

Index of terms and key cases

Application

- duty not to hinder effective exercise of right to (Art. 34 (2) ECHR) 191ff, 244
- inter-State (Art. 33 ECHR) 381ff
- Assembly, freedom of (Art. 10 ECHR) 239
- Association, freedom of (Art. 10 ECHR) 293
- Attorney-client privilege *see* confidentiality
- Azerbaijan
 - *Aliyev v* 242, 248ff, 451
 - *Bagirov v* 166, 179, 198, 468
 - *Hajibeyli and Aliyev v* 218, 281, 303ff
- Bar associations
 - Court's case law on 286ff
 - definition 64
 - independence 299ff
 - self-regulation *see* independence
 - standing under Art. 34 ECHR 294ff
 - state responsibility for 122ff, 289ff
- Belgium
 - *van der Mussele v* 289ff
- Chilling effect 160ff, 196, 220, 244ff, 314, 335ff
- Confidentiality 96ff, 461ff
 - detained clients 93ff, 102ff
 - search and seizure 110ff
 - wiretaps 107ff
- Convention on the Profession of Lawyer, European (draft) 47
- Council of Bars and Law Societies of Europe 43ff, 125, 178, 295, 330
 - CCBE Code of Conduct 148ff
- Critical statements by lawyers concerning
 - experts 163ff
 - judges 161ff
 - prosecutors 158ff
- Croatia
 - *Bljakaj and others v* 188ff, 458
 - *Dvorski v [GC]* 74ff
 - *Mesić v* 204, 343ff, 433, 473
- Cyprus
 - *Kyprianou v [GC]* 161ff, 224
- Defend human rights, right to 36ff, 488ff
- Democracy
 - right to free elections (Art. 3 Protocol 1) 247, 372
 - state's duty to maintain 372ff
- Disarmament
 - protection against 207ff, 467ff
- Disciplinary rules 275ff

- application of Art. 6 ECHR 282ff

Duties

- directed 357ff
- rights-based 357ff
- undirected 357ff, 453ff

Estonia

- *Martin v* 77ff, 95

EU law

- Anti-Money-Laundering 115ff
- Reaction to Polish rule-of-law crisis 371

Expression, freedom of (Art. 10 ECHR)

- in parliament 432ff
- lawyers exercising representative functions 154ff
- lawyers in court proceedings 158ff, 465ff
- lawyers outside the courtroom 170ff, 470

Finland

- *Nikula v* 61, 158ff, 220, 227ff, 252, 261ff, 329, 449, 466, 474ff

France

- *Michaud v* 115ff, 300
- *Morice v [GC]* 172ff, 330
- *Ottan v* 176ff, 215
- *Tuheiava v (dec)* 280, 297ff
- *Ursulet v (dec)* 61, 456

Gatekeeper legislation 115ff

General Agreement on Trade in Services 46

German Democratic Republic 198, 268, 458

Germany

- *Niemietz v* 111, 417ff

Independent and impartial tribunal established by law (Art. 6 § 1 ECHR)

- part-time judges 270
- Polish rule-of-law crisis 369, 382

Individual

- status in international law 384ff

Interests

- conflict of 78, 82ff, 424
- definition 65
- interest theories of rights 402ff

International Bar Association 40ff

Journalists *see* media

- as human-rights bearers 420ff

Lawyers

- 'special status' 227ff

Legal aid 122ff

Index of terms and key cases

Legal assistance of one's own choosing, right to defend oneself through (Art. 6 § 3 (c) ECHR) 71ff

Legal profession 257ff, 459

- access to 202
- economic basis for 271ff
- independence of 126ff, 218, 257, 459
- self-regulation of 299ff

Legal professional privilege *see* confidentiality

Legal services

- reservation of 261ff

Lithuania

- *Jankauskas v (No 2)* 259ff, 287ff, 299ff

Maintaining the authority and impartiality of the judiciary (Art. 10 § 2 ECHR) 161, 174, 205, 380, 474

Malta

- *Feilazoo v* 139ff, 195ff

Media

- as human-rights bearers 420ff
- independence 317ff, 328
- obligation to protect 318ff
- public service broadcasting 427ff
- role in Convention system 310ff

Moldova

- *NIT SRL v [GC]* 315ff

Monopoly *see* Legal services, reservation of

Netherlands, the

- *M v 91ff*

Officers of the court 227ff, 329ff, 433ff

Parliament

- freedom of expression in 432ff

Personal standing, reservations based on 267ff

Pluralism 315ff, 322, 375ff

Poland

- legal aid cases 124ff
- rule-of-law crisis 369, 382

Portugal

- *Correia de Matos v [GC]* 84ff

Professional negligence 149ff

Professional secrecy *see* confidentiality

Property, right to (Art. 1 Protocol 1) 203ff, 410

Proportionality 436ff, 494ff

Qualification, minimum 264ff

Quality, minimum 133ff, 195ff, 472

Recommendation R(2000)21 on the freedom of exercise of the profession of lawyer 38, 159, 218, 256, 276

Reporting requirements *see* gatekeeper legislation

Reputation, protection of professional 203ff

Role-bearers, human rights of 418ff

Romania

- *Buzescu v* 143, 203, 264, 291
- *Cazan v* 183ff, 328, 466
- Romanian Union of Lawyers 291, 305

Rule of law

- Polish crisis 369, 382
- State's obligation to protect 375ff

Russia

- *Kruglov and others v* 59ff, 113, 191, 240ff, 254, 263
- *Reznik v* 208ff, 236

Scope of Convention rights

- *ratione materiae* 431ff
- *ratione personae* 426ff

Slovenia

- *Čeferin v* 164ff, 327

Spain

- *Casado Coca v* 231ff, 273, 290

Switzerland

- *Schöpfer v* 171ff, 216ff, 236, 449
- *Verein KlimaSeniorinnen and others v [GC]* 378ff, 492ff

Theories of human rights 393ff

- individualistic 394, 399ff
- interest 402ff
- relationship between moral and legal 395ff
- role-bearer 418ff
- systemic 394, 410ff

Titles, professional 266

Turkey

- *Elçi and others v* 111, 226, 240ff, 339, 423, 469ff

Ukraine

- *Golovan v* 100, 254

UN

- Basic Principles on the Role of Lawyers 34ff, 117, 159ff, 178, 188, 210, 256, 276
- Special Rapporteur on the Independence of Judges and Lawyers 36, 251

Union Internationale des Avocats 41ff, 254

United Kingdom

- *A and others v [GC]* 89ff
- *Golder v [Plenary]* 88ff
- *Handyside v [Plenary]* 173, 310ff, 416
- *Ireland v [Plenary]* 365, 381

Watchdog

- media as 318ff, 377
- lawyers as 178, 208ff, 468ff