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АКЫЙКАТ КАРЕГИ

НАЦИОНАЛЬНАЯ СЕТЬ ГРАЖДАНСКОГО ОБЩЕСТВА ПО МОНИТОРИНГУ СЕКТОРА ПРАВОСУДИЯ

CIVICS Public Foundation

REPORT ON THE RESULTS OF MONITORING THE CRIMINAL JUSTICE SYSTEM OF THE KYRGYZ REPUBLIC - SUMMARY

Area 4: The Bar

Bishkek, 2025

This analytical report is based on monitoring conducted by the Public Foundation Civics within the framework of a project implemented by the International Partnership for Human Rights (IPHR) and Lawyers for Human Rights (LHR) with the support of the European Union.

The report covers Area 4 (The Bar) of a comprehensive Methodology for Monitoring the Criminal Justice Sector developed by recognised international and national experts under the project.[1] It is part of a series of analytical reports prepared based on monitoring conducted by members of the Akyikat Karegi Civil Society Network, using the new methodology with support from project experts.

This publication has been prepared with the financial support of the European Union. The contents of this publication are the responsibility of IPHR and LHR and do not necessarily reflect the views of the European Union.

[1] The methodology (in Russian and Kyrgyz) is available at: https://iphronline.org/articles/new-methodology-for-monitoring-the-criminal-justice-sector-developed/

INTRODUCTION

The Bar is an important component of the criminal justice system. The Bar is not part of state or local government bodies, but an integral part of civil society. In the rapidly changing human rights situation in Kyrgyzstan, the significance and relevance of the Bar is growing. The importance of the Bar is also closely linked to the provision of qualified legal assistance.

According to Article 61 of the Constitution, everyone has the right to receive qualified legal assistance. In cases provided for by law, legal aid is provided at the expense of the state. The organisation and work procedures of the Bar as a self-governing professional community of lawyers, as well as the rights, duties and responsibilities of lawyers are regulated by the Law on the Bar of the Kyrgyz Republic and Legal Practice. As a key human rights institution within civil society, the Bar plays a leading role in upholding the rule of law by ensuring access to qualified legal assistance for all.

This study is relevant due to the need to monitor and assess the legal framework governing the Bar's activities in view of its institutional and functional independence, taking into account the current stage of development of society and the state.

The Bar, as a key institution for the effective administration of justice and the protection of citizens' rights, is an essential feature of a state governed by the rule of law. It fulfils a public-law function assigned by the state to protect citizens' rights, freedoms and interests while ensuring access to justice.

Currently, the legal regulation and practice of the Bar face accumulated challenges, which require in-depth and comprehensive research. A major priority at this stage of development is finding a balance between state influence on the Bar and its internal, independent self-regulation. The independence of the legal profession and the Bar is essential for lawyers to effectively fulfil their professional duties and the tasks assigned to the Bar, which is in the interests of society and the state.

The independence of the legal profession is a crucial guarantee for the promotion and protection of human rights. According to the Basic Principles on the Role of Lawyers, Governments shall ensure that lawyers are:

- ✓ Able to perform all their professional duties in an environment free from threats, obstruction, intimidation or undue interference;
- ✓ Travel and consult freely with their clients within and outside the country;
- ✓ Not prosecuted nor subjected to judicial, administrative, economic or other sanctions for any action taken in accordance with recognised professional duties, standards and ethics, or threatened with such prosecution and sanctions.

The purpose of this study is to examine the legal regulation of the Bar of the Kyrgyz Republic, focusing on its independence and autonomy. It aims to develop practical recommendations for improving current legislation, based on international standards, and ensuring the effective implementation of existing regulations guaranteeing the independence of lawyers and the Bar.

In accordance with this, the research focused on assessing the Bar's institutional and functional independence, as well as the alignment of national legislation with international standards governing the legal profession.

The monitoring employed a comprehensive approach to examining the Bar as an independent body, using a combination of different methods. Both qualitative and quantitative data collection methods were used, including desk analysis of legal acts and international standards; semi-structured

interviews; a survey conducted among members of the Bar, including its regional divisions using a questionnaire; enquiries to state bodies; enquiries to the Bar; and an analysis of internal documents of the Bar. To ensure the survey sample was representative, it was designed to include all territorial divisions of the Bar.

The report contains **two key analytical sections**. The first one - ''The Bar's Institutional Independence'' examines the organisation's institutional autonomy and its ability to operate without external interference. The second one - ''Lawyers' Functional Independence'' focuses on lawyers' right and ability to perform their professional activities without pressure, threats or interference.

The **results of the study** summarise, expand and enhance knowledge on the legal regulation of the legal profession and the Bar. Its findings can also serve as a basis for further research on the Bar's independence and self-governance, as well as for improving current legislation.

One **limitation of the study** was the reliance on information provided by state bodies in response to official requests. In some cases, different state bodies provided different data in response to the same inquires, making analysis more challenging.

The research team would like to thank Kyrgyzstan's Bar Association for its assistance in conducting this study.

KEY FINDINGS AND RECOMMENDATIONS

KEY FINDINGS

Area 4 (The Bar) of the comprehensive Methodology for Monitoring the Criminal Justice Sector covers 7 benchmarks and 17 indicators which were assessed for compliance with international standards. Based on the study, the expert group reached the following key conclusions:

- The Bar of the Kyrgyz Republic is intended to be an autonomous and self-governing body. However, the involvement of the Ministry of Justice in its elections and activities undermines this independence. It is crucial to reduce state interference and ensure greater autonomy for the Bar. This should include the exclusion of state officials from the Bar's executive bodies, such as its qualification and ethics commissions. In addition, licensing and certification processes should be reviewed to ensure that they are fair, impartial and non-discriminatory, and clearer definitions and classifications of disciplinary offences should be established.
- Elections to the governing bodies of the Bar held in January 2024 demonstrated shortcomings in ensuring fair and transparent election processes. These included limited opportunities for campaigning and difficulties for candidates from smaller regions to gain representation. These shortcomings need to be addressed.
- To enhance transparency and accountability, the Bar should establish standardised reporting requirements for its governing bodies and ensure that reports are published. Improved internal structures will help to ensure greater adherence to core principles, thereby enhancing public trust and the standing of the legal profession.
- Continuing professional development is vital. The Bar should continue to improve its educational programmes, expand training centres and introduce modern teaching methods. It should review professional quality standards, ensuring that they are in line with international standards and apply to all lawyers[2], and monitor their implementation in practice.

The overall assessment of Area 4 (The Bar), based on the benchmarks and indicators set out in the Methodology for Monitoring the Criminal Justice Sector, is **9 out of 17 possible points.**

Institutional Independence of the Bar

Status and Challenges

Indicator 1.1. The legislation of the Kyrgyz Republic guarantees the independence of the Bar, but the actual involvement of the Ministry of Justice in the process of election of the governing bodies raises doubts as to whether the principle of independence is respected. Elections to the Bar's governing bodies in 2024 were held with significant involvement of the

Recommendations

Indicator 1.1. It is important for the Bar to exclude the participation of the Ministry of Justice in the organisation of elections and its management to ensure real independence.

It is recommended that the Bar Council: 1) develop and implement mechanisms to ensure proportional representation of all regions in the

[2] Translation note: throughout the document, the Russian term ''адвокат'' has been translated as ''lawyer'', referring to a person licensed to practice law.

Ministry of Justice, including in the registration of delegates, voting and approval of election procedures. Small territorial governing bodies of the Bar (those in Naryn, Issyk-Kul, Batken, and Talas) were not represented in the elected governing bodies, which indicates uneven regional representation. Indicator 1.2. The independence of the Bar is guaranteed by the Constitution and the Law on the Bar. The Bar formally adheres to the principles of collegiality, transparency, leadership succession and accountability, as outlined in law and its own charter. In practice, however, only 58.5% of surveyed Bar members believe that these principles are implemented in practice. Accountability is the most contentious issue, with 27% of respondents indicating that it is not followed at all. The Bar's Council of Lawyers, Ethics Commission and Audit Commission have different functions, but there are no uniform requirements for their reporting and the procedure for providing information. The reports on the activities of the bodies of the Bar presented at the Congress on 27 January 2024 showed a lack of standardisation, which makes analysis and accountability difficult. The lack of publication of the reports prior to the Congress limits opportunities to study and discuss their content and for lawyers to provide recommendations on how to improve the work of these bodies. Indicator 2.1. – Indicator 2.2. The legislation of the Kyrgyz Republic generally complies with international standards by granting access to the profession to persons with legal education and requiring passing a qualification exam. Restrictions on obtaining a licence to practice law for certain categories of citizens are justified by the goals of maintaining professionalism and ethical standards. The presence of representatives of the Ministry of Justice in the Bar's Qualification Commission violates the principle of inadmissibility of interference in the profession and does not comply with international standards, which	governing bodies of the Bar, including by adjusting the representation requirements for congresses; 2) improve election observation mechanisms and introduce an independent assessment of their transparency; 3) delegate the responsibilities for organising and monitoring elections to the Bar's governing bodies to independent commissions composed exclusively of lawyers; 4) develop programmes to raise lawyers' awareness of the principles of self-governance and their role in the Bar's management; 5) ensure that information on elections and the work of the Bar's governing bodies is accessible to all Bar members. Indicator 1.2. It is recommended that the Council of Lawyers 1) develop unified requirements and establish a mandatory structure of reports for the Council of Lawyers, the Ethics Commission and the Audit Commission, including clear indicators for their work; 2) introduce a requirement for all the Bar's bodies to publish reports on the organisation's website well ahead of congresses to ensure that delegates and members of the Bar have enough time familiarise themselves with this information; 3) ensure regular publication of reports on financial and economic activity, as well as assessments of management efficiency; and 4) organise regular surveys of Bar members to assess the effectiveness of the management bodies. Indicator 2.1. – Indicator 2.2. It is recommended that the Ministry of Justice delegate the authority to form and operate the Qualification Commission directly to the Bar, excluding the participation of Ministry representatives. It is important to ensure that the licensing process is fully controlled by the Bar's self-governing bodies, in line with international standards, reducing the risk of interference from the executive branch. The Council of Lawyers should 1) develop and introduce transparent and objective criteria for assessing those applying for lawyers' licences, ensuring a clear procedure for appealing decisions; 2) introduce independent

provide for full self-governance of the Bar. Research participants expressed concern about possible corruption schemes in the licensing process, which indicates a low level of trust in the current system. Attestation of lawyers is not provided for in national legislation. The system of professional development of lawyers is fully independent. The Bar, through its Congress or the Council of Lawyers, is responsible for determining the legal and organisational framework, as well as overseeing activities to ensure the effective functioning of the system. Indicator 3.1. The Bar's Ethics Commission is formally an independent body, in line with international standards. However, the inclusion of two representatives of the Ministry of Justice among its members undermines this independence, creating a risk of external influence and state control. The presence of state representatives in the Commission also creates a risk of pressure on lawyers, especially in cases where they represent citizens' interests against state bodies, including the Ministry of Justice. Indicator 3.2. The Code of Professional Ethics lacks a clear definition of disciplinary offences and a classification of offences according to their gravity. Contradictions in the Bar's charter create ambiguities in the implementation of the disciplinary process. Indicator 4.1. The legislative framework for ensuring access to professional development for lawyers is set out in national legislation. Institutional support for lawyers' professional development is provided through the Lawyers' Training Centre, which operates under the Bar. It is important to consistently direct the Bar's efforts towards strengthening and developing the Training Centre, not only to improve the quality of training but also to ensure its accessibility (financially, geographically, linguistically, and technologically).	monitoring of the licensing process with the participation of public organisations to increase confidence in it; 3) develop anti-corruption mechanisms for the licensing process, including by ensuring transparency of the Commission's, mandatory publication of the evaluation criteria and results of examinations; 4) publish information on licensing and advanced training through the Bar's official channels to raise awareness and prevent abuse; 5) establish strict liability for violations in the licensing process, including conflicts of interest or unjustified refusals to grant a licence. Indicator 3.1. It is recommended to amend current legislation and exclude representatives of the Ministry of Justice from the composition of the Ethics Commission to ensure compliance with international standards. The Commission should be composed exclusively of lawyers with proven professional experience and reputation. It is important to rename the Ethics Commission as the Disciplinary Commission. It is also important for the Bar's Council to introduce criteria for necessary skills and clear requirements for candidates to this commission, as well as to establish conditions for a competitive selection process. Indicator 3.2. It would be advisable for the Bar's Council to prepare amendments to the Code of Professional Ethics that 1) define the concept of a disciplinary offence; 2) classify offences based on their severity, such as minor offences, significant offences and gross misdemeanours. This classification would also help determine the terms and procedures for lifting disciplinary penalties; 3) conduct a legal review of the Bar's charter and other provisions to ensure compliance with the Law on the Bar and Legal Practice and with each other, eliminating any internal contradictions. Indicator 4.1. It is recommended that the Council of Lawyers: 1) develop and implement a strategy to improve the technical infrastructure and resources of the Bar; 2) open branches of the training centre in southern regions of the country to ensure equal access to professional development programmes for

Indicator 4.2. National legislation in this area Kyrgyz Republic is generally in line with international standards. In particular, existing legislation provides for a Code of Professional Ethics for Lawyers, a separate body (the Ethics Commission) to consider disciplinary cases, established procedures and types of disciplinary sanctions, and the possibility to appeal decisions. The Code of Professional Ethics is drafted by the legal community, in line with the principle of self-governance. The principles of honour, dignity, independence and integrity form the foundation of the legal profession and are enshrined both in the Code of Professional Ethics and disciplinary practice.

The established system of disciplinary proceedings includes procedures, types of liability and the possibility to appeal against decisions. However, the participation of representatives of a state body in the Ethics Commission may undermine confidence in its objectivity, call into question its independence, and create a risk of external influence and pressure on lawyers.

Indicator 4.3. The Code of Ethics of Lawyers is the main source establishing quality standards for the provision of legal assistance. The Bar's Ethics Commission uses this code when dealing with complaints against lawyers. The Congress of Lawyers has exclusive authority to approve the Code of Ethics (paragraph 5 of part 3 of Article 6 of the Law on the Bar of the Kyrgyz Republic and Legal Practice), as well as to elect of members of the Ethics Commission (paragraph 3 of part 3 of Article 6 of the Law on the Bar of the Kyrgyz Republic and Legal Practice).

Thus, it can be concluded that the Bar is fully independent in setting standards for legal assistance in cases unrelated to state-guaranteed legal assistance. However, the Bar currently lacks developed quality standards for these cases.

Indicator 5.1. The current system of control over financial flows in the Bar does not ensure efficient allocation and use of resources. The Bar's bodies, including its Audit Commission do

all lawyers; 3) regularly update and improve training programmes by engaging qualified specialists and experts; 4) introduce modern training methods and technologies to enable lawyers to acquire up-to-date knowledge and skills; 5) introduce a system for monitoring and evaluating the effectiveness of professional development programmes and regularly conduct surveys and collect feedback from lawyers to improve the quality of services provided and adapt programmes to changing needs; 6) establish partnerships with international legal organisations and educational institutions to share experience and introduce best practices in the system of professional development of lawyers in the Kyrgyz Republic.

Indicator 4.2. It should be legislated that all disciplinary matters be regulated exclusively by the lawyers' community.

It is recommended that the Council of Lawyers: 1) revise the procedures for disciplinary proceedings by establishing clear criteria and standards for assessing disciplinary offences; 2) develop mechanisms to ensure transparency in the Ethics Commission's work, including by introducing a requirement for it to justify its decisions; and 3) monitor and analyse disciplinary practices to improve their effectiveness.

Indicator 4.3. It is recommended that the Bar's Council develop and implement quality standards for the provision of legal aid. To this end, it would be advisable to actively cooperate with international legal organisations and learn from their experience in adopting standards and ensuring independence. This will help to adapt international best practices and increase the level of independence of the Bar.

The Bar should initiate legislative amendments to ensure that the qualification commission can be formed independently of the Ministry of Justice. This would eliminate conflicts of interest and enhance the independence of the Bar.

not provide regular and accessible reports on their activities, which reduces the confidence of lawyers and the public in their work. The absence of published financial reports and information on membership fees on the Bar's website indicates a low level of transparency. Irregularities in the work of the Audit Commission, including the failure to audit membership fees and lack of accountability, create risks of corruption and misuse of funds. The closed nature of the Bar's bodies and limited access to information increase mistrust among members of the community.	The processes for approving standards and granting lawyer status should be transparent and accountable. This includes regular audits and publicising information about the activities of the Qualification Commission. Indicator 5.1. The Bar's Council should: 1) ensure that the Bar's bodies, including its Revision Commission, regularly publish reports on their activities and financial and economic operations on the Bar's official website; 2) develop a system of regular monitoring of financial flows with the involvement of independent auditors; 3) strengthen guarantees of the independence of the Audit Commission, excluding interference from other bodies of the Bar; 4) establish a mandatory mechanism for the approval of the budget and expenditures of the Bar, taking into account the opinions of members of the Bar; 5) create a convenient and accessible section on the Bar's website with reports on activities, decisions taken and financial documents; and 6) ensure that members of the community can provide feedback to the Bar via open online platforms.
The Functional Independence of Lawyers	
Status and Challenges	**Recommendations**
Indicator 6.1. Despite recorded instances of interference in lawyers' practices (for more information, see diagrams in the corresponding section of the report), the lawyers' community as a whole believes that the Council of Lawyers provides adequate protection for its members against interference by executive bodies. At the same time, the Committee for the Protection of the Professional Rights of Lawyers, attached to the Bar, is not functioning. Indicator 6.2. The legislation of the Kyrgyz Republic formally enshrines principles of non-interference in lawyers' activities, including protection from external pressure. However, despite these legal norms, in practice a significant number of lawyers believe that lawyers' self-governance bodies are not sufficiently committed to these principles. Disciplinary mechanisms are perceived by	Indicator 6.1. It is recommended that the Council of Lawyers organise the work of the Committee for the Protection of Lawyers' Rights to ensure effective protection of lawyers from undue interference of executive bodies in their activities. Indicator 6.2. The Council of Lawyers and the Ethics Commission are recommended to: 1) conduct regular informational and educational activities for members of the lawyers' community to raise their awareness of their rights and guarantees of non-interference in their professional activities; 2) introduce mechanisms to protect lawyers from interference, such as a system for rapidly responding to reported violations of their independence; 3) develop standardised and publicly available procedures for initiating and reviewing disciplinary cases to enhance the

lawyers as insufficiently effective and transparent, which undermines confidence in their implementation and creates risks of abuse. While lawyers' self-governing bodies should play a key role in protecting the independence of lawyers, their activities are not always perceived by the lawyers' community as fully independent and controlled by lawyers themselves. There are signs of mistrust among lawyers towards the work of the self-governing bodies, which calls for systemic changes in management and communication within the lawyers' community. Indicator 6.3. The legislation of the Kyrgyz Republic formally protects lawyers from obstruction of their professional activities, with relevant provisions included in the Criminal Code and the Law on the Bar and Legal Practice. However, despite these legislative guarantees, their implementation remains weak. Actual cases of prosecution for obstruction of lawyers' activities are rare, indicating that law enforcement practice is weak. The majority of the lawyers' community perceives the existing guarantees as only partially implemented, which reflects the gap between the legislative norms and their implementation in practice. Indicator 6.4. The Bar does not have any regulations governing client fees. Instead, lawyers independently determine fees for the legal assistance they provide, based on the scope of their work, the complexity of the case at hand, its duration, and their experience and professionalism. This freedom for lawyers to determine their own fees help protect lawyers from spurious accusations and arbitrary interference by state bodies in their work. Indicator 7.1. Guarantees for lawyers' civil and criminal immunity play a central role in ensuring their independence and confidence in their work. However, the implementation of these guarantees faces practical challenges, weakening the protection of lawyers. Thus, despite formal legal guarantees, their application remains insufficient, which creates legal uncertainty and the risk of violations of lawyers' professional rights. The protection of lawyers' immunity requires not only improved	credibility of the process; 4) ensure that the lawyers' community is regularly informed about the results of disciplinary processes through the publication of reports and analyses reviewing disciplinary practices; 5) introduce independent mechanisms for monitoring and assessing the activities of lawyers' self-governing bodies in view of their commitment to the policy of non-intervention; 6) conduct regular surveys of lawyers to identify possible violations and initiate improvements; 7) create a platform for feedback between lawyers and their self-governing bodies to promptly identify and address emerging issues. Indicator 6.3. It is recommended that national security bodies and the Supreme Court develop and implement effective mechanisms for investigating and reviewing incidents involving the obstruction of lawyers' professional activities. In addition, it is recommended to develop methodological guidelines for the investigation (national security bodies) and for judicial reviews (Supreme Court) of such incidents. It would be advisable for national security bodies, the Supreme Court and the Training Centre for Lawyers to organise training sessions for law enforcement bodies, judges and lawyers on the application of the rules protecting the independence of lawyer's practices. The Council of Lawyers should: 1) publicly report cases of obstruction of lawyers' activities and request their investigation; 2) introduce regular monitoring of the application of Article 350 of the Criminal Code and other norms protecting lawyers, with the subsequent publication of reports and analysis of data; 3) create a database of incidents of obstruction of lawyers' activities in order to better understand the problem and develop solutions; 4) ensure transparency of the work of the legal community and law enforcement bodies in dealing with such cases, to strengthen the confidence of both lawyers and the public in the system protecting lawyers' rights. Indicator 6.4. Not required.

legislation but also enhanced professional training of law enforcement bodies, lawyers and judges, as well as the introduction of effective mechanisms for monitoring violations. Indicator 7.2. Although national legislation provides for witness immunity for lawyers, violations occur in practice. Among the most common problems reported by lawyers are the lack of clarity in the scope of witness immunity and difficulties with its approval. Indicator 7.3. National legislation provides immunity for lawyers in terms of search and seizure of files, documents, and correspondence with clients related to the provision of legal assistance. According to lawyers, this immunity is generally upheld in practice, although media occasionally reports on illegal searches of lawyers.	Indicator 7.1. The State Committee for National Security, the Prison Service, the General Prosecutor's Office and the Supreme Court should ensure clear and mandatory implementation of the norms on lawyers' immunity, especially in criminal proceedings. At the legislative level it is required to: 1) introduce measures to prevent illegal actions against lawyers, such as searches related to their professional activities; 2) strengthen the liability of officials for violation of lawyers' professional rights; and 3) clarify the wording of immunity provisions in national legislation to eliminate legal ambiguity. It is also important for the Supreme Court, the State Committee for National Security, the Prison Service, the General Prosecutor's Office and the Training Centre for Lawyers to organise training sessions for lawyers, judges and law enforcement bodies on the application of the rules on lawyers' immunity and their limitations. It is recommended that the Training Centre for Lawyers prepare methodological recommendations for the lawyers' community on how to protect their rights. It is advisable for the Bar's Council to develop mechanisms for monitoring incidents involving immunity violations, including by keeping a public register of such incidents, and to publicise and protect the interests of lawyers in cases of violations of their immunity. Indicator 7.2. It is recommended that the Bar's Council of Lawyers: 1) publicise every incident involving violations of lawyers' witness immunity in media; 2) develop a package of preventive measures to prevent violations of lawyers' rights; and 3) analyse incidents involving violations of lawyers' rights, conduct such analyses on a regular basis, and discuss their results with law enforcement bodies to prevent repeated violations. It is important for the State Committee for National Security, the Prison Service, the General Prosecutor's Office and the Training Centre for Lawyers to organise training sessions

	for lawyers, judges and law enforcement bodies on the issues of lawyers' immunity. Indicator 7.3. It is recommended that the Council of Lawyers monitor cases involving searches of lawyers, their offices, and respond by drawing media attention to such cases. These violations should, among others, be subject to investigation by the General Prosecutor, as the state body authorised to supervise legality in criminal proceedings. The Ministry of Justice and Parliament should develop and adopt amendments to the Code of Offences providing for liability for illegal searches and seizures of documents from lawyers.

CONCLUSIONS

This study of Area 4 (The Bar) of the comprehensive Methodology for Monitoring Criminal Justice identified significant shortcomings in national legislation in terms of compliance with international standards, as well as key challenges facing the Bar of the Kyrgyz Republic. Addressing these challenges is essential for the Bar to achieve true independence, both institutionally and functionally.

The value of the study lies in its comprehensive approach, which included an analysis of national legislation, international standards related to the Bar, as well as an assessment of how legislative norms are implemented in practice and their impact on the Bar's development as an institution.

The methodology used demonstrated its universality and effectiveness, providing a reliable basis for future monitoring. The results can serve as a starting point for comparative analyses in subsequent studies. In addition, the Area 4 scores provide an objective assessment of the country's compliance with international standards and commitments.

Based on the study, the following conclusions and recommendations were made:

● The Bar of the Kyrgyz Republic is intended as an autonomous and self-governing body. However, the involvement of the Ministry of Justice in its elections and activities undermines this independence. It is crucial to reduce state interference and ensure greater autonomy for the Bar. This should include the exclusion of state officials from the Bar's executive bodies, such as its qualification and ethics commissions. In addition, licensing and certification processes should be reviewed to ensure that they are fair, impartial and non-discriminatory, and clearer definitions and classifications of disciplinary offences should be established.

● Elections to the governing bodies of the Bar held in January 2024 demonstrated shortcomings in ensuring fair and transparent election processes. These included limited opportunities for campaigning and difficulties for candidates from smaller regions to gain representation. These shortcomings need to be addressed.

● To enhance transparency and accountability, the Bar should establish standardised reporting requirements for its governing bodies and ensure that reports are published. Improved internal structures will help to ensure greater adherence to core principles, thereby enhancing public trust and the standing of the legal profession.

● Continuous professional development is vital. The Bar should continue to improve its educational programmes, expand training centres and introduce modern teaching methods. It should review professional quality standards, ensuring that they are in line with international standards and apply to all lawyers, and monitor their implementation in practice.

Recommendations have been developed for each of the key indicators to bring national legislation in line with international standards. It is important to emphasise that productive interaction between government agencies and civil society could significantly enhance the analysis of the issues at hand, as well as help identify legislative shortcomings and challenges in practical implementation more comprehensively.