



*Secrétariat des Commissions*

## **REPORT ON FBE COMMISSIONS**

**Presidency Meeting - The Hague, June, 1<sup>st</sup> , 2017**

### **PERMANENT COMMISSIONS**

#### **COMMISSION ACCESS TO JUSTICE - LUCCA**

*President : Michele Lucherini - Vice President : Suzanne Stern - Secretary : Enrico Lattanzi*

The President of the commission has sent a complete report about the cost of justice and the legal aid conditions in Europe (see attachment). The commission has achieved a huge work.

The report has already been put on the website (subsection “Works of the Commissions”). The Secretary of the Commissions asked President Lucherini to prepare a short introduction in order to put it also on the main page of the website.

#### **HUMAN RIGHTS COMMISSION - BRUSSELS**

*President : Yves Oschinsky - Vice President : Vincent Spira - Secretary : Julie Goffin*

There was no information sent to the Secretariat of the Commissions since the Presidency Meeting of Barcelona.



### **ETHICS COMMISSION – DEVON**

*President : Rod Mole - Vice President : Michael Auer - Secretary : Nazario de Oleaga*

There was no information sent to the Secretariat of the Commissions since the Presidency Meeting of Barcelona.

### **LEGAL EDUCATION COMMISSION - MADRID**

*President : Maria Sonia Gumpert Melgosa - No Vice President - Secretary : Ana Casado Martin*

The following six months report has been sent to the Secretariat of the Commissions

#### **FBE LEGAL EDUCATION COMMISSION Presidency: Madrid Bar Association 6 MONTHS REPORT GENERAL CONGRESS THE HAGUE – 1-3 June 2017**

##### **ACTIVITES OF THE LEGAL EDUCATION COMMISSION**

During its last meeting in Luxembourg, the Legal Education Commission had decided to develop two projects:

- A second edition of the International Contract Competition in Warsaw
- The organization of a seminar on Brexit in Madrid

- **Regarding the International Contract competition in Warsaw:**

The competition is taking place from the 12<sup>th</sup> to the 14<sup>th</sup> of May.

8 teams from 7 different Bars are participating (Madrid, Devon & Somerset, Cluj, Bucharest, Sofia, Warsaw, and Antwerp), and the team of judges is composed by representative of various Bar Associations from different countries (Poland, Spain, Rumania, and Vice President Michele Lucherini as representative of the FBE).

- **Regarding the Seminar on Brexit:**

As it was mentioned in the report for the Barcelona Meeting, although dates were set and approved by the FBE Presidency and the Legal Education Center of the Madrid Bar Association had worked on a programme for the seminar, which draft was sent to the members of the Commission, considering the absence of response from the members of the Commission and the fact that none of the Commissions of the FBE has ever organized an event of this type, we considered that it would be better to address the issue of Brexit by means of a newsletter that would be sent to the members of the FBE.

It seemed like a better way to reach more European lawyers since the Bar Associations members of the FBE will pass on the newsletter to their members, and the FBE Presidency approved the Project.

This newsletter will follow the scientific programme that was initially established for the seminar and would be send in 4 or 5 numbers, each one treating a different topic. (see draft programme for the newsletter).

From the Madrid Bar Association, we have started to contact possible writers. During the last Madrid Meeting, we also organized a panel on the subject "Brexit challenges facing Europe" to which participated Vice President Sara Chandler along with other professionals whom we are hoping will participate as well in the newsletter.

We are also hoping to receive help from the others members of the Presidency and from the Presidents of Commissions and will be grateful for any recommendations they would have for possible writers to prepare articles on the different themes of the Programme, in order to start publishing the newsletter as soon as possible.

## **AD HOC COMMISSIONS**

### **ARBITRATION COMMISSION - NAPOLI**

*President : Alessandro Senatore - Vice President : No information - Secretary : No information*

There was no information sent to the Secretariat of the Commissions since the Presidency Meeting of Barcelona.

### **COMMISSION PROFESSIONAL INSURANCE - ANTWERP**

*President : Leo Bouteligier - Vice President : Luc De Somer - Secretary : Stefanie Verstraete*

There was no information sent to the Secretariat of the Commissions since the Presidency Meeting of Barcelona.

### **EASTERN BARS COMMISSION - CLUJ**

*President : Stanca Gidro - Vice President : Christoph Munz - Secretary : Diana Andrasoni*

The following six month report has been sent to the Secretariat of the Commissions:

*Reporting period: 11.02.2017 – 01.06.2017*

*This Periodic Activity Report covers the activities of the Eastern Bars Commission for a period of 4 months, since previous report, from the meeting of Barcelona.*

*In Barcelona Eastern Bars Commission has set the next meeting for Craiova, Romania during 5<sup>th</sup> - 6<sup>th</sup> of May 2017. The meeting was planned to be correlated to the international conference Organized by Dolj Bar Association on the topic of Independence of Lawyers. Due to the participation of many Eastern Europe Bars, non-yet members of FBE, the presidency of FBE has appreciated the great importance of this meeting, in order to promote the FBE to the bars of the Eastern Europe and to help the Federation to retain and increase its influence, by the adhesion of new members.*

*At Craiova meeting were present Mr. Cristoph Munz, the Treasurer of FBE, and Mr. Charles Kaufhold, the Secretary General of FBE. Mr. Munz has made a general presentation of FBE and Miss Stanca Gidro has presented the activity, role and importance of Eastern Bar Commission and has been the moderator of the round table on the topics of the common challenges of the lawyers of Eastern Bars, as well as the specific national challenges for lawyers from Eastern Europe. As Non-members of FBE, representatives of bar associations from Albania (Tirana), Bulgaria (Vidin), Greece (Thessaloniki), Moldova (Chişinău), Serbia (Zaječar, Niš) and of various Romanian bar associations were present.*

*The meeting was a success, Serbian Bars and Bulgarian Bars having expressed their interest in FBE activities and taking into consideration the possibility of adhering.*

*The Legal Innovation International Conference will be held in Wrocław on 21-22 April 2017.*

*The Conference is organised by the Centre for Research on Legal and Economic Issues of Electronic Communication (CBKE) operating at the Faculty of Law, Administration and Economics of the Wrocław University and the Court of Appeal in Wrocław in cooperation with the European Bars Federation, the Regional Chamber of Legal Advisors in Wrocław, and the Regional Bar Association in Wrocław.*

*As a collaboration between commissions, I have to mention The Conference about New Technologies – Legal Innovation in Wrocław, Poland, where were discussed issues related to the use of new technologies that lawyers encounter in their everyday practice, including issues related to personal data, rules for accessing public information, and advanced tools for lawyers. During the Conference, the speakers will also talk about digitisation in courts, as well as digitisation in enforcement, and land and mortgage registration proceedings. As a speaker was Ms. Diana Andrasoni, from Eastern Bars Commission.*

*The Eastern Bars Commission has supported the second competition on international trade agreements organized by the Fédération des Barreaux d'Europe (F.B.E.) on May 12–14 in the Warsaw Bar Association sending delegate lawyers from the Cluj Bar Association. The originator of the competition and its host was the Warsaw Bar Association (Poland). The attorney-at-Law Calin Viorel Iuga participated as juror at the contest with the presence of a team of 2 young female attorneys who ranked second of 8 teams. Teams from Poland, Belgium, Bulgaria, Romania, Spain and the UK took part in the competition. This is the second time when the delegates from the Cluj Bar Association win the second place, after Bulgaria team.*

*Eastern Bar Commission had some results in its objective of increasing cooperation amongst Eastern Bars. New members and observers projects will be developed. Discussions started at Craiova meeting are ongoing. Common projects will be discussed at Hague meeting.*

***The working program proposed for the next 6 months:***

- 1. State interference in freedom and independence of advocacy.*
- 2. Legal education in schools*
- 3. The principle of equality of arms threatened in ex-communist countries by the magistrate prosecutors statute. Professional relationship between Magistrates (Judges and prosecutors) and attorneys.*

### **MEDIATION COMMISSION - BARCELONA**

*President : Silvia Gimenez-Salinas - Vice President : No information - Secretary : Marta Isern*

There was no information sent to the Secretariat of the Commissions since the Presidency Meeting of Barcelona.

### **COMMISSION ORGANISATION AND OPERATION OF THE BAR ASSOCIATIONS AND LAW SOCIETIES - FFM**

*President : Andrea Griem - Vice President : Rudolf Lauda - Secretary : Heike Steinbach-Rohn*

There was no information sent to the Secretariat of the Commissions since the Presidency Meeting of Barcelona.

### **COMMISSION FUTURE OF THE PROFESSION – THE HAAGUE**

*President : Bas Martens - Vice President : David de Knijff - Secretary : Saskia van der Toorn*

There was no information sent to the Secretariat of the Commissions since the Presidency Meeting of Barcelona.

### **COMMISSION NEW TECHNOLOGIES - WROCLAW**

*President : Iza Konopacka - Vice President : Franceso Tregnaghi - Secretary : Anna Materla*

President Konopacka has sent the following agenda for the meeting of her commission in The Hague :

1. *The Legal Innovation Conference-summary and conclusions*
2. *Regulations on data protection and the implication on legal practice (CCBE GUIDE FOR LAW FIRMS).*
3. *Digital revolution and how should lawyers embrace it?*
4. *Center for Innovation at the FBE- the main aim should be to report the latest developments in IT which could be used by lawyers and to the benefits of their clients.*
5. *Important issues for lawyers arising out of use of new technologies such as e.g. civil liability and insurance or legal training,*

6. *Allocating tasks to the NT Commission members.*

**HUMAN RIGHTS FREEDOM COMMISSION - POZNAN**

*President : Artur Wierzbicki - Vice President : Marc Wesser - Secretary : Renata Karbowska-Kuźma*

The two following 6 months report has been sent to the Secretariat of the Commissions by President Wierzbicki :

Report of past activities :

*In accordance to the letter of the President of the European Bars Federation dated April 06, 2017 - I send the composition of Human Rights & Freedom Commission (HRFC) activities for last 6 month – year 2016/2017:*

1. *regular working and ad hoc meetings of the Human Rights & Freedom Commission :*
  - *in Berlin/Germany (December 2016),*
  - *in Barcelona/Spain (February 2017) and*
  - *in Madrid/Spain(April 2017)*
2. *permanent e-mail contact among the members of HRFC and other commissions belonging to the FBE (June 2016 – April 2017)*
3. *work on the preliminary report on refugee action to encourage our members to develop their own initiatives (April 2017),*
4. *basing on the report on refugees prepare the new preliminary survey dedicated to the member Bars of FBE (May 2017),*
5. *assisting the Member Bars with training ideas for refugee action*
6. *linked the contact with human rights organizations in Europe as Amnesty International from Netherland, relevant human rights organizations in Germany, France, Poland, United Kingdom*
7. *letters to authorities to support lawyers in need*
8. *active participation in all activities of HUMAN RIGHTS DAY (December 2016).*
9. *participation in all activities of EUROPEAN LAWYERS DAY (December 2016).*

Report on future activities :

*In accordance to the letter of the President of the European Bars Federation dated April 06, 2017, I send the composition of FBE Human Rights & Freedom Commission (HRFC) activities for next 6 month (it is till the end of the year 2017) :*

1. *preparation and publication of the report on refugee action - encouraging our members to develop their own initiatives,*
2. *assist member bar associations with training ideas for refugee action*
3. *prepare the survey for the member Bars of FBE and evaluate it, making proposals for action for Bars Association,*
4. *work with the Madrid Bar and FBE Commission on Training and Education on Guidance for Business & Human Rights training for FBE members -translation,*

5. work with the FBE Commission on Training and Education on the First International Human Rights Competition (Poland, Poznań October 21,2017)
6. develop a training programme for community legal education programme at schools and community centers on human rights for the use of our member bar associations,
7. carry the studies on the HRFC new project "International Trial Observation - Turkey",
8. prepare a proposal of the FBE Resolution on independence of Judiciary and Lawyers in Poland (FBE Congress in Hague 2017)
9. consider the European lawyers access to their profession
10. support all international activities on human rights,
11. working regular meetings of HRFC.

The President of the commission has also sent the following draft resolution to be presented and adopted at the General Assembly of The Hague :

**DRAFT RESOLUTION**

*"On the 3rd June 2017, the General Assembly of the FBE, which represents 250 member Bars and their 850.000 member lawyers, expressed its grave concerns for the situation of Judges and Lawyers in Poland, recognizing that there has been an erosion of the independence of Judges, prosecutors, lawyers and the administration of justice because of the intervention of the government in the appointment and dismissal of Judges, failure to respect the decisions of the Courts and interference in the prosecution service."*

**COMMISSION LAW WITHOUT BORDERS - FFM**

*President : Rudolf Lauda - Vice President : Sergiusz Foltynowicz - Secretary : Tanja Wolf*

There was no information sent to the Secretariat of the Commissions since the Presidency Meeting of Barcelona.