

**Question for written answer E-013951/2015
to the Commission**

Rule 130

Lorenzo Fontana (ENF)

Subject: Recognition in Germany of lawyers from other Member States

In Germany, a lawyer from another Member State (Europäischer Anwalt, European lawyer) can acquire the title of Rechtsanwalt (German lawyer) after three years of proven professional activity, in accordance with the criteria of effectiveness and continuity.

German Bar Associations (Rechtsanwaltskammern) do not establish any elements that unequivocally define effectiveness and continuity requirements, nor do there appear to be any national rules requiring the Association to filter the access of European lawyers established in the country.

Can the Commission say whether it considers legitimate and consistent with EU law the fact that German Bar Associations:

- use as a benchmark a court ruling (the Celle Anwaltsgerichtshof decision of 27.7.2006 - AGH 14/05) which has no binding or absolute value, with the aim of circumventing the anti-discrimination and free competition rules governing the equal treatment of an established European lawyer and a German lawyer;
- have never laid down, in this regard, clear rules that are consistent with EU law, in order to ensure that access arrangements for established European lawyers wishing to be included on the relevant German professional list are transparent and unequivocal;
- discriminate against established European lawyers, where the latter use their own language in relations with customers from their own country of origin, without taking into account, when calculating the cases handled for the purposes of inclusion on the aforementioned list, those cases which have to be handled in Italian?