



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR JUSTICE AND CONSUMERS

Directorate A – Justice Policies
Unit A.5 – Criminal Procedural Law

Brussels, 26 November 2025

Thierry Wickers
President of the Council of Bars and
Law Societies of Europe (CCBE)

president@ccbe.eu

Dear Mr Wickers,

Thank you for your letter of 23 October 2025, addressed to the President of the European Commission, Ms Ursula von der Leyen, and registered under the reference Ares(2025)9173345. Your letter was attributed to me, as my Unit is the main contact point for the Council of Europe Convention for the Protection of the Profession of Lawyer (CETS No. 226) within the Commission.

In your letter you urge the Commission to accelerate the adoption of the necessary Council decisions on the signature and conclusion of the Convention and express concern that the fact that these decisions have not yet been adopted is causing uncertainties that risk undermining protection for lawyers that the Convention is designed to provide. In this context, you ask the Commission to share detailed information on difficulties or challenges in the procedure for signature and conclusion of the Convention by the Union.

Allow me to address your concerns by clarifying the Commission's position on the signature and ratification of the Convention.

In the first instance, I would like to underline that the Commission welcomes the adoption of the Council of Europe Convention for the Protection of the Profession of Lawyer that took place on 12 March 2025, as previously indicated by Commissioner McGrath and as recently confirmed again by Ambassador Kos during the Joint debate of the European Parliament's Committee on Legal Affairs (JURI) and the Subcommittee on Human Rights (DROI) on "Protection of lawyers worldwide" that took place on 20 October 2025. We consider this Convention to be an important step towards ensuring that lawyers can carry out the fundamental role they are assigned in a democratic society, namely that of defending litigants. This carries particular weight against the background of increasing attacks on the legal profession, including as regards legal professional privilege, of which the Commission is keenly aware.

In several instances, the Convention mirrors and/or interlinks with standards already established in EU law. The Commission therefore considers the Convention to be a mixed agreement, for which the Union and the Member States share competence. This makes it

necessary for the Union to also sign and conclude the Convention. Article 17 of the Convention allows for this possibility.

The Commission is currently in the process of preparing the necessary proposals for Council decisions on the signature and conclusion of the Convention on behalf of the Union in accordance with Article 218(5) and (6) TFEU.

We also wish to underline that we do not, in principle, see any reason why the internal procedures of the Union for the signature and conclusion of the Convention on behalf of the Union should unduly delay the ratification of the Convention by the Member States. As you acknowledge in your letter, we have informed Member States that they may, exceptionally, sign the Convention before the Union does and proceed with the national procedure for ratification. The procedures for signature and conclusion of the Convention at Union level and in the Member States can therefore take place in parallel, avoiding undue delays.

I hope that the above clarifies the position of the European Commission and trust that it addresses your concerns.

Yours sincerely,

Electronically signed

Despina VASSILIADOU
Head of Unit