

PROTECTING LAWYERS, PRESERVING ACCESS TO JUSTICE

Keynote speech

Monday, 16 June 2025, 10:05AM

Speaking notes for Mr Vladimir Vardanyan

Mister Deputy Secretary General, Director General, Commissioner for Human Rights, Ambassadors, Distinguished members of the European Committee on Legal Co-operation, Ladies and Gentlemen,

As a member of the Parliamentary Assembly of the Council of Europe, I am proud to recall that the opening for signature of the Convention for the Protection of the Profession of Lawyer marks the culmination of a years-long process, which commenced in 2018, with the adoption by PACE of Recommendation “The case for drafting a European convention on the profession of lawyer”. In less than a month since this Convention has been opened for signature, there are already 17 States which decided to sign it. As the rapporteur for the Assembly’s statutory opinion on this treaty, I am deeply honoured to address you today.

For years, we have observed how lawyers, who are pivotal in upholding the rule of law and ensuring the effective functioning of the justice system that respects human rights, have been increasingly targeted with harassment, intimidation, and sometimes even violence. It is an issue that threatens the very foundations of our democratic societies and transcends the boundaries of States and legal cultures.

Consider the case of Alexei Navalny’s lawyers in Russia. Vadim Kobzev, Igor Sergunin, and Alexei Liptser were arrested in October 2023 on charges of participating in an “extremist”

organisation and convicted to five and a half years imprisonment in a sham trial. Maksim Znak, a prominent Belarusian lawyer, was sentenced to ten years in a penal colony in September 2021 merely for contesting the results of elections stolen by Aleksandr Lukashenka while representing successive presidential candidates: Viktor Babaryka and Svetlana Tsikhanouskaya. These examples are emblematic of a broader crisis where lawyers face severe repercussions simply for fulfilling their professional duties. In some Council of Europe member States, lawyers have been prosecuted on vague charges related to terrorism or faced threats to their safety merely for their involvement in high-profile or politically sensitive cases. The need for a robust, binding international instrument to protect lawyers has never been so dire.

The structured legal protection for lawyers, introduced by the Convention, will not only improve the situation of individual lawyers, but also help maintain public confidence in the judiciary and the Rule of Law. Another significant achievement of this instrument is the establishment of precise legal standards regulating the functioning of professional associations of lawyers, as independent, self-governing bodies. These associations play a crucial role in defending the integrity of the legal profession and ensuring that the rights of their members are protected.

The Assembly is particularly satisfied that the Convention sets up a robust monitoring mechanism, GRAVO. It also establishes the obligation to periodically inform the Assembly of the implementation of the convention, including any findings of inquiries under the urgent procedure. This information will feed the Assembly's work on human rights defenders, and more broadly, on the rule of law and the state of human rights across Europe. In its statutory opinion, the Assembly invited the future GRAVO to engage in regular mutual information exchanges with its relevant committees. This should obviously include the

Assembly's Committee on Legal Affairs and Human Rights of which I am a member. This committee prepared the statutory opinion on the convention and was at the origin of the 2018 recommendation.

I am very pleased by the fact that the Committee of Ministers endorsed the Assembly's proposal for an amendment, significantly restricting the scope of possible reservations to the Convention, thus ensuring its uniform application across State Parties.

Finally, allow me to take this opportunity to congratulate again the Committee of Experts on the Protection of Lawyers and the European Committee on Legal Co-operation for their excellent work and for putting together an instrument that reconciles the differences between very different legal systems.

I look forward to a swift entry into force of this Convention. In this regard, I hope that members of PACE will encourage their own national parliaments to ratify it as soon as possible. As a member of the Parliamentary Assembly, I can assure you that PACE will keep monitoring the situation of human rights defenders, lawyers included, to further improve their protection. I also hope to be able to participate in the first exchange of views with GRAVO very soon.

Thank you.