

THE FREE EXERCISE OF THE LEGAL PROFESSION, NECESSARY FOR PRESERVING THE RIGHT TO A FAIR DEFENSE AND DUE PROCESS

Access to due process is a fundamental human right, as it guarantees respect for the principles of equality and justice that must prevail in any judicial procedure.

It is only through the free exercise of his profession that a lawyer can duly defend his legal representative and prevent his rights from being violated. Their free and independent intervention is, therefore, a prerequisite for ensuring that citizens have access to justice and legality.

The right to a fair defense and due process, therefore, cannot be subject to individual ideologies or interests. Everyone has the right to defend himself or herself and to be heard by an impartial and independent court in conditions of equality and justice, regardless of the ground in dispute. No lawyer can be charged with treason for defending a case, as doing so fulfills his or her obligation to safeguard the constitutional rights of his or her counsel.

In short, the free exercise of the legal profession is not only essential to ensure access to justice for all citizens. It is also a prerequisite for ensuring respect for their fundamental human rights.

At CRUZ BARNEY | PÉREZ CUÉLLAR we reaffirm our position in favor of the unrestricted freedom of lawyers in the exercise of their profession, as well as our commitment to the Rule of Law, democracy, and human rights.

"A lawyer's mission. In a society founded on respect for justice, the lawyer has a fundamental role. Its mission is not limited to faithfully carrying out a mandate under the law. In a State governed by the Rule of Law, a lawyer is indispensable for ensuring respect for and compliance with justice and the rights of individuals, as he has the obligation to defend their rights and freedoms; he is, therefore, the adviser and defender of his client and shall seek the prevalence of justice at all times."

Article 1.1 of the Code of Ethics of the
Ilustre y Nacional Colegio de Abogados de México

"Defense must always be guaranteed in all proceedings, especially in those in which citizens' rights are at stake before the power of the State, whether in criminal or administrative justice."

Oscar Cruz Barney
Defensa a la Defensa y Abogacía en México