



June 16, 2022

Via email: justin.trudeau@parl.gc.ca

The Right Honourable Justin Trudeau, P.C., M.P.
Prime Minister of Canada
80 Wellington Street
Ottawa, ON K1A 0A2

Dear Prime Minister:

Re: 2022 G7 Leaders Summit – Bar Leaders Concerns

I am writing on behalf of the Canadian Bar Association as the G7 Leaders gather for the annual summit, to inform you about three issues of concern to the Bar leaders in G7 countries, and to seek your support in endorsing them. They are: condemning the Russian invasion of Ukraine; protecting the confidentiality of the client-lawyer relationship; and recommending that Ministers of Justice meet at part of the G7 Leaders Summit.

The CBA is a national association of 36,000 lawyers, law students, notaries and academics, from every jurisdiction of Canada, with a mandate that includes seeking improvements in the law and administration of justice, and access to justice.

Representatives of the bar associations and law societies – including the Canadian Bar Association, Conseil national des barreaux (France), Law Society of England and Wales, Deutscher Anwaltverein (Germany), Bundesrechtsanwaltskammer (Germany), Japan Federation of Bar Associations, Consiglio Nazionale Forense (Italy), American Bar Association, and Council of Bars and Law Societies of Europe – met last month to discuss these issues. Our statements are attached, noting the signatories to each one.

Russian Invasion of Ukraine

The joint statement condemns Russia's war on Ukraine, which "violates the fundamental and generally accepted principles of international law and represents an egregious unlawful attack on the rule of law." This statement is consistent with my letter to you of March 17, 2022, urging the Canadian government to take immediate action to help welcome vulnerable Ukrainians to Canada. It also dovetails with your government's steadfast support of Ukraine in its time of crisis.

Confidentiality of the Client-Lawyer Relationship

Client-lawyer privilege is a fundamental and foundational pillar of democracy and our justice systems. Lawyers must be able to exercise their profession without undue interference, intimidation or harassment in order to fulfil their duties for the administration of justice and the maintenance of the rule of law.

The joint statement asks G7 governments to take appropriate measures to ensure that client-lawyer privilege and professional secrecy are protected to the greatest possible extent against national or transnational law that might violate it. We ask that you consult directly with the bar associations and law societies on any legislative proposal that might impair professional secrecy and the independence of the legal profession.

The CBA is a vigorous defender of solicitor-client privilege, especially when at risk of encroachment or dilution. The privilege has been consistently upheld at the Supreme Court of Canada and has been described as paramount in ensuring public confidence in the administration of justice.

Ministers of Justice Meetings at the G7 Summit

Ministers of Justice play an essential role in upholding the Rule of Law and in protecting the separation of powers as fundamental principles of all democratic countries. The joint statement suggests that G7 governments consider convening meetings of the Ministers of Justice as part of the G7 Summit.

The CBA and the Minister of Justice share overarching goals such as ensuring equal access to justice and modernizing justice systems. These goals are consistent with UN Sustainable Development Goal 16, to promote just, peaceful and inclusive societies (SDG 16). It would be beneficial for the G7 to find common solutions to ensure accountability and access to justice for citizens worldwide. Moreover, an independent and efficient judiciary is a prerequisite for sustainable development and economic prosperity of a country.

We urge the Canadian government to take these issues into account in your G7 deliberations.

Sincerely,

(original letter signed by Stephen Rotstein)

Stephen Rotstein

Encl.

cc. The Honourable Mélanie Joly P.C., M.P.
Minister of Foreign Affairs, Melanie.Joly@international.gc.ca
The Honourable David Lametti, P.C., M.P.
Minister of Justice, mcu@justice.gc.ca
David Morrison
Personal Representative of the Prime Minister for the G7 Summit David.Morrison@international.gc.ca

 Deutscher Anwalt Verein	EUROPEAN LAWYERS EUROPEAN BARS  BAREAUX EUROPÉENS AVOCATS EUROPÉENS	 BUNDESRECHTSANWALTSKAMMER
 THE CANADIAN BAR ASSOCIATION L'ASSOCIATION DU BARREAU CANADIEN	 AMERICAN BAR ASSOCIATION	 CNEF Consiglio Nazionale Forense
 CONSEIL NATIONAL DES BARREAUX LES AVOCATS	Supported by  The Law Society of England and Wales	 JFBA Japan Federation of Bar Associations

G7 Bars Meeting

Statement on the war in Ukraine

We, the representatives of the Bar Associations and Law Societies in the G7 countries (the “G7 Bars”), meeting on 27 May 2022 for the G7 Bars summit in Berlin,

1. unequivocally condemn the war against Ukraine as perpetrated by the Russian Federation which represents an egregious unlawful attack undermining the Rule of Law in the region and internationally. All countries must respect the fundamental obligations, values, principles and freedoms set out in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Geneva Conventions as well as general principles of public international law and international humanitarian law. The war against Ukraine by military forces of the Russian Federation infringes the sovereignty and territorial integrity of Ukraine, violates the fundamental and generally accepted

principles of international law and represents an egregious attack on the Rule of Law.

2. stand in solidarity with the Ukrainian people who are defending their freedom, their families and homes at the front lines, as well as those who have been displaced by the war.
3. stand in solidarity with the Ukrainian National Bar Association and all Ukrainian lawyers, as they and their families are displaced and in situations of extreme personal risk. We deplore the barriers to their exercising their profession or participating in a legal system.
4. express our support for all Ukrainian legal professionals who continue upholding the Rule of Law, defending the fundamental rights of their clients in Ukraine, and securing the continued operation of the criminal and civil justice systems in Ukraine under unimaginably difficult circumstances.

Signed in Berlin, 27 May 2022

Canadian Bar Association



Law Society of England and Wales



Conseil National des Barreaux



Bundesrechtsanwaltskammer



Deutscher Anwaltverein



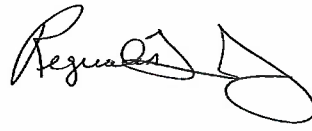
Consiglio Nazionale Forense



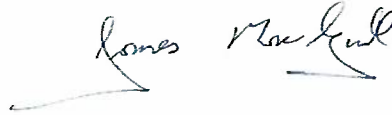
Japan Federation of Bar Associations



American Bar Association

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CCBE

A handwritten signature in cursive script, appearing to read "Jones MacLeod". The signature is written in black ink on a white background.



Deutscher **Anwalt** Verein



BUNDESRECHTSANWALTSKAMMER



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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 27/05/2022 for the 2022 G7 Bars meeting

1. **Recognising** the essential role of the legal profession in upholding the rule of law and the separation of powers as fundamental principles of all democratic nations and that this role 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 Meeting in Paris in July 2019;
3. **Acknowledging** that lawyers are at the forefront of judicial systems, helping build and defend accessible, efficient and fair justice systems;
4. **Reaffirming** that lawyers must be able to exercise their profession without undue interference, intimidation or harassment in order to fulfil their duties for the administration of justice and the maintenance of the rule of law;

5. **Recalling** that the confidentiality of the client-lawyer relationship is an interaction between the professional obligations of the lawyer and the fundamental rights of the client;
6. **Emphasising** that the confidentiality of the client-lawyer relationship and professional secrecy require absolute protection to serve the fundamental rights of the clients and their right to effective access to justice;
7. **Recognising** the vulnerable position in which lawyers may be placed when client-lawyer confidentiality and professional secrecy are attacked and acknowledging that such attacks may amount to an attack on the rule of law;
8. **Expressing grave concern** that in certain jurisdictions and countries, laws and other instruments are applied in ways that hinder lawyers from practicing their profession, that interfere with fair trial guarantees of lawyers' clients and/or result in breaches of confidentiality of the client-lawyer relationship;
9. **Reaffirming** that the principle of professional secrecy and the confidentiality of the client-lawyer relationship must be duly protected in all circumstances;
10. **Considering** the priorities stated for the G7 Summit of Heads of State and of Government, to be held on 26th to 28th June 2022 in Castle Elmau;
11. **Request** our respective governments to consider the following recommendations:
12. The G7 governments shall take appropriate measures to ensure that client-lawyer confidentiality and professional secrecy are protected to the greatest possible extent against any national or transnational laws or practices that might violate them.
13. The G7 governments shall consider consulting directly with the G7 Bars and Law Societies if legislative proposals might impair professional secrecy and client-lawyer confidentiality.

Signed in Berlin, 27 May 2022

Canadian Bar Association

Law Society of England and Wales



Conseil National des Barreaux

Bundesrechtsanwaltskammer

Deutscher Anwaltverein

Consiglio Nazionale Forense

Japan Federation of Bar Associations

CCBE

Jérôme Joubert

Dr. Dr. h.c. h. G.

E. Kiudemann

Elvio Elviri

Motoji Kobayashi

Romeo Marchetti



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G7 Bars Meeting

Resolution on Meeting of the Ministers of Justice

We, the representatives of the bar associations in the G7 countries (the “G7 Bars”),

1. **Meeting** in Berlin and virtually on 27/05/2022 for the 2022 G7 Bars meeting
2. **Reconfirming** our dedication to human and fundamental rights and to the effective protection of citizens’ rights in our respective countries;
3. **Recognizing** the essential role of Ministers of Justice in upholding the Rule of Law and in protecting the separation of powers as fundamental principles of all democratic countries and as prerequisites to ensure accountability and access to justice for citizens worldwide;
4. **Bearing in mind** the Sustainable Development Goal (SDG) 16 of the United Nations and that an independent and efficient judiciary is a prerequisite for sustainable development and economic prosperity of a country;

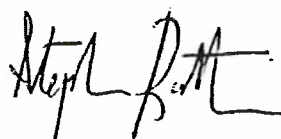
5. **Therefore convinced** that a regular dialogue between the Ministers of Justice of the G7 is useful and required in order to address common challenges to judiciaries;
6. **Proclaiming** our wish to engage in a constructive dialogue with the G7 governments in order to find common solutions to challenges the system of judiciary is facing, including its independent and efficient functioning but also with regard to the risks that may arise with digitalisation and the use of artificial intelligence tools;
7. **Request** our respective governments to consider the following recommendation:

Introduction of meetings of the Ministers of Justice as part of the G7 Presidency conference schedule

8. **Include** meetings of the Ministers of Justice in the conference curriculum of the G7 governments.

Signed in Berlin, 27 May 2022

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