

Interview with the CCBE President

PANAGIOTIS PERAKIS

What is your professional background and what are your interests outside of your work as a lawyer?

Panagiotis Perakis: I have been a lawyer since 1990 in Greece, specialised in corporate law, as well as in data protection. It could be said that my field of practice is business law, not only as an advisor but as a litigator as well, handling several types of cases, ranging from contractual disputes and competition issues to economical crime and administrative cases. Within the context of my professional activities, I counsel several private enterprises in addition to bodies of the public sector.

Regarding my studies, I left Crete after high school and moved to Athens in order to study law. After that, I decided to continue my studies in France and did a postgraduate degree in IT law (*droit de l'informatique et informatique juridique*) at the University of Montpellier, which was at the time the only university in Europe offering this pioneering course. I feel really lucky for taking this decision because these studies helped me a lot to gain a deep understanding of the recent technological developments and their

effects everywhere in our lives, including the legal environment and the justice system.

After my graduation from the University of Montpellier, in parallel with the beginning of my practice as a lawyer in Greece, due to a recommendation of the well-known professor Michel Vivant, I was invited to participate as an independent expert in a Legal Advisory Board of the European Commission (XIII DG), which was dealing with all the new legal issues arising from the revolutionary development of the information technologies (protection of the computer programs, databases, personal data, etc.). My membership of this Board lasted for almost 9 years, during a time when a new era in legal fields was beginning.

I joined the CCBE as a member of the Greek Delegation in 2011, while I had already been elected as a member of the Executive Board of the Athens Bar Association. Starting in 2014, I served twice as Head of the Greek Delegation to the CCBE, for 5 years in total. In 2015, I was assigned as Chair of the Access to Justice Committee of the CCBE and remained in this position until I was elected as Vice-President of the CCBE in November 2019. During these years in the Access to

> Panagiotis Perakis (Greece) is leading the CCBE from 1 January 2023.

Justice Committee, I found really interesting the work that was done, especially in relation to legal aid, resulting the CCBE Recommendations on Legal Aid, which I think are of pivotal importance. In parallel, I was also participating in other CCBE committees, including the committees on Human Rights, IT Law and Future of the Legal Profession. As a member of the Human Rights Committee, I proposed the establishment of the Migration Committee, which now has become one of the most important CCBE committees.

Outside my professional life, I enjoy travelling, sports and arts, mainly cinema and literature. In the first year of the COVID-19 pandemic, I organised in Greece a literature contest for lawyers and judges in relation to the pandemic. The name of the contest was LawVid-19 and it was very successful with hundreds of participants, which is a brilliant proof of our ability to be positive and creative even under the worse possible circumstances.

Beyond these interests, I try to be active in the civil society, as I believe a lot in individual responsibility of each one of us. As an example, five people – three lawyers including me, one journalist and one economist – founded last year a Movement for the Acceleration of the Greek Justice System, which has already hosted several public discussions with high-level participants, such as the Chair of the Greek Supreme Court, Ministers, professors, the President of the Greek Bar Associations, etc. These discussions have had a real impact on the public opinion and helped formulate proposals concerning necessary changes.



However, the most important for me are, of course, my three children and the time we spend together.

Why did you want to become President of the CCBE?

The CCBE is the voice of the profession in Europe. It connects lawyers' representatives of all European countries, their needs, their ideas and their common future, thanks to the very experienced and dedicated persons/national delegates and the exceptional quality of the CCBE staff. Although there are other lawyers' organisations in Europe, the CCBE is not only the one with a statutory relation with all the national Bars (this is why it is considered as the official voice of the profession), but also it produces really substantial texts, with an in-depth legal analysis, on every upcoming major issue touching the profession, the justice system and/or the Rule of Law. This is the value of the CCBE positions and the power of its voice.

Due to these reasons, the work of the CCBE is recognised and highly appreciated globally, and especially by the European Institutions, with whom we have established permanent relations and through which we try to encourage that the positions of the legal profession are taken into account by the decisions makers.

It is about, on the one hand, a continuous production of positions, justifications and arguments, according to the Rule of Law and the core values of our profession, and, on the other hand, a continuous fight to persuade, to promote or to defend.

Nowadays, with so many and unprecedented challenges, the bet for the profession is to prove its resilience and its adjustability, without compromises on its core values; to meet the modern needs of the people, remaining the guardian of the democracy and of their fundamental rights. And, since the decisions are more and more taken on a central, pan-European level, I strongly believe that the only way to achieve the above is through the CCBE.

This, along with the support of any individual lawyer in every corner in Europe regarding their status and the respect they deserve in their daily life, as well as the preparation of a future which will include them, is the mission of the CCBE in my view.

It would be a huge honour if I manage to contribute to this mission and this is the reason why I wanted to become President of the CCBE.

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What will be the main CCBE priorities under your presidency?

The protection of lawyer-client confidentiality against surveillance will be one of our priorities this year, especially in relation to the upcoming European Parliament Report regarding Pegasus spyware. The Pegasus scandal has shown that the use of spywares raises significant threats to fundamental rights, such as the right to confidentiality of communications between lawyers and clients. This is why the CCBE already took action by adopting a statement calling European authorities to take steps to protect and enhance the confidentiality of lawyer-client communications when modern technology is used, and by organising an event with representatives of the European Parliament and the European Data Protection Supervisor in October 2022. In the meantime, the

European Parliament set up a special committee to investigate the alleged breaches of EU law in the use of such software by certain Member States such as Hungary and Poland. This investigation will continue in 2023 and should be extended. This momentum is significant for the CCBE as the results of such investigation could lead to a report calling for the adoption of common standards and a legal framework for the use of spywares and surveillance technologies. It is a great opportunity to have further developments at EU level on the necessity to protect professional secrecy, to propose a European definition of national security and

to have a proper legal framework for surveillance activities.

This year, the CCBE will also undertake efforts to **raise awareness** among all stakeholders of the importance of lawyer-client confidentiality. Such confidentiality is needed to protect the trust relationship between a client and his/her lawyer. Without it, citizens cannot receive the appropriate legal assistance they need.

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whereby lawyers have been presented as enablers of illegal or unethical practices. It is important to be clear that the CCBE and its member Bars and Law Societies do not, and never will, condone the actions of any lawyer who knowingly participates in any criminal activity of a client, whether relating to money laundering, tax evasion or any other criminal activity. However, recent proposals would have a serious impact on the legal profession and society at a wider level. It is important that the CCBE raises its voice to ensure that the risks and consequences of proposed measures are explained and understood.

The work towards the **establishment of a new legal instrument on the protection of the profession of lawyer**

(European Convention) will also remain a top priority for us. Since its very initiation in 2017, the CCBE has supported the work carried out by the Council of Europe on this topic. The CCBE strongly believes that a binding legal instrument is needed to respond to the growing attacks and challenges faced by the legal profession which directly hinder the respect for the rule of law and access to justice for lawyers' clients. Last year, a Committee of experts on the protection of lawyers was established by the Council of Europe Committee of Ministers. This Committee has been entrusted with the task of writing the draft new legal instrument in 2022-2023. This year will therefore be crucial for the elaboration of this new legal instrument. As an observer in this Committee of experts, the CCBE will continue to contribute to the drafting process and make sure that the voice and practical experience of European lawyers are reflected in this new instrument.

The CCBE will of course continue **supporting the legal profession in Ukraine** in these difficult times. In particular, we will continue to support the Ukrainian National Bar Association as well as Ukrainian lawyers as long as they need our help.

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Furthermore, I want to ensure that the visibility of the CCBE's actions continues to grow, especially among lawyers, with particular regard to the challenges young lawyers face. To this end, a **new Young Lawyers Committee** will be established to address matters of interest to those colleagues at the start of their professional career. They are the future of our profession and we will give them all the attention they deserve.

All the above, along with the continuous monitoring, very active when needed, of the issues related to the impact of digital technologies on our work and the justice system, in particular of the artificial intelligence and the need

to control it, putting the necessary limits to keep the Justice human, are our priorities for this year. It is an ambitious task, but I am confident that we will succeed. The high quality of our staff led by our Secretary General, Simone Cuomo, the continuous valuable contributions of our members and the almost daily cooperation I have with Pierre-Dominique Schupp, Thierry Wickers and Roman Završek, the three CCBE Vice-Presidents, who are experienced and dedicated, make me that confident. It is not a personal bet, it will be a team work and a collective success. ■

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ON THE CCBE'S ACTIONS IN 2023

