

## CHARTER

### ON THE FUNDAMENTAL PRINCIPLES OF ADVOCATE'S ACTIVITY

**Done at VI St. Petersburg International Legal Forum on May 19th, 2016**

Representatives of the Bars participating in this Charter, representatives of the Chamber of Advocates of the Republic of Armenia, Republican Bar Association of the Republic of Belarus, Bar Association of Georgia, Republican Bar Association of the Republic of Kazakhstan, Bar of the Kyrgyz Republic, Russian Federal Chamber of Advocates, Union of Advocates of the Republic of Tajikistan, Chamber of Advocates of the Republic of Uzbekistan,

*expressing* the intention to implement the principle of rule of law and to increase the importance of an advocate's role as a necessary participant of fair justice,

*acknowledging* the common interest in reliable and sustainable development of the Bar as a civil society institution and a necessary element of a democratic state governed by rule of law,

*declaring* providing solid guarantees of respect for delivery of justice as their goal,

*underlining* the necessity to implement the international standards and rules of the legal profession recognized by the international legal community for bar associations and law societies, courts, law enforcement authorities, governmental authorities and international organizations,

*taking into account* the principles established in the Universal Declaration of Human Rights made by the UN General Assembly on December 10<sup>th</sup>, 1948, in the European Convention for the Protection of Human Rights and Fundamental Freedoms adopted by the Council of Europe on November 4<sup>th</sup>, 1950, in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, adopted by resolution 2200 A (XXI) of the UN General Assembly on December 16<sup>th</sup>, 1966, in the Basic Principles on the Role of Lawyers adopted by the eighth UN Congress on the prevention of crime and treatment of offenders in August 1990, in the Charter of Core Principles of the European Legal Profession adopted at the Plenary Session of the Council of Bars and Law Societies of the European Union in Brussels on November 24<sup>th</sup>, 2006,

*considering* that legal regulation of advocate's activity and the legal profession can vary in different jurisdictions,

*taking into account* that professional associations of lawyers play a fundamental role in the process of enforcing compliance with the rules of professional conduct and ethics, protecting their members from persecution and unlawful limitations or infringements, providing legal services to everyone needing it, and, in cooperation with governmental authorities, contributing to the accomplishment of goals of justice and protection of national interests,

*confirming* that in execution of their professional rights and obligation advocates always rely on law, generally recognized rules and the lawyer's professional ethics, and remain out of any political race,

*have agreed* to support and protect the following principles which constitute the background and basis of the legal profession:

### **FUNDAMENTAL PRINCIPLES**

- a. Principle of respect for rule of law and fair justice
- b. Principle of legality as the fundamental principle for providing legal assistance
- c. Principle of providing access to justice
- d. Principle of independence of the advocate and legal practices
- e. Principle of self-regulation of the profession
- f. Principle of observance of the client-lawyer privilege
- g. Principle of compliance with the ethical norms and protection of dignity, honor and reputation of the profession
- h. Principle of compliance with the rules of professional conduct
- i. Principle of corporate nature based on common interests for the purpose of providing due protection of the clients and their access to justice
- j. Principle of mutual professional cooperation
- k. Principle of equality of advocates
- l. Principle of professional competence
- m. Principle of commitment to the client's interests

The participants of the Charter confirm their readiness to uphold the fundamental principles of the legal profession established in this Charter, their implementation in the national legislation, and they also guarantee mutual respect for each other and the intention to join their efforts for the benefit of the Bar and for the sake of human rights protection.

## **FINAL CLAUSES**

The original of the present Charter, of which the English and Russian texts are equally authentic and have the same effect, shall be deposited with the archive of the Russian Federal Chamber of Advocates.

This Charter is open for signature to any Party that shares the purposes and principles established herein. The Charter shall become effective for each Participant upon signature.

Done at St. Petersburg on the nineteenth day of May, two thousand sixteen.

## **SIGNATURES OF PARTICIPANTS**

On behalf of the Chamber of Advocates of the Republic of Armenia

\_\_\_\_\_ A. Zograbyan

On behalf of the Republican Bar Association of the Republic of Belarus

\_\_\_\_\_ V. Chaychits

On behalf of the Bar Association of Georgia

\_\_\_\_\_ D. Asatiani

On behalf of the Republican Bar Association of the Republic of Kazakhstan

\_\_\_\_\_ A. Tugel

On behalf of the Bar of the Kyrgyz Republic

\_\_\_\_\_ G. Kozhomova

On behalf of the Russian Federal Chamber of Lawyers

\_\_\_\_\_ Y. Pilipenko

On behalf of the Union of Advocates of the Republic of Tajikistan

\_\_\_\_\_ S. Nuritdinov

On behalf of the Chamber of Advocates of the Republic of Uzbekistan

\_\_\_\_\_ R. Akhmedov