

# Bar Executive Exchange

ISSUE 23 MAY 2022

## 15th Annual Bar Leaders' Conference Vilnius 18–19 May 2022

### Paul Mollerup

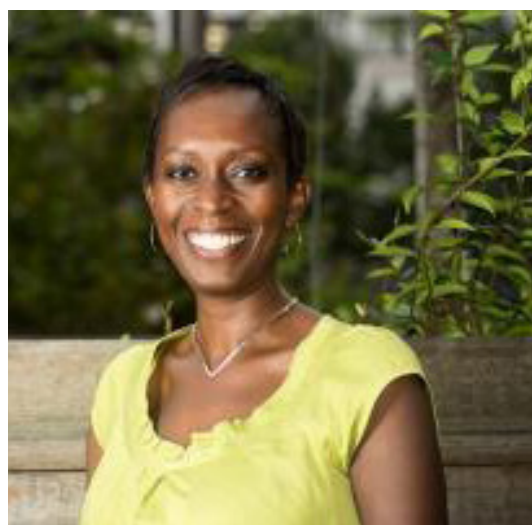
Managing Director,  
The Association  
of Danish Law Firms;  
Co-Chair, Bar Executives  
Committee

### Merete Smith

Secretary-General,  
Norwegian Bar  
Association;  
Co-Chair, Bar Executives  
Committee



**Aku Sorainen** is the founder and senior partner of Sorainen law firm, Tallinn



**Nankunda Katangaza** is a director and co-founder of Hook Tangaza, London

Aku Sorainen and Nankunda Katangaza will be speaking at the Bar Executives Exchange session on Friday 20 May

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## The role of lawyers and Bars in times of conflict and uncertainty

Just as the grip of the pandemic was declining in many countries, and we were able to return to our offices and meet friends 'in real life', the invasion of Ukraine began.

It was a moment few will forget. After weeks of escalating tensions, Russian forces finally crossed Ukraine's borders in the early hours of 24 February. Many of us have looked on with despair at 24-hour newsreels of the tragic events unfolding in Ukraine. What can be done and what should be done in these times?

The importance of international cooperation cannot be overestimated. On the IBA website there is an interview with Anna Babych, Vice-Chair of the IBA European Regional Forum (ERF) Public Policy Group and Executive Partner of Ukrainian law firm Aequo, which was published on 6 April 2022. She describes how she is trying to run her law practice, given events. After the first shock faded, colleagues tried to cheer up and support

### Bar Executives Programme

20 May 1000–1400, Lithuanian Academy of Sciences, Vilnius, Lithuania.  
See page 5 for details

each other. They continue to stay in touch with one another – every day a morning roll call is a must. She describes how her firm are monitoring the news constantly. They have an app for sirens, and they check on their beloved ones who have stayed in Ukraine, after each siren. This is the new reality.

Babych emphasises how grateful she is to all of her IBA friends who have written to her and offered help. Friends around the world are the true treasure. She explains how she felt like her 'ERF family' and other close fellow lawyers were about to adopt her and her family! She is also grateful to friends who have considered the

secondment of Ukrainian lawyers to their teams. She knows that even if it is not easy or doesn't fit ideally, people keep on trying to work out how to make it work.

Just after the invasion the Ukraine Bar Association (UBA) asked foreign and international legal associations and organisations to help Ukraine stop the war by publicly supporting financial and economic sanctions against Russia and Belarus. UBA also asked lawyers and law firms to stop any cooperation with lawyers and legal associations of the Russian Federation who support military aggression against Ukraine.

Recently the UBA sent an open letter to legal associations and regulators urging them to terminate the provision of legal services to any businesses that continue operation in the Russian Federation. UBA argue that the legal community is instrumental in supporting the operations and the

functioning of big businesses that are still present in the Russian Federation.

The IBA itself condemned the Russian invasion of Ukraine shortly after the invasion.

What is the role of bar associations and Bar executives as the war continues? Some national bar associations have begun a legal helpline for Ukrainian refugees. Others have been able to provide working space for Ukrainian lawyers arriving in their country

We want to use this opportunity to discuss the role of lawyers and bar associations in times of conflict and uncertainty.

**Paul Mollerup**

*Co-Chair, Bar Executives Committee*

**Merete Smith**

*Co-Chair, Bar Executives Committee*



Bar Executives Committee members © IBA 2022

## Bar Executives Committee – Welcome

The Bar Executives Committee will be directed to those involved in the day-to-day management and administration of a bar association and those involved in international liaison on behalf of a bar association. Typically, membership will include Chief Executive Officers of bar associations, bar association staff and international liaison officers. The Committee will provide opportunities for its membership to address issues

and administrative matters which are of common interest.

The Bar Executive Committee will provide substantive meetings and training at the Bar Leaders' Conference and IBA Annual Conference, and where possible, at regional events. By working closely with those who work within a bar association, the BIC will help them to enhance their skills and abilities and exchange knowledge and ideas on administration, structure

and promoting the rule of law worldwide. Of special interest to this group will be the BIC Programme for Excellence, which has been designed for member bar organisations that are keen to achieve organisational excellence. This Programme offers the benefits of a structured approach in identifying organisational strengths and areas of improvement and recognises successful efforts to implement excellence and best practice.



# Welcome

from Paulius Griciūnas, Secretary-General of the Lithuanian Bar

Dear friends,  
Welcome to Vilnius, the historic and modern capital of Lithuania, once the largest country in Europe. The country has a long-time tradition of written codified law, originating from Casimir's Code of the 15th century, the Statutes of Grand Duchy of Lithuania of the 16th century and the first written European Constitution of the Polish-Lithuanian Commonwealth of 3 May 1791.

Vilnius is also well known for its university, which was established in 1579, and its Faculty of Law, which has operated from 1641. The Lithuanian Bar feels obliged to protect and maintain the historical heritage of legal tradition and values. We must admit that the Lithuanian Bar has always been under the spotlight of policymakers as a result of its very firm standing regarding the safeguarding of the principle of the rule of law. During the last few years, the Bar has actively and openly reacted to various initiatives introduced by politicians and to the actions of law enforcement agencies.

The Bar has issued a number of public statements on the protection of privacy, on the independence of the judiciary, against excessive use of force by

and the war in Ukraine, which are common to some other Bars and also of interest to the worldwide community of lawyers. It is very symbolic that 15th Anniversary of the IBA Bar Leaders' Conference takes place in Vilnius and we consider IBA events in the city to be an acknowledgment of the Lithuanian Bar for their active and firm stance in respect of the protection of rule of law.

The IBA Bar Leaders' Conference, the Executives Meeting and other Mid-Year meetings are a unique source of ideas and inspirations. This knowledge allows the Bar to maintain its efficiency and effectiveness, and exchange and receive information or support from colleagues. The Lithuanian Bar is a comparatively small organisation, uniting over 3,300 lawyers (advocates and associates), as well as a lean one – it has only 15 staff members. To maintain its performance and to accommodate its growing responsibility, we seek a wider inclusion of lawyers into the activities of the Bar. This year we have begun the redevelopment of a tailor-made software solution to increase the range of e-services and self-service for the Bar's lawyers. Maintaining the effectiveness of the Bar remains the top internal priority, as the Bar's

capacity is a necessary precondition to ensure its mission to protect the fundamental values of society is successful.

The IBA Bar Leaders' Conference and Mid-Year Meetings are also a unique opportunity for lawyers from all over the world not only to discover historic Vilnius, but also the emerging, future Vilnius, as a business service hub, connecting

businesses from West and East. Due to geographical circumstances, multicultural experience and historical developments, Lithuanian lawyers have a rare set of legal knowledge, cultural background and linguistic skills to serve their clients and their needs, and to provide the full range of services required.

We look forward to meeting all of you in Vilnius. Mark in your calendars a week of very interesting discussions and events in May.

Thank you for inviting us to write this article for the Bar Executives newsletter.

**Paulius Griciūnas**

*Secretary-General, Lithuanian Bar, Vilnius*



The Lithuanian Bar, 2022

the police and, finally, on the obligation to respect client confidentiality. The Bar sees the quality of arguments, publicity and openness as the best tool to address the challenges in the state and to disseminate information widely. Social networks create additional possibilities to provide opinions swiftly and directly. There is no need to explain that the Bar has met with a series of counteractions from the Ministry of Justice and the government. However, strong European-wide support for the Bars has been an essential factor in maintaining the autonomy of the Bar and the independence of our lawyers.

Therefore, the IBA Mid-Year meeting in Vilnius is a very timely and beneficial event. After a period of online meetings, it will allow attendees to discuss, in person, the challenges stemming from the pandemic

## In the Spotlight

Dear friends and colleagues,

It is a great pleasure to welcome you to the IBA Mid-Year events and the IBA Bar Leaders' Conference in Vilnius, Lithuania.

The history of the lawyer as a profession in Lithuania has its origins in the 16th century, where it was established in the second (1566) and third (1588) written statutes. The glorious, though sometimes painful and complicated, history of Lithuania is well-represented by the development of written law in the country, with Lithuania having created the first written Constitution in Europe, for example, and by the developments of the profession of lawyer. IBA Mid-Year events serve as a great acknowledgement of the Lithuanian Bar as a guardian of the rule of law as well as an active organisation at a regional and at an international level. It also illustrates the progress achieved by Lithuania.

Being a part of a global voice of the legal profession also means an obligation and responsibility in respect of protecting human rights and liberties, and speaking up about and protecting the rule of law. For that reason, it is very symbolic that IBA organises its meetings in Europe's Baltic region, despite the war in Ukraine.

Recent years have signified a visible shift of the working environment paradigm through the common use of teleconferencing and remote meetings. This also, no doubt, affects the legal profession. Many meetings, consulting and court proceedings are now organised virtually. Online services allow lawyers to be more efficient, and add flexibility and swiftness to our profession. However, such ways of working demand extra effort to be made to ensure client privilege, proper representation and defence. As lawyers we also experience a certain distancing from our clients, given the decrease in communication forms that were previously used commonly. All of this needs to be analysed and evaluated, and IBA meetings are an excellent way to proceed in doing so.



**Ignas Vėgėlė**  
President, Lithuanian Bar Association, Vilnius

The Mid-Year events also provide the opportunity to return to IBA meetings in-person, and to see again our old friends and make new in-person contacts in historic Vilnius. It's also an opportunity to display our hospitality and culture, and to discuss and debate issues that are important for the legal profession.

The pandemic, as well as the war in Ukraine, has had a significant impact on the planning of these events. However, the legal profession is one that obliges us all to accept challenges and to ensure that the dedication to maintain the values of the profession remains firm and constant. IBA events in Vilnius are a clear sign of this dedication.

Welcome to Vilnius.

**Ignas Vėgėlė**

*President, Lithuanian Bar Association, Vilnius*

# Bar Executives Programme

## Friday 20 May 2022

1000 – 1400

### Bar Executives Programme

*Lithuanian Academy of Sciences, Gedimino av., 3, Vilnius. Participants will be transferred by bus from Radisson Blu hotel.*

This programme is intended for chief executive officers, bar association executives, international liaison officers and others who are responsible for the day-to-day running of their association and international project work. It is a programme created by our Bar Executive Officers' Committee, which will go forward to plan its own agenda and future programmes.

The focus should not specifically be on the war in Ukraine, but instead more generally on our role in a world full of conflict and uncertainty.

1000 – 1015

### Welcome

*Paulius Griciūnas Secretary General, Lithuanian Bar*

1015 – 1115

### Presentations and a round-up of top issues on the agenda in each jurisdiction (as we haven't seen each other since Seoul in 2019, so this is time well-spent to reconnect)

1115 – 1130

### Short break

1130 – 1300

### The role of lawyers and Bars in times of conflict and uncertainty

*Speakers:*

*Aku Sorainen Senior Partner, Sorainen*

*Paulius Griciūnas Secretary General of the Lithuanian Bar, with the Bar Association perspective from Lithuania*

*Nankunda Katangaza Former Head of International*

*Policy at the Law Society of England and Wales; Co-Chair, IBA African Regional Forum*

1300 – 1400

### Lunch

At nearby restaurant hosted by the Lithuanian Bar

**THE BAR EXECUTIVES PROGRAMME IS BY INVITATION ONLY.**

# Addressing bullying, harassment and discrimination in the legal profession – a view from the regulatory perch

In May 2019, the IBA published its groundbreaking report *Us Too?* which, for the first time, provided empirical confirmation that bullying and sexual harassment are rife within the global legal profession. According to the survey data upon which the report was based, approximately one in two female respondents, and one in three male respondents, had been bullied in connection with their employment. In addition, one in three female respondents had been sexually harassed in a workplace context, as had one in 14 male respondents.

As well as outlining troubling evidence of the problems that the legal profession is facing, the report sets out the steps that the IBA is planning to take in order to lead by example in developing various solutions to these issues. The IBA's Bar Issues Commission (BIC), which represents the voices and interests of the IBA's Bar and law society members, has taken a keen interest in being part of, and driving forward, this movement for change. The BIC brings together a diverse range of legal regulators, representative bodies and lawyers' associations from nearly 200 jurisdictions around the world. As such, it is uniquely placed within the IBA to provide a forum for information sharing and collaboration in tackling many of the issues currently afflicting the profession, including harassment, discrimination and poor levels of mental wellbeing.

Evidence of this came most recently in October 2021, with the publication of the IBA's *Mental Wellbeing in the Legal Profession: A Global Study*. This report, which shone a light on the mental wellbeing crisis within the global legal profession, relied heavily on the support of BIC members in chairing the taskforce behind its publication. The report also highlighted the strong links between poor mental wellbeing and a lack of diversity in the profession: younger lawyers, women, ethnic minorities and the disabled were far more likely to report lower levels of mental wellbeing relative to

their older male counterparts. The toxic impact of discrimination, harassment and bullying on the mental wellbeing of these groups was also laid bare. Overall, challenges concerning increasing diversity and inclusion, tackling discrimination and improving mental wellbeing within the profession were all shown to be sides of the same problem.

One way the global legal profession has begun to tackle these issues is by introducing specific codes, rules and principles designed to address bullying and discrimination at the regulatory level. These might take many forms and differ depending on the regulatory authority and structure of the jurisdiction in question. Not all jurisdictions have them, and in those that do, not all have been produced by the regulator. In order to produce a global snapshot of the approaches that bars and regulators have been taking to these issues, the BIC Regulation Committee has produced two reports, and a directory, of the anti-discrimination and bullying rules and regulations that exist around the world: who has them, and what form do they take?

The aim of these reports is to provide IBA members with a snapshot of how different jurisdictions are addressing these problems, in the spirit of collaboration and information sharing mentioned above. It is hoped that these reports will be resources used by members to:

- assist in efforts to combat bullying, harassment and discrimination by providing members with information about the different approaches to this issue in different jurisdictions;
- inspire those who are just beginning their work in this arena to continue their efforts; and
- to build a profession fit for the future, and fair for all.

The reports will be launched as part of a special webinar, which is planned for late June 2022. We hope to see you there!

**George Artley**

*BIC Project Lawyer, IBA Legal Policy & Research Unit*