



ANNUAL REPORT

2014



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Foreword

It is a pleasure for me as chair of the European Lawyers Foundation Board of Directors to present to you our annual report for 2014. Even if the Foundation started its operations only on 1st October 2014, the rest of this year was a busy one for us. We not only arranged our office space in The Hague for which we are very grateful for the generosity of the Dutch Bar in whose building in The Hague we are located - but we also started to implement some projects and to prepare for future ones. Even before 1st October 2014, we had much to do, though. We worked on the Foundation's business plan, and visited four extraordinary cities which had offered to host the Foundation: Prague, Lille, Luxembourg and The Hague. The task of finally selecting the host city was very difficult.

I would like to give special thanks to The Hague municipality for all its valuable support, and to the three French lawyers' organisations that have so generously supported us: *Conseil National des Barreaux*, *Conférence des Bâtonniers* and *Barreau de Paris*.

I would like to give a special mention to the Council of Bars and Law Societies of Europe (CCBE), which has been the engine behind the Foundation's establishment. The CCBE, which represents the bars and law societies of 32 member countries and 13 further associate and observer countries, and through them more than 1 million European lawyers, decided in 2013 to analyse the establishment of an independent Foundation focused on the implementation of projects that generated an added-value for EU lawyers while also carrying out projects on rule of law and human rights. After a long deliberation, the delegations that compose the CCBE decided to take the step of establishing the European Lawyers Foundation. This support is translated today into a full collaboration which puts the expertise and knowhow of the two organisations at the service of European justice.

Last but not least, I would like to recognize the extraordinary work undertaken by the members of the Board of Directors in 2014 (Aldo Bulgarelli and Jonathan Goldsmith) and the Foundation's Secretariat. The dedication and commitment of all these people is a guarantee for a successful and viable Foundation in the future.

Prof. Friedrich Graf von Westphalen
Chair of the Board of Directors

Executive Summary

Foundation

The European Lawyers Foundation was founded on the 27th of August 2014 in The Hague, Netherlands. It has two main objectives:

- to undertake activities that relate to the exercise of the profession of lawyers, the development of the law and practice pertaining of rule of law and administration of justice and substantive developments in the law itself, both at a European and international level as well as issues of justice policies in Europe;

- to monitor actively the defence of the rule of law, protection of fundamental and human rights and freedoms, including the right of access to justice and protection of the client, and the protection of democratic values inextricably associated with such rights and to perform everything (directly or indirectly) related or conducive to the above in the broadest sense.

Highlights

Since the launch of the foundation, its offices have been established in the city of The Hague, within the premises of the Dutch Bar. In November 2014, an Office Manager was hired. The management of three current projects was sub-contracted by the CCBE, and new projects applied for. With the generous donations of The Hague City Council, the *Conseil National des Barreaux*, the *Conférence des Bâtonniers* and of the *Barreau de Paris* (among others), the Foundation was able to get off to a running start.

Looking forward

Thanks to the good start in 2014, the Foundation looks forward to a positive 2015 as well. The Foundation has been able to apply for and work on more and more projects focusing on its objectives.

Structure of the organisation

The European Lawyers Foundation is composed of three main bodies: a Board of Directors, a Supervisor, and an Advisory Board. The daily work is carried out by a Secretariat.

The Board of Directors

The Board of Directors is formed by three members, all of them well-recognised EU lawyers with experience at top-level organisations. The Board is the main body of the Foundation; it is the decision-making body and it provides the guidelines of the Foundation's activities.

Members of the Board of Directors in 2014:



Friedrich Graf von Westphalen,
Chair of the board



Aldo Bulgarelli,
Member



Jonathan Goldsmith,
Member

Supervisor

The Supervisor supervises the financial affairs, and provides advice on the Foundation's finances.



Jean-Jacques Forrer
Foundation Supervisor

Advisory Board

The Advisory Board in 2014 was composed of 10 experts from 10 different EU Member States. Its role is to give advice to the Board on strategic issues and other issues of major importance.

Laris Vrahimis (from Cyprus)
Bertrand Debosque (from France)
Dr. Christian Lemke (from Germany)
Georgios Papadopoulos (from Greece)
Peter Koves (from Hungary)
Dominika Stecyk (from Poland)
Konrad Plaustajner (from Slovenia)
Marta Isern (from Spain)
Hans Vogels (from The Netherlands)
Anna Prag (from United Kingdom)

Secretariat

The Foundation's Secretariat is responsible for the Foundation's day-to-day business. It is composed of people with knowledge of both the legal profession and project management. The Secretariat is headed by a Managing Director.



Alonso Hernandez-Pinzon Garcia
Managing Director



Féline van der Heyden
Office Manager

Projects running in 2014

FIND-A-LAWYER 2

The Find-A-Lawyer (FAL) project created a European search engine of participating national bars' lawyer databases, allowing citizens of the European Union (EU) to access a lawyer in another Member State using their own language and through a single point of entry. Building on the success of FAL (available on the European Commission's e-Justice portal from October 2014), Find-A-Lawyer 2 (FAL 2) will go further and create a prototype for verifying lawyers' e-identity in cross-border legal transactions. The Council of Bars and Law Societies of Europe (CCBE) presented in 2012 a proposal to the European Commission for the implementation of FAL 2. The European Lawyers Foundation (ELF) is helping the CCBE in the final stage of the implementation of this project. As in the case of the ETP project, the union of forces between the CCBE and ELF guarantees the correct implementation of this e-Justice project.

The main objective of FAL 2 is to build a prototype which will use electronic means to verify one's status as a qualified lawyer in cross-border e-proceedings. FAL 2 will also be linked to the e-CODEX project, currently being implemented by the European Commission and many member States to interconnect national e-Justice systems and enable secure electronic communication and data exchange. Within the framework of e-CODEX, FAL 2 will provide the necessary solution to ensure that the person claiming to be a lawyer is indeed a qualified lawyer in his/her home jurisdiction and is, thus, able to fill in claims on behalf of the client through e-Justice procedures available, for instance, under e-CODEX.

The benefits: In the "physical world", proving the lawyer's identity can be an indispensable element in dealings with other actors involved in legal proceedings. With FAL 2, proving the lawyer's identity becomes also possible in the "digital world", in a cross-border context, adding reliability and legal certainty in electronic legal proceedings where lawyers are involved. FAL 2 is therefore a lawyers' own-initiative solution for real-time and trusted verification of lawyers' e-identity. It is also another major CCBE initiative which falls within the scope of the e-Justice action plan, with a view to promoting a European judicial area through better and easier access to justice for European citizens.

An example: An Austrian man bought a pair of branded sunglasses on-line from a retailer in Italy, and they proved to be fake. His lawyer in Salzburg wants to use e-CODEX in order to fill in a small claim against the Italian-based retailer from the comfort of her own laptop at home. All she needs to do is connect to the European e-Justice portal, fill in the available on-line form and sign it with her capacity as a lawyer. FAL 2 will then verify in real-time that this person is effectively a qualified lawyer in Austria and legally authorised to act on behalf of her client in cross-border e-proceedings. Provided that her identity is successfully verified through FAL 2, the lawyer from Salzburg will be able to send her small claim immediately and securely via internet to the relevant judicial authorities in Italy.

Participating bars:

The following national Bars participate in the pilot project FAL 2:

- Ordre des Barreaux Francophones et Germanophones
- Orde van Vlaamse Balies
- Bundesrechtsanwaltskammer

- Conseil National des Barreaux
- Eesti Advokatuur
- Ordre des Avocats du Barreau de Luxembourg
- Nederlandse Orde van Advocaten

EUROPEAN TRAINING PLATFORM

As the European Single Market becomes more open and integrated, there is an ever increasing number of cross-border legal transactions, together with growing interaction between the different national laws of Member States of the European Union. This leads to a greater need for lawyers from different Member States to familiarize themselves more with the legal systems of their neighbors, and to apply EU law consistently at all levels. For that reason, the Council of Bars and Law Societies of Europe (CCBE) decided to present a proposal to the European Commission for the implementation of the European Training Platform (ETP). The European Lawyers Foundation (ELF) is helping the CCBE in the final stage of the implementation of this project. The union of forces between the CCBE and ELF guarantees the correct implementation of this innovative and important e-Justice project.

ETP consists of an IT platform which provides information about courses for lawyers in a cross-border context. All relevant information from participating national and European-level training providers about training activities and courses will be made available on-line. Lawyers will therefore be able to access the widest and most inclusive catalogue of EU and national law courses across the EU. The system is intended to allow custom search according to predefined search fields (such as title of course, venue, date, language, practice area etc.), which will make it easier for lawyers to find a training course tailored to their needs. The project started on 1st February 2013 and will run for a period of two years. Once implemented, the ETP is expected to be hosted on the European Commission's e-Justice portal and should serve as a model for future training initiatives by other professions.

The benefits: The successful implementation of ETP will be a win-win solution for all parties involved. For training providers, the platform will be a powerful marketing and communication tool to promote their activities and become more visible both at home and abroad. For lawyers, the platform will increase the level and accessibility of information on training courses in other EU countries, by offering the possibility of a personalized and time-saving search. For the European Commission, the project will contribute significantly to the implementation of the European e-Justice strategy, as well as the broader vision of a common European legal culture.

An example: A Spanish lawyer, established in France, represents a shipping company in a contract law case where English law is applicable. To be able to perform her duties, she is interested in having intensive courses in English contract law during the summer months organised by a bar, college, university or other training provider in London. At present, this information is scattered, and access pre-supposes some prior knowledge of local training providers. By using the online training platform, the process of finding the right course will be much easier, less time-consuming and more user-friendly.

Participating training providers:

- M&D Seminars
- Barreau de Bruxelles
- Commission Université-Palais (CUP)
- IFE Benelux
- Deutscher Anwaltsinstitut
- DeutscheAnwaltAkademie
- Association of Danish Law Firms
- Preismann Koolitus OÜ
- Estonian Bar Association
- Tallinn University Law School, Open University
- University of Tartu – Faculty of Law
- Ilustre Colegio de Abogados de Barcelona
- European Institute for Public Administration (EIPA)
- Academy of European Law (ERA)
- Council of Europe (CoE)
- Conseil National des Barreaux (15 E.D.A)
- Délégation des Barreaux de France (DBF)
- Budapest Bar Association
- ELTE ÁJK Jogi Továbbképz_ Intézet
- Law Society of Ireland
- Scuola Superiore Dell’Avvocatura
- Wolters Kluwer Italia – Scuola di formazione Ipsoa
- University of Luxembourg, Research Unit in Law
- Institut Universitaire International Luxembourg
- Juristenes utdanningssenter (Centre for Continuing Legal Education)
- Slovenian Bar Association

E-CODEX

The European Lawyers Foundation (ELF) is assisting the Council of Bars and Law Societies of Europe (CCBE) in the e-CODEX project, a large-scale e-Justice project funded by the European Commission and led by a consortium composed mainly of Member States (see more detail below). The goal of e-CODEX is to “improve the cross-border access of citizens and businesses to legal means in Europe as well as to improve the interoperability between legal authorities within the EU.” e-CODEX aims are:

- Contributing to the implementation of the EU legal framework and the e-Justice action plan, with due respect to subsidiarity
- Achieving interoperability between existing national judicial systems
- Enabling all Member States to work together towards a more effective judicial system in Europe
- Improving the effectiveness and efficiency of the processing of the increasing number of cross-border proceedings, especially in civil, criminal and commercial matters
- Contributing to a safer environment for citizens inside the EU
- Modernizing the judicial systems in Europe
- Increasing collaboration and exchange between judicial systems of the Member States
- e-CODEX at a glance



Participants

- Austria
- Belgium
- Bulgaria
- Cyprus
- Czech Republic
- Estonia
- France
- Germany
- Greece
- Hungary
- Italy
- Ireland
- Jersey
- Lithuania
- Malta
- Netherlands
- Norway
- Poland
- Portugal
- Romania
- Spain
- Sweden
- Turkey
- United Kingdom
- CCBE
- CNUe

e-CODEX is funded through the ICT Policy Support Programme under the Competitiveness and Innovation Framework Programme (CIP)

Annual financial report

The Foundation's first financial year will end on December 31, 2015 according to its statutes. Here is an interim overview of 2014 for this annual report.

FINANCIAL POSITION 31 DECEMBER 2014

In short term available	
Receivables	€ 30.679
Cash and cash equivalents	€ 118.989
Total current assets	<u>€ 219.668</u>
Less: current liabilities	<u>€ 9.310</u>
Working capital	€ 210.358
Fixed on long term	
Tangible fixed assets	€ 1.931
	<u>€ 1.931</u>
Funded with on long term available assets	<u><u>€ 212.289</u></u>
Funding occurred as follows	
Reserve and funds	€ 62.289
Long-term liabilities	<u>€ 150.000</u>
	<u><u>€ 212.289</u></u>

BALANCE SHEET

	31-12-2014
ASSETS	
Fixed assets	
<i>Tangible fixed assets</i>	
Office equipment	€ 1.931
	<u>€ 1.931</u>
Current assets	
<i>Receivables</i>	
Taxes and premiums social insurance	€ 679
Other prepayments and accrued income	€ 30.000
	<u>€ 30.679</u>
<i>Cash and cash equivalents</i>	€ 188.989
Total assets	<u><u>€ 221.599</u></u>

LIABILITIES	
Reserves and funds	
Continuity and development reserve	€ 62.289
	<u>€ 62.289</u>
Long term liabilities	
Other debts	€ 150.000
	<u>€ 150.000</u>
Current liabilities	
Accounts payable	€ 7.986
Taxes and premiums social insurance	€ 1.109
Accrued liabilities	€ 215
	<u>€ 9.310</u>
Total liabilities	<u><u>€ 221.599</u></u>

INCOME AND EXPENDITURE 2014

INCOME	
Total income	<u>€ 104.248</u>
	€ 104.248
EXPENSES	
Wages and salaries	€ 16.589
Social insurances	€ 2.436
Other personnel costs	€ 12.302
Depreciation tangible fixed assets	€ 50
Project costs	€ 3.891
Office costs	€ 2.114
General costs	€ 4.577
Total expenses	<u>€ 41.959</u>
RESULT	<u><u>€ 62.289</u></u>

Destination of the result	
Addition to continuity and development reserve	<u><u>€ 62.289</u></u>