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the legal profession

IBA General Principles for the Legal Profession

Adopted by the International Bar Association on 20 September 2006

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Lawyers throughout the world are specialised professionals who place the interests of their clients above their own, and strive to obtain respect for the Rule of Law. They have to combine a continuous update on legal developments with service to their clients, respect for the Courts, and the legitimate aspiration to maintain a reasonable standard of living. Between these elements there is often tension. These principles aim at establishing a generally accepted framework to serve as a basis on which codes of conduct may be established by the appropriate authorities for lawyers in any part of the world. In addition, the purpose of adopting these General Principles is to promote and foster the ideals of the legal profession. These General Principles are not intended to replace or limit a lawyer's obligation under applicable laws or rules of professional conduct. Nor are they to be used as criteria for imposing liability, sanctions, or disciplinary measures of any kind.

1. **Independence**
   A lawyer shall maintain and be afforded protection of independence to allow him or her to give his or her clients unbiased advice or representation. A lawyer shall exercise his or her independent, unbiased professional judgment upon advising his or her client as to the likelihood of success of the client's case and upon the client's representation

2. **Honesty, integrity and fairness**
   A lawyer shall at all times maintain the highest standards of honesty, integrity and fairness towards the Court, his or her colleagues and all those with whom he or she comes professionally into contact.

3. **Conflicts of interest**
   A lawyer shall not place himself or herself in a position in which his or her client's interests conflict with those of himself or herself, his or her partners or another client, unless otherwise permitted by law or, if permitted, by client's authorisation.

4. **Confidentiality/ professional secrecy**
   A lawyer shall at all times maintain and be afforded protection of confidentiality regarding the affairs of his or her present or former clients, unless otherwise required or permitted by law or, if permitted, by client's authorisation.

5. **Clients' interest**
   A lawyer shall treat the interests of his or her clients as paramount, subject always to his or her duties to the Court and the interests of justice, to observe the law and to maintain ethical standards.

6. **Lawyers' undertaking**
   A lawyer shall honour any undertaking given in the course of his or her practice, until the undertaking is performed, released or excused.

7. **Clients' freedom**
   A lawyer shall respect the freedom of clients to be represented by the lawyer of their choice. Unless prevented by professional rules or by law, a lawyer shall be free to take on or reject a case.

8. **Property of clients and third parties**
   A lawyer shall account faithfully for any property of his or her clients or a third party which come into his or her trust, and shall keep it separate from his or her own property.

9. **Competence**
   A lawyer shall carry out his or her work in a competent and timely manner and shall not take on work which he or she does not reasonably believe he or she will be able to carry out in that manner.

10. **Fees**
    A lawyer is entitled to a reasonable fee for his or her work. A Lawyer shall not generate unnecessary work.