

Brussels, 5 January 2012

European and US lawyers alert IMF against Troika-imposed reforms affecting the independence of the profession in 'bail-out' countries

The Council of Bars and Law Societies of Europe (CCBE) and the American Bar Association (ABA) have written to the Managing Director of the International Monetary Fund (IMF) to express their growing concern about the independence of the legal profession in a number of European countries. It is indeed a disturbing trend in places like Greece, Ireland and Portugal where the economic crisis and the intervention of the Troika have led Governments to propose radical reforms of the legal profession.

This is more about the public than about lawyers. What is truly at stake is the public's access to justice. Independent lawyers with the responsibility of putting the client first and the privileged communication and confidentiality that is a core value of that relationship are the very foundation of an open legal system and a free society. In very real terms, the relationship of a client with a lawyer, totally devoted to the best interests of that client exclusively, is critical to receiving unfettered, needed legal advice in day-to-day matters, as well as protecting and enforcing the client's fundamental rights in a constitutional democracy.

In their joint letter, the CCBE and the ABA say that lawyers and bars and law societies are open to reform if necessary, especially in these difficult economic times. However, the current developments go beyond proportionate and necessary reforms and raise fundamental questions of compliance with international norms.

"Initiatives are being taken based on a purely economic approach, without taking account of the purpose/justification of professional regulation and without analysing the impact of such proposals on the administration of justice", the CCBE and the ABA write in their letter. The two organisations warn that the proposed reforms are inconsistent with regulation independent from the executive branch of the state, one of the core principles of the legal profession in Europe, the United States and internationally. "It is a critical component of a well-functioning judiciary and is the keystone of a democratic society based on the rule of law", they underline.

The CCBE is the representative organisation of around 1 million European lawyers through its member bars and law societies from 31 full member countries, and 11 further associate and observer countries. The ABA is the world's largest voluntary professional organisation, with a membership of almost 400 000 lawyers (including a broad cross-section of attorneys), judges, and law students worldwide.

The full text of the open letter is published on the CCBE website and can be found at this [link](#).

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