
CCBE Manifesto for the June 2024 European Parliament Elections and for the next European Commission of 2024-2029

Promoting a Fair Justice System for a Just Europe



Executive summary

The Council of Bars and Law Societies of Europe (CCBE) represents the Bars and Law Societies of 46 countries and, through them, more than 1 million European lawyers.

In light of the 2024 European Parliament elections and the next European Commission, the CCBE, in the form of a manifesto, urges the European Union institutions to prioritise five key points in their policy agendas, which are vital for ensuring the foundation of a fair and effective judicial system that upholds the principles of justice, fundamental rights, and the rule of law.

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The CCBE in figures



+1 Million
European lawyers



46
Countries

These five key points include:

1

a Europe that defends the rule of law, fundamental rights, and democracy, as well as safeguards the role of an independent legal profession in upholding these values;

2

the need to ensure that the EU legislative process is guided by standards that have a positive impact on the administration of justice;

3

adequate resources for the judicial system and an effective and well-resourced legal aid system;

4

comprehensive training for legal professionals;

5

proper implementation of procedural safeguards in criminal matters.

By prioritising these points, we can, all together, work towards a Europe where the rule of law is upheld and justice is accessible to all.

As the representative organisation for the legal profession in Europe, representing the Bars and Law Societies of 46 countries and, through them, more than 1 million European lawyers, the Council of Bars and Law Societies of Europe (CCBE) calls upon the European Union (EU) institutions to prioritise the below specified key points in their policies and actions, ensuring the foundation of a fair and effective judicial system that upholds the principles of justice, fundamental rights, and the rule of law. In times where respect for the rule of law cannot be taken for granted, it is more than ever important to turn commitments into concrete efforts to create a judicial framework that is fair, reflects EU values, and is firmly grounded within the European legal system and cooperation process.

1

A Europe that defends the rule of law, fundamental rights, and democracy, as well as safeguards the role of an independent legal profession in upholding these values

4

The EU is founded on the principles of the rule of law, fundamental rights, and democracy, which are essential to its functioning and values. Upholding these principles is central to both EU institutions and Member States, representing a cornerstone of the EU's identity and objectives. While addressing threats to these values necessitates collective efforts from various stakeholders, including both public and private entities, it is imperative that the EU institutions take a leading role. Specifically, they are urged to enforce strict adherence to the principles of fundamental rights, democracy, and the rule of law among all parties involved in their decision-making process.

In this context, it is crucial to acknowledge that, while the existence of rights is important, the pivotal factor lies in the ability to practically enforce these rights when they are violated. Lawyers play a vital role in ensuring that individuals can rely on the rights granted under the EU Treaties and seek access to justice for all. However, such a role can only be effectively fulfilled if elements like the independence of Bars, Law Societies and lawyers, as well as the confidentiality of lawyer-client communications, are systematically respected and safeguarded in both national and EU rules.

ACTION REQUIRED



The EU institutions are urged to enforce strict adherence to the principles of fundamental rights, democracy, and the rule of law among all parties involved in their decision-making process.



Moreover, the EU institutions should ensure that EU legislation upholds the core values and role of the legal profession in order to maintain the rule of law and the integrity of European justice systems.

2

The need to ensure that the EU legislative process is guided by standards that have a positive impact on the administration of justice

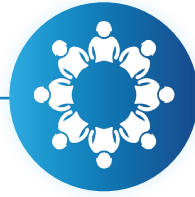
Actors in the administration of justice play a crucial role in upholding the rule of law and in ensuring that laws are applied fairly, consistently, and in accordance with established legal principles. For the legal profession, it is essential that proper checks are in place in order to ensure that EU proposals and the legislative process respects and upholds the core values of the legal profession, including independence and lawyer-client confidentiality. EU legislation must be prepared with due regard to these core values, safeguarding the vital role that lawyers and other actors play in protecting individual rights and ensuring access to justice for all.

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In order to have a continuous and constructive exchange of views on legislation and issues that impact the rule of law, EU institutions should organise **annual meetings with all actors involved in the administration of justice**. This would facilitate the identification and discussion of practical legal issues that may arise and assist in the design and implementation of balanced legislation which corresponds with procedural safeguards and due process requirements. Thus, such an exchange would make a positive and meaningful contribution to enhancing the rule of law in the EU.

Concerns have arisen with regard to various proposals, for example, in the area of anti-money laundering, tax and electronic evidence. Many present and future societal challenges which are part of the EU agenda, such as issues regarding the rule of law, artificial intelligence, digitalisation, climate change, migration, and anti-corruption measures, may similarly also present risks which are not immediately obvious, but can have very negative implications. The EU institutions are requested to consider the full implications and possible negative impacts which certain legislative proposals can have on actors who are part of the administration of justice.

ACTION REQUIRED



EU institutions should organise, on an annual basis, a meeting with all actors involved in the administration of justice in order to have a continuous and constructive exchange of views on legislation and issues which impact the rule of law.



EU institutions are called on to ensure that proper checks are in place to ensure that EU proposals and the legislative process uphold the core values of the legal profession and all actors in the administration of justice.

3

Adequate resources for the judicial system and an effective and well-resourced legal aid system

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A **well-functioning judicial system** is fundamental in order to uphold the rule of law. It ensures that laws are interpreted and applied consistently, providing a stable and predictable legal environment. We urge the EU institutions to ensure that Member States allocate adequate financial and human resources to the judicial system, as adequate resources are essential for the efficient functioning of courts, the timely resolution of disputes, and the overall administration of justice. This includes investments in infrastructure, technology, and the recruitment of required personnel. Since justice does not stop at the border, the EU institutions should also guarantee ample EU funding to support the development of a European justice area which allows individuals to effectively enforce their rights in other EU Member States and ensures a well-functioning cross-border judicial cooperation mechanism.

Adequate resources for the judicial system also helps to ensure that individuals and entities have access to justice, and such access should not be hampered by excessively formal procedures. In this regard, **an accessible, well-resourced, and uncomplicated legal aid system** is fundamental to upholding the principles of justice, equality, and the rule of law within the EU and at its external borders. It serves as a cornerstone for accessing and protecting individual rights and promoting fair legal proceedings in all areas of law. Individuals, including those with limited financial means, need to have access to justice in a straightforward manner. Without adequate legal assistance and access to such assistance, individuals are at a disadvantage when navigating the legal system, including in the field of asylum and migration.

ACTION REQUIRED



We urge the EU institutions to ensure that Member States allocate adequate financial and human resources to the judicial system and guarantee ample EU funding to support the development of a European justice area which allows individuals to effectively enforce their rights in other EU Member States and ensures a well-functioning cross-border judicial cooperation mechanism.



The EU institutions should also commit to ensuring that Member States have an accessible, uncomplicated, and well-resourced legal aid system in order to guarantee adequate legal representation for all.

4

Comprehensive training for legal professionals

To meet the growing challenges of a rapidly evolving legal landscape, the EU institutions should commit to providing the necessary funding for the development of comprehensive training for legal professionals in cross-border and EU law-related matters. Special emphasis should be placed on the digitalisation of justice in order to ensure that legal practitioners are equipped with the skills and knowledge that are required to navigate and leverage emerging technologies in their practice. Ongoing training is essential to keep legal professionals updated on changes in EU laws and procedures. Equipping lawyers with the necessary skills and knowledge, on a similar basis to that which currently exists for judges and prosecutors at an EU level, deepens their competence in providing effective legal representation and addresses imbalances and inequalities within the legal process – thus contributing to a cohesive and well-functioning legal system. **Providing lawyers with similar training resources at an EU level** to that which exists at a centralised level for judges and prosecutors, contributes to maintaining a fair, effective, and consistent legal system which upholds high professional standards and promotes respect for the rule of law.

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While recognising the great efforts undertaken by the EU institutions in the area of training for the legal profession, there are many obstacles with the current EU training process for the legal profession. The current system of EU funding for the training of lawyers is based on ad hoc grant applications/project-based training, under which Bars have to submit complex grant/tender applications which can only benefit a small number of lawyers. The EU institutions are called on to **introduce a funding mechanism designed to facilitate large-scale, cost-effective, well-resourced, and structured training for lawyers across the EU.**

ACTION REQUIRED



The EU institutions are called on to introduce a funding mechanism designed to facilitate large-scale, cost-effective, well-resourced, and structured training for lawyers across the EU.

5

Proper implementation of procedural safeguards in criminal matters

The EU has made substantial efforts and demonstrated admirable commitment to establishing procedural safeguards for suspects and defendants in criminal proceedings across Member States, and the EU should ensure the proper implementation of existing procedural safeguards. This entails a commitment to oversee that existing safeguards are implemented in an effective manner in order to **guarantee the protection of fundamental rights, such as the right to a fair trial, presumption of innocence, and access to legal representation**. Limited awareness among suspects and defendants about their procedural rights is also a challenge. Effective implementation requires ongoing efforts to educate individuals about their rights and the mechanisms available to them. Additionally, the CCBE calls on the EU institutions to introduce new procedural safeguards, including in the area of evidence and pre-trial detention, to increase confidence in the mutual recognition of criminal justice measures.

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+ ACTION REQUIRED



The EU should increase the proper implementation of existing procedural safeguards and introduce new procedural safeguards to ensure confidence in the mutual recognition of criminal justice measures.

Conclusion

In conclusion, the fairness of a justice system needs to be assessed on the basis of how it treats those who appear before it. In this respect, ensuring access to justice and the independence of the legal profession is an integral requirement of any fair justice system. In consideration of this, the CCBE urges the EU institutions to prioritise these key issues in their policy agendas. It goes without saying that the CCBE remains at the disposal of the EU institutions to provide more detailed information on the suggestions outlined above. It is strongly believed that by committing to these principles, we can collectively work towards a Europe where the rule of law is upheld, and justice is accessible to all.