



Dear President,

Dear Colleague,

In my capacity as President of the FBE, I would like to approach you, leaders of the Bar Associations throughout the European Union and of those Bar Associations associated with the FBE, who are experiencing this pandemic by providing essential services to society. The right of legal defense has no truce, does not rest with the pandemic, and cannot go and leave the world forgotten.

Just as healthcare professionals go out of their way to care for our bodies these days, trying to fight in very difficult conditions, without the necessary equipment in the face of a situation that goes beyond all expectations, we, the legal profession, as we have also done in other crisis situations, must defend the spirit of the rule of law, safeguarding at all times the right of legal defense.

Situations like the one we are experiencing, put strong tension between individual rights and collective rights, trying to justify that the latter should prevail over the former. I will not be the one to question this principle, since it is the obligation of states to ensure the safety, health and well-being of their citizens, imposing, as the case may be, restrictive measures that are mandatory in the face of situations as serious as this pandemic. But no one denies that there may be a risk to certain individual rights, which could be violated, and that we, lawyers, must defend, care for and uphold. The proper balance between the two is what will strengthen our democracy.

From the strict fulfillment of the confinement in my own house, I am aware that the legal profession must help from its institutions to maintain the Rule of Law wherever it is violated and to support the colleagues who, from the free legal aid service and shift of ex officio, play this fundamental role in safeguarding individual right

Visits to correctional facilities have been restricted, freedom of movement is subject to force majeure, separated parents find it difficult to combine their right-duty of custody of children, and companies and establishments have closed. We hope that supplies continue to arrive in our cities. But in the meantime, we must continue to exercise our profession and especially, together with the institutional bodies of the legal profession we should organize and help to maintain the right so that the of defense.

The courts in Spain and across the world are closed, except for urgent specific cases. The judicial collapse that is expected once the current measures are lifted will make it difficult to exercise our profession. However, as a European lawyer, we must set an example that we believe in the joint fight for the rights of people and face the difficulties that will come.

Fear has never been a good advisor, and in the face of a disease as unknown as the Coronavirus, there are no exact mathematical formulas either. We must certainly follow sanitary and political instructions, but we cannot allow fear to paralyze us. For this reason, I encourage all the Presidents of the member Bars to transmit security to the members; to provide confidence in the future and to demand respect for the rule of law, whatever the alarmist or real circumstances in which we find ourselves today.

Because we believe in a strong and united Europe, we must urge the European rulers to take charge of this situation; We see with anguish that they are delegating to the States the actions against the coronavirus, each country taking different decisions. We therefore demand actions common to all states, from the heart of our Europe. European lawyers must offer our example through the institutions that unite us, such as the FBE and coordinate our actions on issues that are possible.

We are not isolated, but connected online 24 hours, and continue working to improve and help as much as possible in this difficult situation. It will pass, without a doubt, although we do not know the real effects that it would have.

If I am convinced of anything it is that next July in Paris, we will be able to meet, embrace and exchange the information of these times and we will be able to face the future of our justice system and our profession from a perspective never imagined: a common enemy of microscopic dimensions that has paralyzed the life that we thought we had and that will surely also change our social and economic relationships.

We offer our communication channels so that you can analyze the situation in each of the countries and contact the Presidents of other Bars for better information.

These days, no one should feel alone, we are with you not only to transmit everything you consider appropriate, but also, even if it is virtual, to give all the support, from the FBE presidency to everything that is needed, as we have always done.

With my best wishes.



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