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The principles and guarantees of advocates

Motion for a resolution

tabled by Mr Georgii LOGVYNSKYI and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

In recent years the bar faced numerous cases of violations of advocates' professional rights, narrowing the independence and self-government of the bar through illegal pressure, **unwarranted searches**, examinations, illegal collection of information, legislative changes without taking into account the opinion of the legal community.

At the same time, the UN Basic Principles on the Role of Lawyers designed to affirm the right to a fair trial, state that advocates and lawyers must have guarantees for the full and effective performance of their professional functions in the course of the defense of their clients. Governments shall ensure that lawyers:

- are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference;
- are able to travel and to consult with their clients freely both within their own country and abroad; and
- shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.

In its Resolution 2154 (2017) the Parliamentary Assembly has already noticed the importance and the crucial role of defence lawyers in prevention of tortures, inhuman or degrading treatment or punishment. The Assembly calls on member States to investigate promptly, effectively and entirely independently all allegations of threats to, intimidation of or violence against lawyers, including allegations of murder.

The Assembly therefore also calls on all competent bodies of the Council of Europe and the member States to take steps aimed at providing and protecting the principles and guarantees of advocacy.

Signed (see overleaf)



*Signed*¹:

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1. ALDE: Alliance of Liberals and Democrats for Europe
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