The following letter has been sent by the President to the members of the Commission the 8th of April 2016:

Dear all,

During these first months of the new composition of the Committee, we asked the old members to confirm their participation. We also sent direct invitations to all the Bars of Spain, France and United Kingdom. Paris and Aix-en-Provence Bars have declared their interest and I hope that it will be confirmed during the Strasbourg meeting (Committee meeting will take on Thursday, May 12th, 2016 at 3.00 p.m. in Strasbourg, Ordre des Avocats, 3 rue du Général Frère 67000 STRASBOURG).

It’s proposed to draft a text, showing the general conditions and the costs for the access to justice in any European Nation and publishing the work, available to everyone in the Federation, according to the decision of the FBE Presidency.

We shall engage in work - and that will be done in Strasbourg - Bars from nations which still not participate at the commission.

I kindly ask you to start preparing a tab with the conditions turned to civil justice, criminal and administrative and related costs. In addition, it’s important to study and shortly report the conditions for access to legal aid (it also provided access to justice).

Finally, in a next phase, we could study and report the conditions and results about the efficiency of justice (what and when).
The members list of the Commission has been updated.

On behalf of President Nazario de Oleaga, a request for support in the context of prosecutorial abuse against the legal profession in Romania has been forwarded to the Commission the 14th of January 2016.

The six-months report has not been sent to the Secretariat of the Commissions yet.

Neither the composition of the commission, nor the six-months report have been sent to the Secretariat of the Commissions yet.

The Secretariat of the Commissions didn’t get any reply from the President.

The composition of the Commission has been updated.

The commission is currently evaluating the project of International Contract Competition for young lawyers at training level proposed by the Warsaw Bar Association to the Presidency and is now in direct contact with the Warsaw Bar Association to get the requested information and fulfill its evaluation.

The six-months report has not been sent to the Secretariat of the Commissions yet.
AD HOC COMMISSIONS

ARBITRATION COMMISSION - NAPOLI

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

The composition of the commission could not been updated yet.

During the Presidency meeting held in Barcelona, President Nazario de OLEAGA informed the Presidency that he has spoken with Alessandro Senatore who will work on the composition of his commission and prepare a working program for the Congress of Strasbourg.

An Arbitration Agreement has been signed in Naples the 23rd of March between the FBE represented by President Nazario de Oleaga and President of the Commission Alessandro Senatore and the University Suor Orsola Benincasa for “the organization and implementation of seminars, conferences and training events, for vocational training of students and lawyers and for the diffusion, also in the business sector, of the culture of international arbitration”.

COMMISSION PROFESSIONAL INSURANCE - ANTWERP

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

The members list of the Commission has been updated. The President also informed the Secretariat of the Commissions that he is waiting for replies from the Madrid and the Wroclaw Bar Associations. The Secretariat of the Commissions has been informed the 18th of April that neither the Madrid Bar nor the Wroclaw Bar Association have informed the President Bouteligier about their representatives in the Commission.

During the joint meeting in Barcelona, the President has informed the Presidency that the commission is waiting for instructions from the Presidency about relevant topics in the frame of professional insurance.

The President of the commission also informed the Presidency that the commission will start to work on legal aid insurance.
The six months report been sent to the Secretariat of the Commissions the 25\textsuperscript{th} of April 2016.


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.

The active members are listed in the annex attached to the present report.

During this period, the scientific program was


The Eastern Bars Commission has prepared a written material concerning the explanation of migration procedures and laws on basis of 1951 Geneva Convention and 1967 New York Protocol relating to the status of refugees and it has been distributed through Romanian Bars to be discussed with attorneys during the continuous professional development courses. We will attach this material, to be distributed through other Bars from other countries.

From Eastern Bar Commission members of Cluj Bar Association have been designated as experts in the ACTIONES project (Active Charter Training through Interaction Of National Experiences) a EU funded project under the coordination of the EUI Centre for Judicial Cooperation, and involving 17 partners: 7 academic institutions, a European-wide association of judges, and 9 national institutions entrusted with the task to train judges and lawyers.

The experts have worked on migration and asylum section, consumer rights and judicial cooperation. All analysed cases and their interpretation will be the basis of a manual that will be utilised in international trainings for judges that will be held in Florence, Italy.

Eastern Bar Commission has developed a program to implement juridical education in high schools across Romanian Country.

Eastern Bar Commission has promoted the CCBE initiative to send attorneys in hotspots in Greece, and we are waiting the list of candidatures from all Bars from Eastern Europe.

We plan on holding a commission meeting in Romania, Cluj-Napoca in the upcoming 2 months.

The working program proposed for the next 6 months:

2. State interference in freedom and independence of advocacy.
4. 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.

An updated members list has also been sent to the Secretariat of the Commissions.
The composition of the commission could not been updated yet.

President Silvia Gimenez Salinas has sent the 19th of April, the following document.

**FBE MEDIATION COMMITTEE ACTION PLAN**

In accordance with the proposal put forward by the Committee, in October 2015, the Bar Association of Barcelona committed itself to carrying out research work on the real situation of mediation in the Federation’s associations – the details of each association’s mediation centres and committees – and to drawing up of a new list of transnational mediators with common training and ethics.

This task has been carried out and organised under the following parameters:

**ONE.-** Comparison of FBE member countries on the applicable law and training required for mediators, in accordance with the appendix attached as an example.

**TWO.-** Each of the associations is being contacted directly to give us information about the following aspects:

1) Is there a Mediation Centre in your bar? If not, which centre is responsible for it?
2) What is the legislation regarding mediation?
3) What is the necessary education of the Mediators? (degree...)
4) What is the judicial recognition?
5) What are the requirements of the Mediators?

Once all the responses have been received, the aim is to update the contacts with all those responsible for mediation and to invite them to participate in the FBE and on our committee as active, members, necessary for exchanging information. Those responsible for mediation at each association should attend the two annual meetings of the FBE to join the committee and prepare the annual course.

We find very diverse situations, from associations that do not even have a mediation committee to associations with mediation centres, so updating the information and finding out about them is essential.

**THREE.-** We are delivering eight sheets with the following details: members of the FBE, their telephone numbers and e-mail addresses. This will provide links through the FBE secretary’s office to each of the associations in order to check the details appearing on each of them, as well as indicating the contact person for mediation matters. One of the common problems is that the details appearing in the FBE’s files are old and not updated and that the current members responsible for mediation are not known.
FOUR - Once we have all these details, which we will present in Strasbourg, we will analyse the minimum essential training all countries have for lawyers-mediators and draw up proposed requirements for appearing as a transnational mediator on the FBE website.

FIVE.- We also attach the ethical code for lawyers-mediators which was approved by the FBE two years ago. Compliance with this is necessary in order to be included on this list of transnational mediators with the FBE guarantee. Complaints about the actions of FBE mediators will be analysed by the Mediation Committee, which will send them to the corresponding association with its decision.

SIX.- The updated map of the exercise of mediation by lawyers will allow us to request the inclusion of our associations as receivers of European funds for the exercise of mediation. The FBE, through the list of transnational lawyers/mediators, may also receive subsidies for the practical application of mediation.

SEVEN.- This research work will allow us to find out the level of involvement of mediation in the different countries and associations and establish some kind of continuing training for the lawyers who want to use mediation to resolve their customers' disputes.

For this, the presence on the committee of new members responsible for mediation in their associations will be essential. They will help us establish minimums for programmes so associations can publicise their characteristics and the involvement of lawyers in their capacity as legal advisers in mediation processes. This is an essential element so any mediation can have legally acceptable and enforceable results in all the countries involved.

To achieve this, lawyers for the parties involved in mediation must not to withdraw from it. Instead, they must instruct their clients about the legal acceptability of the possible agreements and whether they can easily be enforced.

Barcelona, 12 April 2016

Signed: Silvia Gimenez-Salinas Colomer
FBE Mediation Committee

The Presidency is invited by President Silvia Gimenez to give its input on the document and the proposed activities.
The composition of the commission could not been updated yet.

The following report has been sent to the Secretariat of the Commissions by President Andrea Griem.

We sent our small questionnaire (see attachment) to 21 members of our commission that are listed on the website of the FBE. So far we only received three answers. Mario Napoli (Italy) and Ferdinand de Vliegher (Belgium) informed us, that they retired from their presidency and, hence, can be deleted from the list. Moreover, Mariusz Maciejewski from Warsaw offered us his support for the survey and already answered the questionnaire. Therefore he should be added to the list. The other countries did not answer yet. Nevertheless, we have the oral agreement of our colleagues from Lyon, Madrid, Lucca, Cluj and Amsterdam to get reports on France, Spain, Italy, Romania and the Netherlands. However, we are convinced that we will receive more data until we will meet in Strasbourg.

The questionnaire is as follows:

**COMMISSION of the FBE:**
„Organisation and Operation of the Bar Associations and Law Societies“
The President Andrea Griem
c/o Rechtsanwaltskammer Frankfurt am Main
Frankfurt, 3rd of February, 2016

Dear Colleagues,

This Commission was founded in a very early Stage of the development of the FBE in the 90ies. According to the Statutes of the FBE it was accepted that the members of the organization should reassure themselves about the common principles of the Self-Government of the Legal Profession. In respect of the autonomy and independence of the Member-organisations it is an objective of the FBE to find an European Model of the core principles of professional Self-governance. That is especially important because of the ongoing attacks against professional organisations concerning their will to rule the Legal Profession. In spite of the long time the Commission was existent, the work is not yet completed.

Somewhere along the way of the FBF-Meetings in the last years, you did sign for participating in this Commission. That is why I – als the actual President of this Ad-Hoc-Commission - write to you and ask you friendly for helping us by answering the following questions. If you do no longer want to cooperate in this Commission, please tell us, so that wie will not bother you any more.

First of all we need a comparison of the different systems and ways to organise the Self-governance of the Profession in the different Law Systems in the States of our members. That is why we want to take a survey about different aspects of Self-Governance which we want you to answer:

Name of your Lawyers-Organisation:________________________________________________________
Country:__________________________________________________________

Under which Rules is your Organisation operating?
Name and date:__________________________________________________________

Are these rules Laws by the elected Legislator ? (Parliament, etc.?):
__________________________________________________________

Are these rules Administrative Regulations by the State?:
__________________________________________________________

Are these rules Statutes because of your own legislative power?:
__________________________________________________________

Is the Role and the functioning of your Lawyers-Organization confirmed only in these rules or also secured in the Constitution?
__________________________________________________________

Does your Organisation have legisatory power concerning the behaviour of Lawyers?:
__________________________________________________________

Do exist regulations that a national assembly of Lawyers has the power to legislate Rules on Lawyers?:
__________________________________________________________

Does your organisation have disciplinary power?
__________________________________________________________

Which other bodies are involved in executing disciplinary power?
__________________________________________________________

Is membership in your Lawyers-Organisation voluntary or obligatory?
__________________________________________________________

Is the qualification for being able to practise the Legal Profession designed by your Organisation?
__________________________________________________________

Are the examinations for Lawyers exclusively operated by your Lawyers-Organisation or in which way is the State involved?
__________________________________________________________

Is the Licensing Procedure exclusively executed by your Lawyers-Organisation?
__________________________________________________________

Are other bodies or organisations involved in the Licensing Procedure?
__________________________________________________________
Is your organisation involved and in which way in insuring the members concerning their Professional Liability?

__________________________________________________________________________

Which role does your Organisation play in hearings of the parliamentary legislator concerning matters of the Legal Profession?

__________________________________________________________________________

We kindly ask you to answer to our questions as precisely as possible. We need the answers for a first classification in categories to be able to have a more precise perception for further communication with you.

We Send you the questionnaire as a Word-document, so that you can easily write the answers on your Computer and forward it back by e-Mail to lauda@rechtsmarkt.eu.

Andrea Griem
President of the Commission

A first approach in an excel-sheet on the basis of vive answers to this questionnaire is attached to the report.

COMMISSION FUTURE OF THE PROFESSION – THE HAAGUE

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

A letter had been sent by President Bas Martens to the current members of the commission on December 23rd 2015, informing them about the topics the commission is working on and to ask them to confirm their membership and complete their contact details.

The composition of the commission could not been updated yet.

The Presidency invited the Commission to work on solutions, within a six months period, to increase the membership of the FBE (especially for the North of Europe, Eastern Europe but also central countries like France which is badly represented in the FBE) and to increase the attendance to the FBE annual congress and intermediate meeting which is constantly decreasing.

During the joint meeting in Barcelona, President Bas Martens has presented a report on the above mentioned topics.

The commission ‘Future of the Profession’ is intended to deal with the future of the lawyers and the profession. The Presidency has also asked the commission to deal with the subject of the future of the FBE. Especially, we are asked to focus on two subjects:
- How to increase the attendance at the annual and intermediate congresses;
- How to increase the membership of the FBE;

Input was given by: Allessandro Gaglione (Rome), David Stros (Prague), Francois Coutard (Lyon) and Rod Mole (Devon). In Barcelona, the Bilbao Bar has asked to join the Commission.

Rotterdam has expressed the wish to remain in the Commission. Other commission members have not reacted on (repeated) correspondence by the secretary of the commission. One more attempt will be made to contact the representatives of the bars and the bar-
associations that did not react. If they fail to react, we will assume that they do not wish to remain a member of the commission.

Intro

This memo is intended to give an overview of the actions taken by the commission in anticipation of the FBE-conference in Strasbourg May 12-14. Plans for initiatives to increase membership and attendance to the congresses may have been introduced in the past. Nevertheless, lack of originality of the proposals, does not make them less relevant.

Initiatives should be easy to implement and maintain. The FBE-staff should not be burdened with extra work.

The FBE must be made more relevant in the day-to-day practice of bars and/or lawyers. A review of the costs of membership of the FBE might be in order to make a better connection with certain bars.

Suggestions made by the commission members:

How to increase membership?

- Open the membership to Young Bars, or young lawyers as the representatives attending the congresses and who are members of the commissions usually are bar leaders or former bar leaders. The young lawyers are the leaders of the future. One may expect that they have the energy and the ambition to grow in an organization as the FBE. The FBE now is to much a ‘closed shop’.
- Free membership for the first years;
- Associate membership open to individual lawyers and adjacent organizations;
- To increase the relevance and awareness of the FBE, each country with FBE-members should have a FBE point of contact. This person has the obligation to inform the FBE secretariat on all major issues concerning bars and lawyers in his or her country. This person also has the obligation to promote FBE publications in the lawyers-journals of his/her country. In the Netherlands for example, we have three magazines (Advocatenblad, Advocatie and Mr.-online) targeting lawyers. They are always happy to publish articles, and for free.
- To increase awareness, promotion should be done through channels of social media (Linkedin-groups, What-app, Twitter (a Twitter-accountant has been opened @Secr_General) and maybe even on Facebook).
- The FBE could present itself more as a lobbying organization, writing positioning papers, acting proactive on subjects such as the independence of the law profession, the position of bar-associations in the legal field, but also subjects relevant to individual lawyers and clients, such as legal-aid and the professional secrecy.

Attendance to the congresses

- FBE could propose more practical subjects during (intermediate) congresses, linked to the professional actuality (f.e. IT, organization of bar-organizations, harmonization of regulations and practices throughout Europe);
- Choosing interesting topics and good speakers (Süskind?). Each meeting/congress should have a concrete output in the form of a booklet;
- As this meeting is linked to the Saint Ramon festivities, congresses could be linked to other events, such as IBA, IUI or CCBE-meetings;
- For each meeting the FBE should investigate if the attendees can obtain point for their permanent education;
- The fee for attending a congress could be reviewed as the congresses are generally considered as costly.

The General Secretary Charles Kaufhold has sent an email to Bas Martens on behalf of the Presidency as follows:

How to increase membership?
Young Bars: Accepting the young bars organizations as members of the FBE would mean that the articles (statutes) of FBE would have to be changed. At the Congress in Bruxelles a few years ago young bars were invited with not much success. Not every country has young bar associations. But it is a point that should be worked on. Maybe the creation of a Commission of and for young lawyers could be positive.

Free membership: already exists as there is the possibility to be a nonpaying observer.

FBE contact in each country: FBE is the Organization of bars and not of national bars like CCBE is. But the idea could be pushed on.

Promotion: This should certainly be improved. To be present in social media takes time and has to be done continually and in good quality. It is costly and time consuming. It has to be done and improved. But how?

Is the way that FBE is actually communicating the right way? Are there things that have to be improved or changed?

Lobbying, writing, acting proactive … interesting, but in real life, how can one make it possible?

Attendance to the congresses

Difficult to say what subjects could be interesting. Having two meetings a year, all subjects have a chance to come through. Possibly a completely different type of congress?

A booklet at the end of the congress? This has been done several years ago. Why has it been abandoned? Maybe too much time, money and energy consuming in comparison with the result? The texts could be published otherwise/elsewhere?

Linked to other meetings. Is there not the risk of diluting for FBE? Sometimes it may be a possibility.

Permanent education: good point!

Reducing the fees, good idea, but how?

The Commission will work according to these guidelines.

COMMISSION NEW TECHNOLOGIES - WROCLAW

President : Iza Konopacka - Vice President : Francesco Tregnaghi - Secretary : Anna Materla

The agenda of the meeting of the Commission in Strasbourg has been sent to the members, as follows:

1. THE REPORT ON IT SURVEY – DISCUSSION
2. THE FBE WEBSITE AUDIT-RECOMMENDATIONS
3. THE E-CODEX SOLUTIONS-MODERN ONLINE SOLUTION TO MAKE JUSTICE FASTER-PRESENTATION (http://eprawo.net)
4. WARSAW BAR “LAWBAY APPLICATION”-PRESENTATION BY MICHAŁ GAJEWSKI
5. USE OF ARTIFICIAL INTELLIGENCE IN LEGAL SERVICES SECTOR-HEDGE, JONES& ALLEN CASE
6. OTHER INTERESTING E-PROJECTS IMPLEMENTED BY BAR MEMBERS

7. IT COMMISSION TASKS’ SCHEDULE FOR THE NEXT 6 MONTHS.

An audit regarding the FBE website, which will be discussed during the meeting and presented during the General Assembly has also been sent to the Secretariat of the Commissions.

1. **Definitions**

- **Website:** FBE Website address [http://www.fbe.org/?lang=en](http://www.fbe.org/?lang=en)
- **FBE:** European Bars Federation/ Fédération des Barreaux d’Europe

2. **Errors with the Website code and the influence on how it displays on browsers and devices as well as its positioning or ranking (i.e. search engine results) in Google.**

There are certain errors and warnings on the Website, which may make the Website inaccessible for some users and adversely affect the Website operation. One of the main errors is the lack of headings used to separate text into sections. The smaller units of text are easier to read, but it influences Website positioning.

3. **Analysis of the Website suitability for mobile devices (mobiles, tablets etc.).**

The Website resolution is effective and has been chosen properly. The Website displays on mobile devices. Despite this, the Website has not been adapted to mobile devices, which may make viewing the Website on such devices harder. Moreover, the Website may be omitted from Google search results on mobile devices.

A Google’s compliance test with mobile devices\(^1\) showed that the Website has not been adapted to be displayed on such devices. The most significant errors are the following:

- fonts are too small, which make the text difficult to read,
- the working window for mobile devices has not been properly set,
- the links on the Website have been situated too close to each other.

The error called the Mobile device working window has not been properly set contributes to the failure of the Website to adjust to different mobile device sizes and features.

It is not essential to make the Website compatible to modern devices; however, it may affect the Website positioning on mobiles and tablets.

The above remarks concern only the main Website. However should the Website be converted into a mobile-friendly website, then the sub-websites should be examined the same way.

Adapting the Website to a user friendlier version may be carried out in two ways:
- either by introducing changes to the existing Website or
- by creating a new website from scratch.

In fact, the conversion of the existing Website would be much more time-consuming than the creation of a new website. Therefore, the latter option is recommended (currently there are different methods for constructing websites which did not exist at the time the FBE website was built).

The above suggestions could be applied to a newly constructed website.

4. The analysis and marketing recommendations for the Website (e.g. a newsletter, location of elements on the Website etc.)

There is not a proper footer on the Website, which could contain FBE contact details. The present footer is not very visible and practicable. It is worth considering whether the most important information regarding FBE and its contact details should be laid out in the footer. (I think what would make more sense is: It is perhaps worth considering not including FBE’s most important contact information in such a footer.)

The above solution may serve as a convenient way to access the information without having to search the whole website or by the use of a specific form.

Although, there is such a tool as the newsletter on the Website, the last one is from 2010 so it is not used.

All the elements are grouped on the left-hand corner menu. The menu unfolds properly, but on clicking a particular reference window, the menu folds up and the user does not know where they are on the Website.

5. Other possible problems with the Website.

The Website does not comply with the Web Content Accessibility Guidelines (WCAG) standards, which are set out in the form of recommendations on how to make content accessible to a wider range of people with disabilities, including the blind, partially sighted, and people with hearing loss, learning disabilities, cognitive limitations, limited movement, speech disabilities, photosensitivity or combinations of these. Following these guidelines will also often make the Web content more usable to visitors in general.

Part of the Web content is not updated on regular basis, such as newsletters, reports (the last one is dated 2012).

Another issue that must be considered is the exchange of the CMS (referred to as the Website engine). If the present system contains restrictions or is not operating properly the alternative solution may be proposed.

Conclusions

The Website operates properly in general. However, it does not comply with recent standards for website building (such as a mobile-friendly website or WCAG standards). Therefore, modifications are necessary.

The Web content should be properly formatted and updated on a regular basis.

6. Recommendations and modification suggestions.

- A mobile-friendly version of the FBE WEBSITE should be built.
- The new CMS (i.e. contents management system) may be proposed.
• The Website should comply with WCAG standards
• Moving information from the Website footer
• Modification of the side menu
• The update and proper formatting of content

A report on the survey on **APPLICATION OF IT SOLUTIONS IN LEGAL PRACTICE** conducted by the Commission among the Bar members has also been sent to the Secretariat of the Commissions (attached piece).

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<tr>
<th>HUMAN RIGHTS FREEDOM COMMISSION - POZNAN</th>
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<tr>
<td>President: Artur Wierzbicki - Vice President: Marc Wesser - Secretary: Renata Karbowska-Kuźma</td>
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An interim report on the response of the legal profession in Europe to the refugee crisis, which will be updated according to the new answers of the member Bars, has been sent to the Secretariat of the Commissions (attached piece).

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<th>COMMISSION LAW WITHOUT BORDERS - FFM</th>
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<tr>
<td>President: Rudolf Lauda - Vice President: Sergiusz Foltynowicz - Secretary: Tanja Wolf</td>
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Following the joint meeting in Barcelona, President Rudolf Lauda informed the Secretariat of the Commissions that he will work on the composition of the commission and present a program as soon as possible.

The six-months report has not been sent to the Secretariat of the Commissions yet.