

July, 24, 2025

**Statement
On the Draft Law on the Introduction of
an «Lawyer Monopoly» in Russia**

<https://www.avocatrus.org>

July 18, 2025 The International Association of Russian Advocates (Association Internationale d'Avocats Russes, Strasbourg) has presented a report «The One Big Terrible Bill Act: «Lawyer Monopoly» as a Mean of Dismantling the Independent Legal Profession in Russia»¹.

The report concludes that the draft law on the introduction of a «lawyer monopoly», initiated by the Ministry of Justice of the Russian Federation (MJ RF) and supported by the Federal Chamber of Advocates (FCA), formally aimed at «professionalizing legal representation»², is a tool of counter-reform aimed at dismantling the independent legal profession and bringing lawyers and jurists under total state control.

The proposed requirement of mandatory lawyer status for court representatives is in fact not related to qualification or ethics, but is an organizational measure that turns the Bar into an instrument of state regulation of the legal market.

The drafters propose to eliminate the possibility of independent human rights activities of privately practicing lawyers, lawyers - employees of law firms and human rights lawyers who are not members of the Bar, by introducing a mechanism for their forced incorporation into the Bar as a de facto subordinate structure of the state, as a result of which the draft law contradicts a significant number of provisions of the Constitution of the Russian Federation and does not comply with Russia's international obligations in the field of human rights and contradicts the ideas and principles of the rule of law and the supremacy of law.

Instead of strengthening the human rights function of the legal profession, the draft law establishes excessive restrictions on access to it, increases pressure on lawyers and legal professionals, and promotes «monopolization» of the profession under the patronage of the FCA.

¹ <https://www.avocatrus.org/en/post/the-international-association-of-russian-advocates-has-presented-a-critical-report-on-the-bill-propo> ; <http://www.eng.eurasian-advocacy.ru/the-international-association-of-russian-advocates-has-presented-a-critical-report-on-the-bill-proposing-the-introduction-of-a-lawyer-monopoly-in-russia>

² <https://www.consultant.ru/law/hotdocs/89994.html> ; <http://regulation.gov.ru/p/158248>

The draft law threatens social and economic stability in the sphere of legal aid and legal services, will lead to the destruction of the private segment in the legal services market, will entail the displacement of tens of thousands of lawyers from the labor market, the growth of unemployment, the elimination of small and medium-sized businesses in the legal sphere, the increase in the cost of legal services and the reduction of their availability to the population, which will lead to difficulties in access to justice.

It is proposed to impose seniority limits for lawyers forcibly incorporated into the Bar and to introduce non-transparent mechanisms for the distribution of remuneration. Their property situation will significantly worsen due to the loss of their right to use the social protection mechanisms provided for employees, forced to follow the taxation system applied to lawyers and law firms, which is not adapted to business processes, as well as the need to pay mandatory contributions and admission fees to the FCA and local Bar associations.

At the same time, the draft law does not justify the need for the exclusive right of lawyers with advocate status to judicial representation in civil, administrative and arbitration cases, nor does it provide evidence of the systemic poor quality of legal assistance provided by private practitioners, which could not be eliminated by other means by the existing state supervision and public control.

The aim of the counter-reform is not only the forced incorporation of all trial lawyers into the Bar under the threat of losing the profession, but also the final suppression of the independence of the Bar and lawyers.

The current state of organization of the Russian Bar no longer meets international standards of independence, self-governance and accountability. The FCA and regional chambers have lost the signs of independent professional organizations. They function in the logic and interests of unprecedented state control and repressive pressure, rather than in the interests of lawyers and citizens. Lawyers are not members of the FCA, do not participate in the management of this organization and cannot influence its decisions, but they are forced to maintain it and obey its imperative norms. The system of governance of the Bar in Russia is undemocratic, non-transparent and not accountable to the lawyers community. Election procedures, the composition of bodies, rotation and voting procedures are concentrated in the hands of a narrow group of individuals, which excludes the participation of lawyers in the governance of the profession. The bodies of the FCA and local Bar associations form regulations, approve their own remuneration and exclude real control by the Bar association.

The ideas proposed in the draft law (except for reducing the time limit for responding to a lawyer's request) are contrary to international standards and are aimed at further subordination of the Bar to the state, through the activities of dependent and actually not democratically elected officials from the FCA and Bar chambers, and, as a consequence, at the final suppression of the independence of lawyers, especially those who defend clients in so-called «sensitive cases».

The proposed draft law goes far beyond just the issue of the status of court representatives and proposes the introduction of sweeping changes affecting virtually all aspects of the organization and activities of the Bar, as a result of which the role of the FCA and the Ministry of Justice of the Russian Federation in controlling lawyers is extremely strengthened.

It is noteworthy that the draft law, in violation of international standards of organization and activities of the Bar, strengthens the repressive control of state bodies over lawyers and bar associations and proposes to introduce a number of legal mechanisms dangerous to the independence of the Bar and lawyers:

- strengthening the role of the president of the Regional Bar Chambers and his/her simultaneous inclusion in the chamber's council and qualification commission;
- granting members of the chamber's governing bodies the right to participate in the work of the chamber's supreme governing body not by virtue of their election as delegates, but by virtue of their position;
- introduction of the right of the MJ RF to a deferred veto on admission to the profession, the mechanism of «departmental appeal», which includes the possibility for the MJ RF to appeal decisions of the bodies of Bar chambers not satisfactory to its officials to the FCA, and decisions of the FCA to the court;
- introduction of a procedure for suspending the lawyers status of an advocate, which may entail automatic termination of the status if it is not restored in a timely manner;
- introduction of a system of compulsory standardization of the design of signboards of lawyers' associations and the content of websites, and, in fact, a system of control by the MJ RF over these aspects of professional activities;
- taking the MJ RF under control of the procedure of internship in the Bar;
- introduction of a mechanism for canceling decisions of bar associations and for the FCA to take decisions instead of the Bar chambers' bodies;
- introduction of a mechanism for suspending the presidents of chambers at the request of the MJ RF;
- introduction of new restrictions on admission to the profession and new grounds for terminating the status of advocate that belongs to lawyer;
- legalization of the introduction of mandatory deductions for suspended advocate status and entrance fees to Bar chambers;
- introduction of onerous restrictions on foreign lawyers;
- establishment of prerequisites for the creation of a mechanism for the disciplinary prosecution of lawyers at the level of law firms.

The proposed innovations undermine the principles of independence, corporatism, self-governance and equality of lawyers, turning the Bar into a vertically controlled structure subordinate to the will of FCA officials and officials of the MJ RF.

Adoption of the draft law can lead to the final dismantling of the independent legal profession in Russia and to the destruction of the residual democratic institutions of lawyers' self-governance, to the strengthening of the atmosphere of fear and repression in the legal profession and to the final destruction of the independent human rights function of the profession of advocate and lawyer.

The draft law can negatively affect the availability of qualified legal assistance, leads to the violation of the right of everyone to legal assistance of a specialist of their own choice, will aggravate the already difficult situation with respect for human rights in Russia. In view of this, the proposed bill should be rejected.

General Council of the International Association of Russian Advocates