calls were organised between the PECO Chair and associate and observer members to discuss

issues such as expectations regarding the future work of the Committee, the participation of associate and observer members in the CCBE Plenary Sessions and Standing Committees, and the current situation in particular countries. In the margins of the continuation of the dialogue with the Azerbaijani Bar Association (ABA), informal contacts, exchanges, and several rounds of discussions, including exchanges of letters, took place in 2021. In addition, an online training event on “The role of the European Court of Human Rights (ECtHR) and the admissibility criteria of the application” was organised in June 2021 which was very well attended and followed on social media platforms. In December 2021, a letter was sent to the ABA with CCBE suggestions for the amendments to the “Law on Lawyers and legal practice” of Azerbaijan.

## Permanent Delegation to the Court of Justice and the General Court of the European Union and the EFTA Court

**Chair:** Cesare RIZZA (Italy)

On 8 November 2021, meetings took place between the CCBE and members of the Court of Justice, the General Court, and the European Free Trade Association States Court (EFTA Court). Generally, such meetings allow practitioners to bring concerns, compliments, and suggestions to the Courts. The content and exchanges during this year’s meetings focused particularly on the consequences of COVID-19 measures and the Courts’ efforts to ensure continuity of justice in the context of the pandemic. The CCBE feedback after the publication of the report on the functioning of the General Court was also addressed. These exchanges were essential to discuss the practical difficulties and future evolutions. PD Lux also drafted the CCBE [response](#) to the EFTA Court’s Consultation on the possible publication of Written Observations in Advisory Opinion Cases.



## Permanent Delegation to the European Court of Human Rights

**Chair:** Piers GARDNER (UK)



Following its proposals for reform of the ECHR machinery adopted in June 2019, the PD Stras drafted the CCBE [proposals](#) for further reform of the ECHR machinery. The CCBE recommends in particular that the Committee of Ministers should amend its Rules for the Supervision of the Execution of Judgments to expressly permit lawyers instructed in the case, Bars and Law Societies and their international associations, such as the CCBE, to make proposals for all aspects of the execution of Court judgments. Furthermore, on 22 October 2021, the European Court of Human

Rights (ECtHR) together with the CCBE organised for the first time a meeting with the representatives of the national Bars and Law Societies of the Council of Europe’s Member States (See Highlights). The PD Stras also continued to follow the work of the Council of Europe Steering Committee for Human Rights ad hoc negotiation Group on the accession of the EU to the European Convention on Human Rights (“47+1 Group”).



## Quality



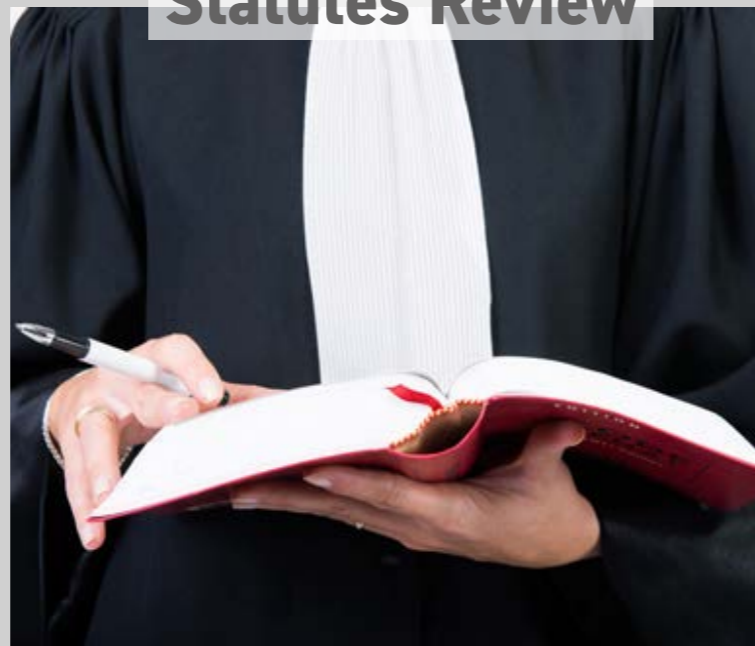
**Chair: Aldo BULGARELLI (Italy)**

The Committee finalised the drafting of a [paper](#) entitled “Ensuring Quality in the Legal Profession” adopted by the CCBE Standing Committee in June. This paper is meant to show the experience and knowledge of the legal profession with regards to measures which ensure quality and shall serve as inspiration. In this sense, the paper presents some examples and underlines, at the same time, the broad range of measures which can be taken. Besides, the Committee also followed the work of the Council of Europe European Commission for the Efficiency of Justice (CEPEJ) working groups on Quality and Evaluation of Judicial Systems, and in conjunction with the EU Lawyers Committee, scrutinised the European Commission policy initiatives affecting the regulation of the legal profession.

## Statutes Review

**Chair: Anne Birgitte GAMMELJORD (Denmark)**

Throughout the year, the Statutes Review Working Group put forward and considered several proposed amendments to the CCBE Statutes. It was foreseen that the proposed amendments would be approved this year. However, due to the pandemic preventing physical meetings, the vote was postponed to 2022. In the meantime, the Working Group will continue to review and assess any necessary amendments.



## Surveillance

**Chair: Sebastian CORDING (Germany)**  
**Vice-Chair: Iain G. MITCHELL (United Kingdom)**

The Working Group continued to be deeply involved in the international developments regarding access to e-evidence in criminal matters. It followed the EU interinstitutional negotiations on the proposal for a regulation on European Production and Preservation Orders for Electronic Evidence. The Working Group contributed to CCBE initiatives as well as common initiatives with other organisations, by preparing letters to the parties involved, such as the Council of the EU and the European Commission, and by having exchanges with members of the European Parliament. Furthermore, it took part in the consultations within the Council of Europe regarding the adoption of a second additional Protocol to the Budapest Convention on Cybercrime regarding e-evidence issues. The Working Group also prepared a [position](#) paper on the EU proposal for a regulation extending the powers of Europol to receive personal data directly from private parties and to request private data of other Member States where the data are located. The Working Group actively monitored cases where lawyers have been put under surveillance. The Chair and the Vice-Chair prepared CCBE interventions before the European Court of Human Rights in German cases related to mass surveillance and seizures which took place in law firms. The Working Group also contributed to the CCBE position on the AI Act, before starting to work specifically on biometric identification systems.



## Tax



**Chair: Jacques TAQUET (France)**

The Committee continued to follow the implementation of the Council Directive (EU) 2018/822 amending Directive 2011/16/EU as regards mandatory automatic exchange of information in the field of taxation in relation to reportable cross-border arrangements (the DAC 6 Directive). The Directive imposes mandatory reporting of cross-border arrangements. The Committee also followed developments regarding its 2020 intervention in a constitutional challenge by the Belgian Bars against certain provisions in the Belgian national legislation implementing the DAC 6 Directive. Moreover, the Committee started to analyse

the Commission proposals for a Council Directive to fight against the misuse of shell entities for improper tax purposes and for a Council Directive on ensuring a global minimum level of taxation for multinational groups in the Union, both published at the end of December. This assessment will continue in 2022.

## Training



**Chair: Nikolaos KOUTKIAS (Greece)**

The Committee drafted the CCBE [comments](#) on the Commission [Communication](#) 'Ensuring justice in the EU – a European judicial training strategy for 2021-2024' which were adopted in March 2021.

In March 2021, a CCBE workshop was organised on available EU funds for Bars and lawyers which gathered more than 100 participants from different national and local Bars. During this event, several presentations were made by representatives of the European Commission on the EU Recovery and Resilience Facility (RRF), the Citizenship, Equality, Rights and Values (CERV) programmes, as well as the Justice programme. Following this successful workshop, a second workshop was organised to have an internal exchange of experience regarding the acquisition of EU funds and to provide the opportunity for CCBE members to exchange their ideas regarding the open calls for proposals for EU funds, including for the training of lawyers.

Contributions were also made by various CCBE speakers, including the CCBE President, to the EU conference on training of justice professionals which took place in May 2021 to discuss the main challenges for the European Judicial Training Strategy.

In November 2021, a joint webinar of the CCBE and the European Union Agency for Fundamental Rights (FRA) was organised on the EU Charter of Fundamental Rights and related FRA materials for learning.

An Action Plan to improve access to EU training funds for lawyers was agreed by the Committee and adopted by the Plenary Session in December 2021.



# Projects



## Artificial Intelligence for Lawyers (AI4Lawyers)

The project AI4Lawyers is run in cooperation with the European Lawyers Foundation (ELF) and financed with the support of the Justice Programme of the European Union. The project's objective is to provide a better understanding for lawyers and small and medium-sized law firms on how to use the opportunities provided by new technologies, such as conversational systems which can open up new service channels to clients. In 2021, the project team finalised the first phase of the project with an [overview](#) on the average state of the art of IT capabilities of small law firms in the European Union and gap analysis compared to the US/UK/Canada best practices, which was submitted to the European Commission at the end of February. The second phase of the project started in March and was concluded at the end of the year by the presentation of a [Report](#) on opportunities and barriers in the use of Natural Language processing tools in SME Law practices. The project team finally started to work on the third and final phase of the project by developing a guide on the use of AI by lawyers and law firms in the EU.

## Me-CODEX 2 (Maintenance of e-CODEX)

The CCBE continued its participation (through the involvement of the ELF) in the Me-CODEX project which aims to maintain the services already developed by e-CODEX, until it is delivered to eu-LISA, an EU agency, and to pave the way for the long-term usage and sustainable governance of the e-CODEX building blocks. Under the e-CODEX project, electronic building blocks have been developed to establish a European interoperability layer for e-Justice communications, therefore enabling electronic access to different Member States' judicial systems in different domains, such as the European Small Claims procedure or the European Payment Order. In this project the CCBE developed, through Find-a-Lawyer 2 (FAL 2), a mechanism to verify lawyers' e-ID in proceedings developed under e-CODEX. As regards Me-CODEX II (which started in July as a prolongation of Me-CODEX), the CCBE/ELF was invited to participate in the Management Board meetings so that it is well positioned to provide input in the overall governance of e-CODEX, both regarding the currently ongoing activities and in relation to the long-term sustainability of e-CODEX. In 2021, the CCBE continued to be involved in the project's Legal subgroup, which deals with all the legal issues, particularly concerning the compliance with the GDPR and other statutory requirements. The CCBE/ELF took part in several meetings with other stakeholders and national ministries participating in the project, as well as the European Commission.



# Who's who

## Presidency



**Margarete von GALEN**  
President



**James MacGUILL**  
First Vice-President



**Panagiotis PERAKIS**  
Second Vice-President



**Pierre-Dominique SCHUPP**  
Third Vice-President

## Finance Committee



**Claudia SEIBEL**  
Chair of the Finance Committee



# Committee Chairs



Noemí ALARCÓN VELASCO  
Migration



Antigoni ALEXANDROPOULOU  
Company Law



Aldo BULGARELLI  
Quality



Herman BUYSENS  
Insurance



Sebastian CORDING  
Surveillance



Bertrand DEBOSQUE  
Deontology



Katell DROUET-BASSOU  
Family & Succession Law



Carlo FORTE  
International Legal Services



Alix FRANK-THOMASSER  
Corporate Social Responsibility



Anne Birgitte GAMMELJORD  
Statutes Review



Piers GARDNER  
Permanent Delegation to the ECHR



Jean-Louis JORIS  
European Transparency Register



Nikolaos KOUTKIAS  
Training



Ondrej LACIAK  
Criminal Law



Rupert MANHART  
Anti-Money-Laundering



Jiří NOVÁK  
IT Law



Laurent PETTITI  
European Convention



Pedro PORTELLANO  
European Private Law



Cesare RIZZA  
Permanent Delegation to  
the Court of Justice and  
the General Court and the  
EFTA Court



Elisabeth SCHEUBA  
Access to Justice



Pierre-Dominique SCHUPP  
COVID-19 Task Force



Jacques TAQUET  
Tax



Stefan von RAUMER  
Human Rights



Thierry WICKERS  
Future of the Legal Profession  
and Legal Services



Joanna WISŁA-PŁONKA  
EU Lawyers



Roman ZAVRŠEK  
PECO

# Secretariat



**Simone CUOMO**  
Secretary-General

## Public Affairs



**Peter Mc NAMEE**  
Head of Public Affairs and Senior Legal Advisor

## Communication



**Karine MÉTAYER**  
Head of Communication

## Legal staff



**Stéphanie ALVES-SCHULDT**  
Senior Legal Advisor



**Indra BULE**  
Legal Advisor



**Nathan ROOSBEEK**  
Legal Advisor



**Martin SACLEUX**  
Legal Advisor



**Anna SMOLIŃSKA**  
Legal Advisor



**Yvonne GOETTLER**  
Legal Advisor

## Administrative staff



**Véronique JAMART**  
Head of Finance and  
Human Resources



**Anne VANDERGOTEN**  
Head of Finance and  
Human Resources  
*replacing Véronique JAMART  
during her maternity leave*



**Alexandre MAHÉ**  
Translator



**Oriane VAN DER LINDEN**  
Administrative Assistant



**Sophie TESTAERT**  
Web-Editing and  
Publication Assistant

We would like to thank our trainees in 2021 : Chiara BERTOZZI, Frederica DIAS, Anastasiia PRYCHTA, Marie THIRY



# Heads of Delegation

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## Full Members

Austria	Elisabeth SCHEUBA
Belgium	Éric BALATE (until September) - Alex TALLON
Bulgaria	Ralitsa NEGENTSOVA (until October) - Ivaylo DERMENDJIEV
Croatia	Irina JELČIĆ (until September) - Ive BRKIĆ
Cyprus	Christos CLERIDES
Czech Republic	Antonín MOKRÝ
Denmark	Liv DYRHAUGE-KLARGAARD (until November) - Per HEMMER
Estonia	Kadri KALLAS
Finland	Jarkko RUOHOLA (until August) - Jussi IKONEN
France	Bertrand DEBOSQUE
Germany	Claudia SEIBEL (until March) - Andreas von MARIASSY
Greece	Nikolaos KOUTKIAS
Hungary	András SZECSEKAY
Iceland	Ingimar INGASON
Ireland	Cormac LITTLE
Italy	Francesca SORBI
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