

ISSUE #104: NOVEMBER-DECEMBER 2023

CCBE-INFO

Newsletter



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Special Focus: Human Rights

SPECIAL FOCUS

CCBE Human Rights Award 2023

The CCBE decided to grant the CCBE Human Rights Award 2023 to Chinese Lawyers Hang Tung Chow, Xu Zhiyong, and Ding Jiaxi for their courage, determination, and commitment to defending human rights and the rule of law in China.

The CCBE Human Rights Award Ceremony took place during the Plenary Session on 24 November 2023. The award ceremony opened with a speech by Linos-Alexander Sicilianos, former President of the European Court of Human Rights and Professor of International law at the University of Athens (photo 1). The award for 2023 was granted by the CCBE President, Panagiotis Perakis, and the Chair of the CCBE Human Rights Committee, Stefan von Raumer, to representatives of the winners who are currently detained (photo 4). The representatives were Sophie Luo, Ding Jiaxi's wife (photo 2), and Patrick Poon, a friend of Hang Tung Chow's (photo 3), who both gave moving speeches (available [here](#) and [here](#)).



With this award, the CCBE wishes to highlight the long-standing and outstanding commitment, as well as sacrifice those three lawyers have demonstrated in upholding the fundamental values of the legal profession and in defending and advocating for human rights and the respect for the rule of law.

The purpose of the CCBE Human Rights Award:

The CCBE Human Rights Award highlights the work of one or more lawyers or lawyers' organisations which have demonstrated outstanding commitment and sacrifice in upholding fundamental values. The award is granted to one or more lawyers or to a lawyers' organisation which have brought honour to the legal profession by upholding the highest values of professional and personal conduct in the field of human rights.

The award winners



Hang Tung Chow

Hang Tung Chow is a practising lawyer and democracy activist who has been imprisoned at the Tai Lam Centre for Women since 8 September 2021 on charges brought against her in four different cases, all of which were for completely peaceful acts and related to the work of the Alliance or commemoration of the 4 June Tiananmen Massacre.

She has worked in both China's and Hong Kong's legal systems to promote democracy and protect fundamental rights. She was the vice-chair of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China (the "Alliance"), and served on the board of Amnesty International Hong Kong.

Hang Tung Chow risks to face a sentence of 10 years of imprisonment for "inciting subversion" with no guarantee of a fair trial, as well as to be disbarred by the Hong Kong Bar Association. The only hope of mitigating the PRC's retaliation against Chow is by increasing her visibility and drawing the free world's awareness to her unfair treatments, since it is a huge milestone to endorse her constant efforts in promoting human rights.



The CCBE sent a **letter** to the Chinese authorities on 16 June 2022 to request her release.



Xu Zhiyong

Xu Zhiyong first came to prominence in 2003 when he and two other legal academics took up the case of a university student who was beaten to death in Guangzhou and advocated for abolishing the detention and repatriation system. This campaigning led the Chinese government to abolish a system in which rural migrants were arbitrarily detained, fined and expelled by police in big cities.



Ding Jiayi

Xu acted as a ‘citizen representative’ representing many clients and was one of the founders of the Open Constitution Initiative, a non-profit legal centre, in 2003. In 2009, the Open Constitution Initiative was fined for tax evasion and was shut down by the authorities for being an illegal organisation. Xu was arrested on charges of tax evasion, but the charges were eventually dropped. He was prohibited from teaching classes at Beijing University of Post and Telecommunications. Alongside these efforts, Xu has been a prolific essayist writing on issues including access to fair education, governmental mistreatment and repatriation of migrant workers, corruption and wasteful government spending.

After 10 years as a business lawyer, in 2010, **Ding Jiayi** began investigating human rights cases and issues, and campaigning for greater governmental transparency, the rule of law and the rights of migrant workers.

In 2010, Xu and Ding initiated the New Citizens’ Movement, a civil society movement that campaigned for constitutional reform, government transparency and greater institutional concern for human rights. The Movement strived to promote a citizenry among Chinese citizens rooted in democratic ideals of freedom and societal responsibility. Amongst other issues, the Movement campaigned for equal social and education benefits for migrant workers in Beijing.

In December 2012, the New Citizens’ Movement organised an anti-corruption campaign demanding that more than 200 high-ranking Communist Party officials, including President Xi Jinping, publicly disclose their financial wealth. The campaign involved peaceful demonstrations throughout China in March and April 2013. The Movement also called for the ratification of the International Covenant on Civil and Political Rights, which China had signed in 1998.

Xu Zhiyong was arrested in 2013 and was sentenced in 2014 to four years in prison (including time served in pre-trial detention) on the charge of “gathering a crowd to disrupt public order”, before being released in July 2017.

Likewise, in April 2013, **Ding Jiayi** was arrested on the charge of “gathering a crowd to disrupt public order”. He was disbarred and sentenced on 18 April 2014 to 3,5 years in prison (including time served in pre-trial detention) on this charge, before being released 2,5 years later.

In 2019 and 2020, both were held incommunicado in “residential surveillance at a designated location” (RSDL).

During their detention in RSDL, both were subjected to torture and ill-treatment, including sleep deprivation, loud noise torture, prolonged interrogation, being bound to an iron “tiger chair” for several days at a time, and a lack of adequate food and hygiene facilities. In 2021, they were charged with “subversion of state power”, and on 10 April 2023, Xu Zhiyong was sentenced to 14 years in prison plus 4 years of deprivation of political rights, and Ding Jiayi was sentenced to 12 years in prison plus 2 years of deprivation of political rights by Linyi Intermediate People’s Court, both on the charge of “subversion of state power”. Their families have been unable to get a copy of their verdicts from the defence lawyers on account of additional confidentiality agreements signed by the lawyers. This sentencing came after more than three years in detention, and their sentences have been among the harshest handed to Chinese rights lawyers since the crackdown on the profession in 2015.

The CCBE wrote several letters in their support:



Conviction of lawyers Ding Jiayi and Xu Zhiyong (20/04/2023)



Unfair trial continued detention and torturing of lawyers Ding Jiayi and Xu Zhiyong (06/07/2022)



Continued detention of lawyers Xu Zhiyong and Ding Jiayi (27/01/2022)



Continued detention and judicial harassment of lawyer Ding Jiayi (26/05/2021)



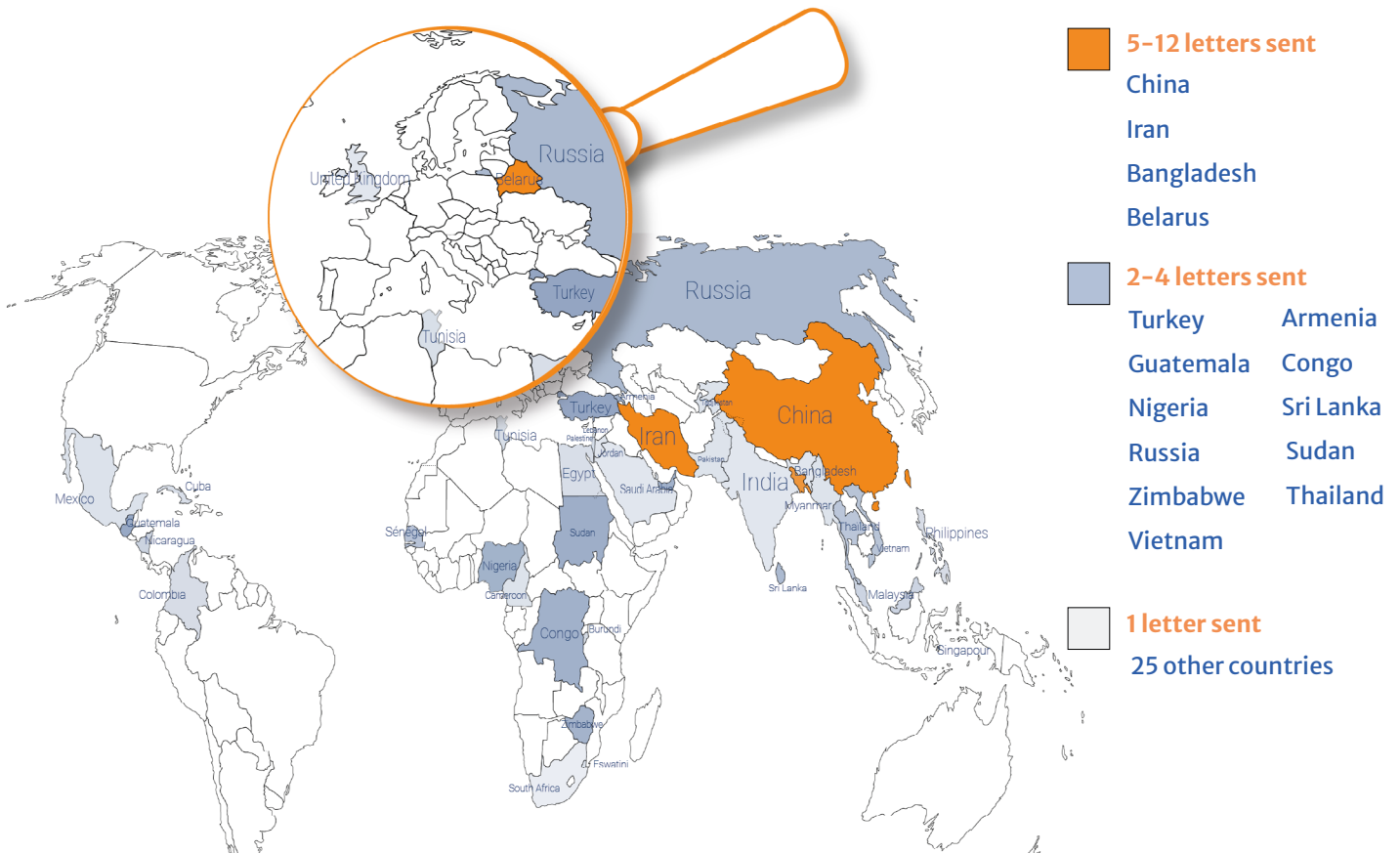
> Watch the overview of the Human Rights Award Ceremony

CCBE letters in support of endangered lawyers

The CCBE supports threatened lawyers by sending letters to the national authorities of the concerned countries and by alerting key players at international and European level. Unfortunately, attacks on lawyers continue to increase all over the world, particularly in countries where the political context is conducive to various forms of pressure against the activities of human rights defenders. ■

In 2023, the CCBE sent

81 letters addressing the situation of more than **360** endangered lawyers in **38** countries around the world.



Other CCBE and joint initiatives supported by the CCBE in support of endangered lawyers in 2023

1 / Day of the Endangered Lawyer 2023: Focus on Afghanistan

The CCBE supported the 13th edition of the Day of the Endangered Lawyer, which focused on the situation of lawyers in Afghanistan. The Taliban takeover of Afghanistan has brought devastating changes for the legal profession and the administration of justice in the country, as the independence of the profession is under threat. Women lawyers who attempt to work are under constant threat, making their daily survival a challenge. Many lawyers are now barred from the practice of law and have no way to support themselves and their families.

On this occasion, the CCBE co-signed the [report](#) which presents a series of recommendations to address the grave risk that Afghan human rights lawyers continue to face.

In addition, the CCBE also organised a press conference to announce the relaunch of the activities of the Afghanistan Independent Bar Association (AIBA), which is in exile in Brussels. For more information, see [here](#) and [here](#). ■

2 / Iran

On 3 March 2023, the CCBE published a [statement](#) on the repression in Iran, condemning the use of the death penalty.

On 2 November 2023, the CCBE co-signed a joint [statement](#) calling for urgent intervention in favour of Nasrin Sotoudeh, winner of the CCBE 2019 Human Rights Award. ■



3 / China

On 22 June 2023, the CCBE co-signed a joint [statement](#) calling to lift travel restrictions and safeguard human rights of Li Heping and his family.

On 10 July 2023, the CCBE co-signed a joint [statement](#) named '709 Crackdown 2.0', for a global call against China's renewed crackdown on human rights lawyers.

On 9 October 2023, the CCBE co-signed a joint [statement](#) calling for the release of Chinese lawyer Li Yuhan.



4 / Turkey

On 10 February 2023, the CCBE co-signed a joint [statement](#) to defend the case of lawyer Günay Dag, whose name is mentioned in the list of wanted terrorists on the official website of the Turkish Ministry of Interior.



5 / Hong Kong

On 13 July 2023, the CCBE co-signed a joint [statement](#) to call for support from the International Legal Community for Hong Kong Lawyers wanted under the Hong Kong National Security Law.



6 / Guatemala

On 5 September 2023, the CCBE co-signed a joint [statement](#) in support of Guatemalan lawyer Claudia González, condemning her detention and calling for her immediate release.

READ NEXT

CCBE Plenary Session in Athens



24.11.2023

CCBE Plenary Session in Athens

The CCBE held its second and last Plenary Session of the year on 24 November 2023 in Athens, Greece.

The meeting opened with a welcome speech by Dimitrios Vervesos, President of the Athens Bar Association and of the Assembly of Presidents of the Greek Bars (photo 2). The CCBE was also pleased to welcome Evangelos Venizelos, who is the former Deputy Prime Minister and Minister of Foreign Affairs of Greece, former Deputy Prime Minister and Minister of Finance of Greece, and former President of PASOK (photo 3).

The numerous topics discussed by CCBE delegations included a constructive exchange on the CCBE long-term strategy (photo 1).





> From left to right: Roman Završek, 2nd Vice-President of the CCBE, Thierry Wickers, 1st Vice-President of the CCBE, Pierre-Dominique Schupp, President of the CCBE, and Alex Tallon, 3rd Vice-President of the CCBE

In addition, the election of the new CCBE Presidency for 2024 took place.
As from 1 January 2024, the new Presidency will be composed as follows:

President:	Pierre-Dominique Schupp (Switzerland)
1st Vice-President:	Thierry Wickers (France)
2nd Vice-President:	Roman Završek (Slovenia)
3rd Vice-President:	Alex Tallon (Belgium)

As with each year, the CCBE Human Rights Award Ceremony took place during the Plenary Session. The award for 2023 was granted by the CCBE President, Panagiotis Perakis, to Chinese lawyers Hang Tung Chow, Xu Zhiyong, and Ding Jiayi, who are currently detained (see [Special focus](#)).

The CCBE had the pleasure to also welcome the United Nations Special Rapporteur on the independence of judges and lawyers, Margaret Satterthwaite, who presented (online) her report on “The promise of legal empowerment in advancing access to justice for all” ([photo 1](#)).

Finally, Ana-Maria Telbis, Deputy Head of the Justice and Human Rights Training Division, HELP Programme, DG Human Rights and Rule of Law of the Council of Europe (COE), presented the COE training opportunities for lawyers ([photo 2](#)).



Main CCBE Events & Activities

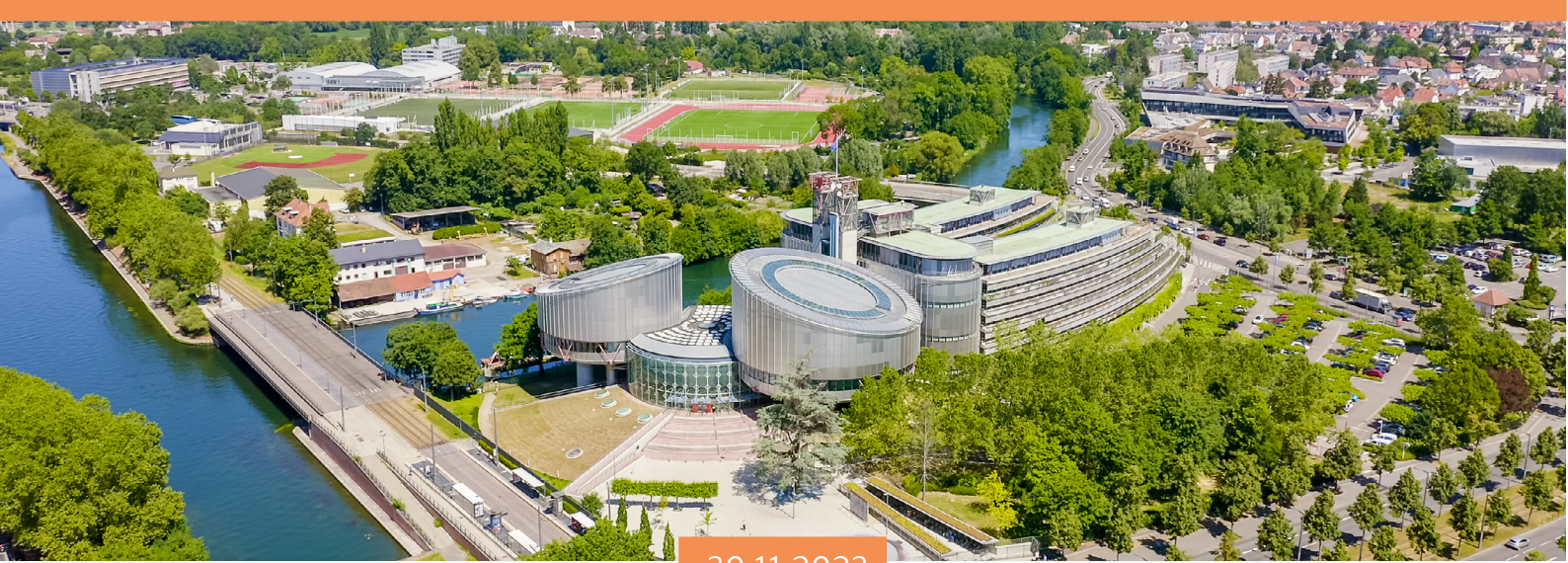


10.11.2023

CCBE position paper on the proposal for a Directive regarding VAT rules for the digital age and its potential impact on professional secrecy

[READ THE DOCUMENT](#)

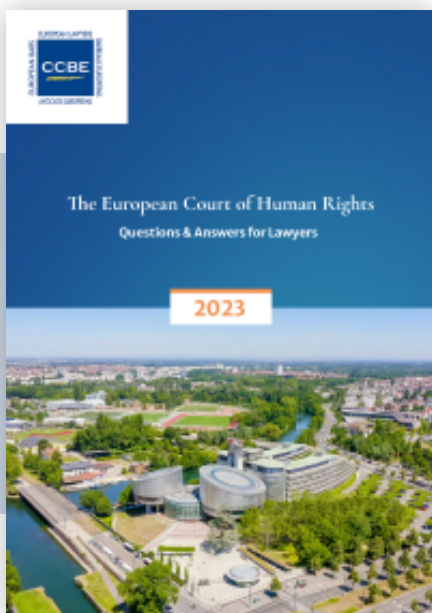
On 10 November 2023, the CCBE published and sent to the EU institutions its position paper on the proposal for a Directive regarding VAT rules for the digital age and its potential impact on professional secrecy. In its paper, the CCBE outlined potential problems that the introduction of e-reporting and e-invoicing could create for lawyers, and suggests introducing in the proposal concrete amendments that will preserve the lawyer-client confidentiality, such as tailored exceptions which should be foreseen for e-invoicing and e-reporting by lawyers in order to avoid violations of professional secrecy.



30.11.2023

CCBE practical guide on “The European Court of Human Rights: Questions & Answers for Lawyers” – 2023 Edition

The CCBE is pleased to announce that, on 30 November 2023, an updated practical guide for lawyers intervening before the European Court of Human Rights (ECHR) was published. The aim of the guide is to flesh out some of the practice of the ECHR, which is sometimes only briefly covered in the Rules of the Court or in the Court’s Practice Directions, and to supplement the Court’s other guides and materials, which particularly deal with the interpretation of the Convention and the rights which it protects. Therefore, the guide seeks to further assist practitioners before the Court and seeks to address their perspective.



READ THE 2023 EDITION
OF THE GUIDE HERE.

07.11.2023

Annual conference on Fundamental Rights and the Rule of Law

This year's annual conference of the European Economic and Social Committee was held on 7 November 2023 and focused on "Civil Society Take on the 2023 Rule of Law Report". During the third roundtable of the conference, which was on justice, CCBE Secretary-General, Simone Cuomo (photo 1), gave a speech highlighting in particular the significant impact of limited resources within the judiciary, which lead to various obstacles in the effective operation of justice systems, including issues related to constrained funding for legal aid and lawyer remuneration. The CCBE warmly welcomed this consultation and opportunity to make the voice of European lawyers heard and looks forward to continuing the cooperation to improve the impact of the Rule of Law Report at national level. ■



Civil Society Take on the 2023 Rule of Law Report

07 November 2023 | 10 a.m.- 5.30 p.m.
EESC, Brussels, room JDE62 and online



16.11.2023

European Union Law Summit for Legal Professionals

During the European Union Law Summit for Legal Professionals, which took place on 16 November 2023 in Madrid, Spain, CCBE First Vice-President, Pierre-Dominique Schupp, participated in the panel on the “Current state of the legal profession: risks and threats”. In addition, the Chair of the Migration Committee, Noemí Alarcón, spoke during a panel session on “The need for a comprehensive, sustainable, humane, and effective policy to address current challenges”. ■

10.11.2023

Meeting with the Minister of Justice of the Hellenic Republic



On 10 November 2023, the CCBE President, Panagiotis Perakis, met with the Minister of Justice of the Hellenic Republic, Giorgios Floridis, to discuss various matters, including the activities and priorities of the CCBE. ■

01.12.2023

Meeting with the European Court of Human Rights



The CCBE and various national Bars and Law Societies met with the European Court of Human Rights on 1 December 2023 in Strasbourg, France. This meeting was a great opportunity for further cooperation and for the CCBE to discuss issues of common interest relating to the Court’s proceedings. ■

27.11.2023 – 28.11.2023

BREULAW project

On 27 and 28 November 2023, the CCBE welcomed the first group of European lawyers as part of the BREULAW project (photo 1), which is co-funded by the EU, and is organised by the European Lawyers Foundation (ELF) and the CCBE. The project is focused on the “Development of a lawyer’s training curriculum in EU law and study visits to EU institutions in Brussels”, and aims to provide lawyers with an insight into the workings of the EU Institutions through these visits to EU institutions in order to better understand how EU law originates and how it is expected to be implemented. ■

> Find more information here



01.12.2023

Annual conference of the European Forum of the Legal Professions

On 1 December 2023, the CCBE participated in and was one of the co-organisers of the second annual conference of the European Forum of the Legal Professions which focused on “The Media and the Legal Professions”. During the conference, CCBE representative Nicola Canestrini, spoke in the roundtable on “The image of justice in media reports” (photo 1), and CCBE First Vice-President, Pierre-Dominique Schupp, chaired the panel on “Interventions on responsible press reporting” (photo 2). The event was greatly received with more than 300 participants in person and online. ■

> Find more information here





04.12.2023

CCBE-ELF webinar on "The European Court of Human Rights and its case-law application at national level: How to enhance subsidiarity"

On 4 December 2023, the CCBE and the European Lawyers Foundation (ELF) organised a webinar on the European Court of Human Rights (ECHR), its case-law application at national level and how to enhance subsidiarity. During the webinar, the Chair of the CCBE Human Rights Committee, Stefan von Raumer, gave an introduction on the ECHR and the principle of subsidiarity. Subsequently, the Chair of the CCBE Permanent Delegation to the ECHR, Piers Gardner, presented the updated CCBE [practical guide](#) for lawyers appearing before the European Court of Human Rights.

The webinar was a great success, gathering more than 400 participants. ■

> [Click here to view the presentations and the recording of the event](#)



03.11.2023 - 05.11.2023

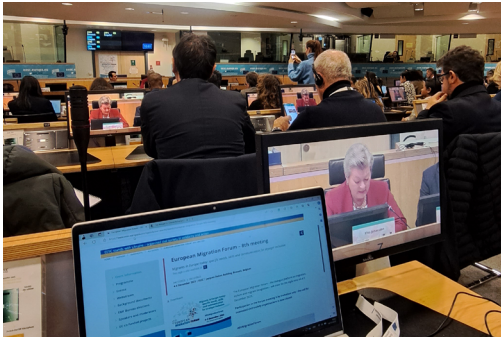
Bar Leaders Meeting of Central and Eastern Europe

From 3 to 5 November 2023, CCBE Third Vice-President, Roman Završek, participated in the Bar Leaders Meeting of Central and Eastern Europe which took place in Dubrovnik, Croatia. One of the main topics of the meeting was in regard to how European Administration affects the legal profession within the national Bar. During this discussion, the CCBE Third Vice-President presented the role of the CCBE in this field, as well as the CCBE priorities and activities, in particular in relation to the free movement of lawyers. ■



04.12.2023 - 05.12.2023

8th European Migration Forum



From 4 to 5 December, the CCBE participated in the 8th European Migration Forum taking place at the European Economic and Social Committee in Brussels. The CCBE followed in particular the discussions regarding safeguards for unaccompanied minors across borders and the recognition of qualifications of Ukrainian refugees.

For more information on the CCBE position related to these respective topics, please see [here](#) and [here](#). ■



06.12.2023 - 08.12.2023

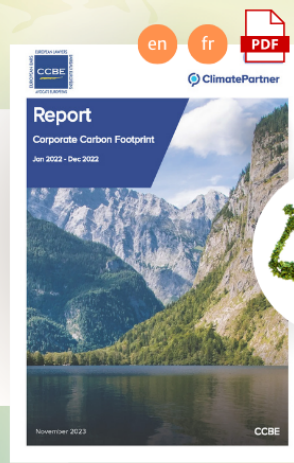


5th Young European Lawyers Contest of the Academy of European Law (ERA)

Following a series of three semi-finals, the six remaining teams of the Young European Lawyers Contest competed in the grand final which took place in Trier and Luxembourg from 6 to 8 November 2023. The grand final consisted of a series of negotiation exercises and a moot court session before the General Court of the EU which were judged by the jury consisting of various European law experts, including CCBE First Vice-President, Pierre-Dominique Schupp. ■

CO₂

CCBE Carbon Footprint 2022 REPORT & CARBON OFFSETS



In February 2023, the CCBE adopted its initial [Statement](#) on Climate Change. In its statement, the CCBE notably committed to “(a) taking action in relation to its own activities in a manner consistent with restricting global warming to 1.5°C, and to report in a transparent way to the Plenary Session on the actions it has taken and their outcome” and “(b) submitting on a short term its activities to a thorough and concrete analysis by external experts, including a calculation of its CO₂ footprint”.

In this context, the CCBE has followed up its commitment with concrete actions, and on 12 December 2023, the CCBE published for the very first time the results of its carbon footprint for 2022. Additionally, as an initial step towards carbon neutrality, the CCBE compensated on two occasions its carbon footprint to ensure that its carbon footprint, for the professional activities of its Secretariat and Presidency, is entirely compensated. ■

> [Read the CCBE carbon footprint and offset here](#)

Upcoming CCBE Events

> Consult the CCBE agenda on the extranet for a full overview



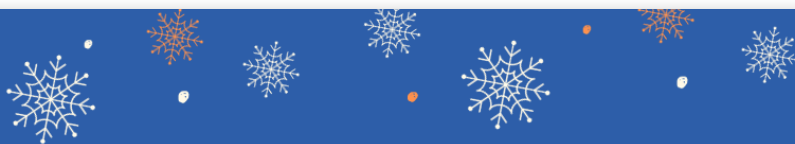
: 06 February 2023

CCBE Standing Committee
– Vienna



: 09 February 2023

European Presidents' Conference
– Vienna



2023

Season's Greetings
Joyeuses fêtes

2024

We wish to thank you
for cooperating with us,
throughout the years.
Here is to many more years.

The CCBE