



PRESIDENT OF THE CZECH BAR ASSOCIATION

Mr Olivier Cousi
President of the Paris Bar Association
Paris Bar Association
4, boulevard du Palais
CS80420
75053 Paris Cedex 01

Prague, 15 November 2021

Subject: Letter of support concerning the threat to professional secrecy in France

Dear Mr President,

I am writing to you on behalf of the Czech Bar Association, the biggest legal professional organization in the Czech Republic. The Czech Bar Association has always underlined the importance of human rights, the rule of law, professional secrecy and legal professional privilege. These instruments not only constitute the foundation of the legal profession but also allow the client to establish a relationship of trust with their lawyer and ensure their access to a fair trial based on the equality of arms principle.

As we recognize the importance of the fundamental principles, which legal practice is based on, the Czech Bar Association is closely following the current legislative developments in France, which could lead to a restriction of lawyers' professional secrecy and legal privilege. We would therefore like to express our serious concerns with respect to the situation in your country as the legislation, if adopted in its current wording, could represent a threat to the fundamental principles and values of our profession and possibly even form a dangerous precedent for similar initiatives elsewhere in Europe.

Despite the various differences in our national legal systems, I believe the underlying principles of the legal profession and the conditions necessary for the due performance of lawyers' professional duties are common for everyone around the world and should as such be protected.

We understand that it may be very difficult to find consensus with legislators and to establish and agree on the right and appropriate balance of rights in the current climate and in light of the increased focus on legislation concerning financial offences, in particular AML. Like your organization, the Czech Bar Association strongly condemns any involvement of lawyers in the criminal activities of their clients and believes that these

must be thoroughly investigated and any wrongdoers duly convicted. This, however, cannot justify such a broad and general curtailment of professional secrecy or preventing the President (or other designated members of the relevant Bar) from being present during inspections.

The Czech Bar Association would, therefore, like to reiterate our support for your initiatives and efforts to maintain the professional secrecy of lawyers in France, and we sincerely hope these will lead to the adoption of legislation, which reflects our shared values and principles.

Yours sincerely,



Robert Němec