

G7 Bars Meeting

Resolution on the confidentiality of the client-lawyer relationship

We, the representatives of the bar associations in the G7 countries (the “G7 Bars”) met on 29/04/2023 for the 2023 G7 Bars meeting

1. Recognizing the essential role of lawyers and judges in upholding the rule of law and the separation of powers as fundamental principles of all democratic nations and that this is essential to ensure accountability and access to justice for citizens worldwide;
2. Recalling the proposals as submitted to the G7 Governments following the G7 Bars Meetings in Paris in July 2019 and in Berlin in May 2022;
3. Recalling the work initiated by the Council of Europe on the first legally binding international instrument on the protection of the legal profession,
4. Acknowledging the essential role that lawyers exercise in helping build and defend accessible, efficient, and fair justice systems;
5. Reaffirming that lawyers must be able to exercise their profession without interference, intimidation or harassment in order to fulfil their duties to their clients for the administration of justice, and the maintenance of the rule of law;
6. Recalling that the confidentiality of information related to the representation of a client, the attorney-client privilege, and professional secrecy are well-accepted and recognized principles that balance the professional obligations of the lawyer, interests of the client, and societal interests;
7. Recognizing that different jurisdictions use different terms, such as lawyer-client confidentiality or professional secrecy, in addition to the evidentiary attorney-client privilege, and that the scope of these protections may vary;

8. Emphasizing that the confidentiality of information relating to the representation of a client, the client-lawyer relationship, the attorney-client privilege, and professional secrecy must be preserved to protect the interests of the clients and their right to the effective assistance of counsel;
9. Recognizing that attacks on lawyer-client confidentiality, the attorney-privilege, and professional secrecy place lawyers and their clients in vulnerable positions, and such attacks jeopardize lawyers' professional independence, the authority of the courts, and the rule of law;
10. Expressing grave concern that in certain jurisdictions and countries, laws and other instruments are applied in ways that undermine lawyer-client confidentiality, the attorney-client privilege, professional secrecy, and the right to effective assistance of counsel and otherwise hinder lawyers from practicing their profession;
11. Reaffirming that the principle of the confidentiality of the client-lawyer relationship, the attorney-client privilege, professional secrecy, and the right to effective assistance of counsel must be duly and appropriately protected;
12. Considering the suggested topics for the G7 Summit of Ministers of Justice, to be held on 7 July 2023 in Tokyo;
13. Request that our countries' respective regulators of the legal profession consider the following recommendations:
14. The G7 regulators of the legal profession shall take appropriate measures to ensure that client-lawyer confidentiality, the attorney-client privilege, professional secrecy, and the right to effective assistance of counsel are protected to the greatest possible extent against any national or transnational laws or practices that might violate or undermine them.

15. The G7 regulators of the legal profession shall consider consulting directly with the G7 Bars and Law Societies if proposals, including those from the government, threaten to inappropriately violate or impair client-lawyer confidentiality, the attorney-client privilege, professional secrecy, or the right to effective assistance of counsel.

Signed in Tokyo, 29 April 2023

Japan Federation of Bar Associations



American Bar Association



Canadian Bar Association



Conseil National des Barreaux



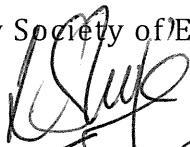
Consiglio Nazionale Forense



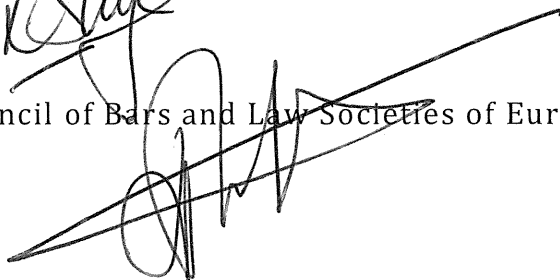
Deutscher Anwaltverein



Law Society of England and Wales



Council of Bars and Law Societies of Europe



Bundesrechtsanwaltskammer

Dr. Dr. Schmidt