



CCBE Plenary Session in Brussels - November 2014

CCBE Info

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CCBE WELCOMES NEW SECRETARY-GENERAL

Philip Buisseret is the new Secretary-General of the CCBE, taking over from Jonathan Goldsmith, who stepped down in January after 13 years as the head of the Brussels office.

"I look forward to combining my interest in legal matters and liberal professions with the management of the CCBE," says Philip. "I want to continue the good work of the CCBE and further develop the interests and role of lawyers in European and international fora."

With a Masters of Law from the Catholic University of Leuven (KUL), Belgium, Philip has previous experience at the service of regulated professions as Deputy General Manager and then Director of the National Chamber of Notaries of Belgium. He is fluent in English, Dutch and French.

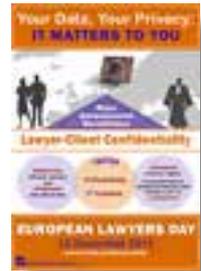


CELEBRATE EUROPEAN LAWYERS DAY: 10 DECEMBER 2015

Following the success of European Lawyers' Day 2014, the event will be held again across Europe on **10 December 2015**, in conjunction with International Human Rights Day. The theme chosen this year is **"Freedom of Expression", which reflects its place in and impact on our society.**

European Lawyers' Day is an opportunity to celebrate the rule of law and the legal profession's intrinsic role in its defence, as well as lawyers' common values and contribution to the justice system.

More information will be available in the coming months on www.ccbe.eu/lawyersday.



SUPREME COURT OF CANADA STRIKES DOWN UNCONSTITUTIONAL ANTI-MONEY LAUNDERING LEGISLATION

The opinion by the Supreme Court of Canada protects attorney-client privilege and strikes down parts of Canada's federal anti-terror and anti-money laundering law that permitted authorities to search and seize files from lawyers' offices without a warrant and required lawyers to report their clients' suspicious financial activities to the government.

The Proceeds of Crime (Money Laundering) and Terrorist Financing Act (S.C. 2000) compels financial intermediaries, including lawyers, to collect information in order to verify the identity of those on whose behalf they pay or receive money, keep extensive records of the transactions and establish internal programs to ensure compliance. The legislation also subjects lawyers to wide-ranging searches and seizures of the material that they are required to collect, record and retain.

In their constitutional challenge, the Federation of Law Societies argued that the scheme makes lawyers unwilling state agents and provides inadequate protections for solicitor-client privilege, turning law offices into archives for use by the police and prosecution.

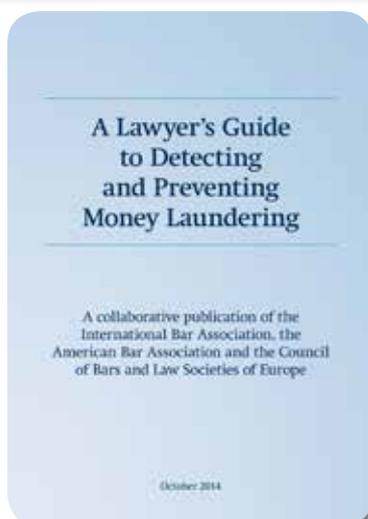


Federation of Law Societies of Canada

Fédération des ordres professionnels de juristes du Canada

Read more: [\[Canada \(Attorney General\) v. Federation of Law Societies of Canada, 2015 SCC 7\]](#)

BAR ASSOCIATIONS DRAFT ANTI-MONEY LAUNDERING GUIDE



The Council of Bars and Law Societies of Europe (CCBE), the International Bar Association (IBA) and the American Bar Association (ABA) worked together to draft 'A Lawyer's Guide to Detecting and Preventing Money Laundering', which was published in October 2014 and is available online for free. This handbook offers practical tips on how to recognize criminals who seek to misuse the legal profession for the purposes of laundering money and/or financing terrorist activities, and discusses the development of a risk-based approach to detect and respond to red flags.

Download the free guide: [\[http://www.ccbe.eu/fileadmin/user_upload/NTCdocument/01748_MKT_SGP_Lawyer1_1413961642.pdf\]](http://www.ccbe.eu/fileadmin/user_upload/NTCdocument/01748_MKT_SGP_Lawyer1_1413961642.pdf)

LAWYERS TAKE ACTION FOR VAT EXEMPTION

On **1 December 2014**, the Paris Bar filed a case with the French Council of State asking that the EU Court of Justice be consulted on the compatibility of Directive 2006/112/EC on the common system of VAT with the Charter of Fundamental Rights. This case concerns the recognition of the right of every individual, who is not subject to registration for VAT, to deduct a tax on legal and other services used in connection with legal proceedings, under the same conditions as those who are subject to registration for such tax.

Since 1997, the CCBE has repeatedly tried to obtain the abolition or reduction of VAT charged on legal services used by individuals, based on principles of access to justice and equality of arms. The CCBE is currently intervening, alongside the Belgian Bars, in an action for the annulment of a legal provision abolishing the VAT exemption, brought before the Belgian Constitutional Court and the European Court of Justice.



WIRETAPPING: ECHR VERDICT RULES INVASION OF PRIVACY



In a case against Romania, the European Court of Human Rights ruled that a wiretapping previously authorised by a court of a conversation between a lawyer and his client was disproportionate, on the basis that the applicant, who was not a party to the proceedings, had no sure way in domestic law to challenge the lawfulness and necessity of such an interference in his privacy.

Read more: [[Pruteanu vs. Romania, Case n°30181/05](#)]

THE COUNCIL OF EUROPE REPORT ON GENDER EQUALITY

The Council of Europe presented on **12 February 2015** its 2014 Annual Report for the implementation of its Gender Equality Strategy 2014-2017. This report evaluates the progress which has been achieved in implementing the strategy within the members states and also gathers the results obtained.

Read more: [[Annual Report 2014 on the Gender Equality Strategy](#)]



PUBLICATION OF THE 2015 EU JUSTICE SCOREBOARD



On **9 March** the European Commission released the **2015 EU Justice Scoreboard** (only available in English), which gives an overview of the quality, independence and efficiency of the justice systems of Member States.

The EU Justice Scoreboard is an information tool aiming to assist Member States to achieve more effective justice by providing objective, reliable and comparable data on their civil, commercial and administrative justice systems.

Together with individual country assessments, the EU Justice Scoreboard contributes to identify possible shortcomings and to encourage Member States to carry out, where necessary, structural reforms in the area of justice.

UPCOMING EVENTS

- 23/04/15:** *Launch of the European Lawyers Foundation, The Hague*
- 24/04/15:** *CCBE Standing Committee, The Hague*