

# Mobbing against nasty lawyers in Switzerland: the case of lawyer Oliver Lücke.

Published [March 24, 2020](#) by [Ardašir Pârse](#)



Lawyer Oliver Lücke

*In the following interview, Oliver Lücke, a lawyer practising in Bern of German origine, tells us how you can be smashed as a critical lawyer in Switzerland if you want to work independently and do not want to bow to the questionable machinations of the Swiss judiciary.*

*An interview by Ardašir Pârse with lawyer Oliver Lücke*Ardašir Pârse:

**Dear Mr. Lücke,** you represent the interests of Alexander Dorin in his criminal proceedings before the judicial authorities of the Canton of Basel-Stadt. Mr. Dorin has already reported on your findings regarding corruption at the European Court of Human Rights in an interview here and we are curious to see how the case turns out. However, as a lawyer you also have a very different story to tell in your own case.

**Oliver Lücke:** *Yes, that's true. As you can see from the interview with Mr Dorin, for almost two years I have been investigating the now confirmed suspicions of manipulation and corruption within Swiss jurisdiction and also at the European Court of Human Rights. However, I came across this by pure chance and out of necessity. I obtained my Bernese bar exam in October 2013 and opened my own law firm in February 2014. After having had a very successful start to my self-employment from scratch, I expanded my firm in May 2015 and had four employees. I make no secret of the fact that in my second business year I had a turnover of CHF 380,000.00. But the fact is that there are probably people in the Canton of Berne who are driven by resentment and lucre. This is where the real story begins.*

**Ardašir Pârse: Indeed, it speaks for you if you had such a successful start, but what do you mean by resentment and lucre?**

**Oliver Lücke:** *Yes, I chose those words carefully. I have my reasons for that, which I would like to explain to you in detail. My firm continued to prosper in 2016 and I hopefully looked forward to a very successful independence as a lawyer. This was probably also due to the fact that I have been guided by my studies in Germany since my first mandate and I have also incorporated European legal principles and professional ethics into my work. In principle, the following applies to the legal profession: the less popular a lawyer is with the authorities, the better he does his job! However, I could not have known that the consequences of being "unpopular" in Switzerland would be so serious and drastic. I will try to tell it chronologically. I'll also just summarize the highlights so that the interview won't be too long. Of course there is much more to the story than what I am telling here. In April 2016, a "professional colleague" (if you should call him that at all) tried to accuse me of using a forged document in a civil case. The opposing party claimed that I had submitted a specially prepared version of a contract as evidence in order to deceive the court. However, this alleged "falsification" was one of a total of three versions of one and the same contract which was the subject of the proceedings. It should also be noted that none of the three versions was signed by the opposing party, but only bore the signature of my client at the time. My client never contested the authenticity of the three versions. Well, fortunately, I had an e-mail from my client from the opposite side of the civil proceedings, in which not only was the alleged "fake" of the contract attached as a version of the contract. No, the other party had also quoted verbatim exactly those passages in the e-mail which were supposed to be the alleged forgery in the civil proceedings. In other words, the other party knew very well that it could not be a "forgery", as it was obviously the subject of the contract negotiations at the time. At that time I thought, since one is allowed to express oneself twice in the proceedings without restriction, that according to these accusations, in compliance with procedural law, I would submit the e-mail to the court as evidence during the oral presentation of the party at the beginning of the oral proceedings and also make it clear that it is an original, which the other party also knows. Coincidentally, the person who wrote the e-mail was also present at the court hearing on behalf of the other party. So I submitted the e-mail to the court and made the corresponding statements that it is not a "fake", which the other party knows exactly. Rather, I asked the question whether there might not be a suspicion of a false accusation here, since the other side had accused us of attempted trial fraud.*

*But far from it! After my presentation the parties were asked to leave the courtroom and after about 15 minutes my client and I were invited back in. Even then it was strange that the other side did not even bother to come into the courtroom, even though they were sitting further away and could not hear that only we were invited in. I waved at them, but they remained seated. In the courtroom then came the rude awakening! In spite of the e-mail and my explanations, this court president Franziska Luginbühl Schönenberger said something about "trial fraud", "deception of the court" and bla bla bla bla. In short, court president Luginbühl denounced my client and me to the public prosecutor's office for attempted trial fraud because - and this cannot be repeated often enough - a document about me that was demonstrably genuine and at that time no longer disputed as false even by the other party was submitted to the court.*

*Although the complaint was settled by the public prosecutor's office after just four weeks with a inadmissibility statement and thus not processed at all, this was the key experience for me that obviously something could not be right. In this context, I can perhaps mention that almost at the same time in February 2016, I had inadvertently received an "internal control sheet" for the archiving of the case, which was not intended for the parties to the proceedings, between the pages of a decision by the government governor's office in Bern-Mittelland. This control sheet contains a brief description of the subject matter and outcome of the proceedings and the parties to the proceedings. On the back of this "internal control sheet", a person unknown to me had used a blue felt-tip pen to write the meaningless manual note "Our friend...". Apart from the fact*

that this note leaves a lasting impression on the author, it shows very clearly how unprofessional and cunning some people at the government governor's office Bern-Mittelland are, or how my person was talked about there. As has already been said, the more unpopular a lawyer is with the authorities, ... My client has kindly granted me a release of confidentiality, so that I can publish the control sheet here as evidence. But let's get back to the text

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© RA RSTA BEM		Version:	1.0	Erstellungsdatum:	März 2014

**Ardašir Pârse:** It is indeed intense at what intellectual level the work is done in this office. As a lawyer, you submit a real document and are confronted with the accusation of fraud. Somehow all this also reminds us of the Dorin case, where an accusation of fraud was also constructed.

**Oliver Lücke:** Yes, that's so. At that time I didn't have an overview of the motives of "certain circles" (we'll come to that later) and all the entanglements between the legal profession and the judicial authorities. For me, a conviction for attempted trial fraud would have meant the end of my professional career. Fortunately, the public prosecutor does not seem to have been involved in this matter. Today, we know very well how an accusation is very quickly constructed in the Swiss justice system and confirmed by all national courts. After I had received the inadmissibility statement and thus it was definitely recognized that there was not even the slightest suspicion of attempted trial fraud, I logically rejected the President of Court Luginbühl on behalf of my client immediately. It was not reasonable to expect my client to continue to be judged in his case by this court president after such a story, namely a groundless criminal complaint. Furthermore, I filed a criminal complaint against the opposing attorney and his client, as there was suspicion of false accusation. And that was the final straw. I quickly found out that with absurd reasons the accusation of false accusation was declared unfounded. In the meantime, it should come as no surprise to anyone dealing with the Dorin case that all appeals were also unsuccessful. But the matter was even taken to extremes when, in the rejection proceedings against Judge Luginbühl, the Regional Court of Berne-Mittelland and the High Court of the Canton of Berne continued to brazenly assert that I had tried to "suggest the authenticity of the document", even though in the meantime the public prosecutor's inadmissibility statement order on precisely this issue had become enforceable and final and thus my innocence had been declared binding on everyone.

I, in turn, rejected any judge who, despite knowledge of the inadmissibility statement, continued to claim that I had tried to suggest the authenticity of the document. Thus the rejections via the Regional Court of Bern-Mittelland also added up to the High Court of the Canton of Bern and finally ended up at this Swiss Federal Court. In addition, disciplinary proceedings against me were immediately opened by the High Court of the Canton of Berne, because I am now even said to have used false evidence, although it was a genuine document.

With regard to the supervision of lawyers, I must briefly note that this is located at the Higher Court of the Canton of Berne. This means that the chief judges there can very practically send the nasty lawyers to be disciplined by themselves, according to their own interpretation. However, the fact that the Bernese legislation on the Lawyers' Act violates international agreements such as the "Singhvi Declaration" of the UN, which demands a separation of the supervision of lawyers and the court or the appointment of lawyers to the supervisory authority with a majority of lawyers, is of no interest to anyone in these judicial circles, just like the systematic violations of the European Convention on Human Rights. We will revert to these certain "judicial circles" later.

Well, after all the instances had been passed through unsuccessfully because of the judge's refusal and the criminal complaint on suspicion of false accusation, and despite not taking up the criminal proceedings, I was nevertheless to be disciplined in disciplinary proceedings for alleged use of a false document, I very quickly noticed that suddenly appeals to the High Court of the Canton of Berne were systematically and categorically dismissed with partly really absurd and stupid motivations. This was also to the disadvantage of my clients, who were thus deprived of their rights. Applications for judicial proceedings free of charge were also categorically rejected. In addition, mandates ex officio were suddenly revoked, so that I no longer receive any fees there either. So already at the end of 2016 / beginning of 2017 I recognized where the journey was heading: repulsive and cowardly bullying of parts of the judiciary.

**Ardašir Pârse: It's pretty blatant what happened there. It looks as if they conspired against you because you became rebellious.**

**Oliver Lücke:** *As in all totalitarian regimes, opposition is not desired and is immediately suppressed. As I have already mentioned, they began to ruin me financially. Whoever does not function according to their ideas in the canton of Berne in the judiciary, simply does not get any money from them. The game is that simple for these "certain circles". So it means that only those lawyers who keep their mouths shut and do not make life difficult for the ladies and gentlemen in the courts will receive a lavish fee. So Mr. Dorin also told me that his former defense attorney only attracted attention through pronounced greed for money, but did not take any steps for Mr. Dorin in the criminal proceedings. Let me be a little more precise: lawyers are merely extras and their sole purpose is to create the illusion of a trial under the rule of law. In fact and truth, the interests of the respective client are not protected at all, let alone, if necessary, enforced in a conflict-laden legal process. It is a good thing that we now know that legal proceedings are used to ensure that judgments - and I am simply stating it today as it is - are rightly lied about, just as they are needed. I have a "ruling" from this High Court of the Canton of Berne, which protected the fixing of default interest from the due date of the main claim, i.e. if you have an invoice with a payment period of 30 days, then according to this ruling you must already pay default interest during the 30-day payment period. Such a thing only exists in Switzerland and makes you, as a conscientious lawyer, speechless and also helpless, because you simply don't stand a chance against such a thing. As you can see, there is a system behind it. After a few attempts, I quickly realised that I had nothing to expect from the supervisory authorities in the Canton of Berne, so I turned to the European Bar Associations CCBE and FBE for support. I informed these two bar associations and was asked that I should ask my national bar association to seek help in my case. As a member of the Bernese lawyers' association, I turned to the board of the association because I assumed that lawyers in a professional association would support each other and, in keeping with professional ethics, would resolutely and unanimously counter such vile bullying by parts of the judiciary. But that was far from being the case. I was probably barking up the wrong tree because of my German origin and my specific professional self-image. The executive committee of the Bernese lawyers' association actually met me for a meeting in autumn 2017, but during the conversation I realised after only a few minutes that there was no interest whatsoever in supporting me and that I was threatened subliminally with statements such as "withdrawal of admission", "report by a judge" etc. A support was explicitly refused and it was recommended to me by the board that I should get "coached" by an experienced lawyer after all, whatever that might mean. I immediately denied. At that time I already rebuked the lack of independence and impartiality of the Bernese courts in the sense of Art. 6 of the European Convention on Human Rights and only and exclusively rebuked the rights and freedoms of the Convention on Human Rights, because I had already recognized then that national law is composed in the Swiss judiciary in the way it is needed.*

*It goes even further. A member of the executive committee of the European Bar Association FBE approached the Bernese Bar Association with a question about my situation, whereupon the executive committee virtually fended off the FBE from intervening with threadbare arguments. However, the "offer" of coaching by an experienced lawyer was confirmed there in writing. By coaching, I mean recruiting in order to be allowed to take part in these rope parties, so that I keep my mouth shut. I can also present the letter to the FBE here as evidence. The letter was written by Mrs. Andrea Lanz Müller. The name will be mentioned a few more times today.*

 **KOPIE**

Eingegangen

07. NOV. 2017

Rechtsanwaltskanzlei  
Oliver Lücke

**bavaab** 

Bernischer Anwaltsverband  
Association des avocats bernois

Verband Europäischer  
Rechtsanwaltskammern  
Herr Rechtsanwalt

[REDACTED]  
[REDACTED]

CH - Bern, 30. Oktober 2017

**Fédération des Barreaux d'Europe**  
**Anfrage auf Unterstützung unseres Mitgliedes Herr Rechtsanwalt Oliver Lücke**

Sehr geehrter Herr Kollega

Wir beziehen uns auf Ihr Schreiben vom 27.09.2017 und nehmen zu den in Ihrem Schreiben aufgeworfenen Fragen wie folgt Stellung:

Herr Kollega Oliver Lücke hat den Bernischen Anwaltsverband darüber orientiert, dass er sich durch verschiedene Vorfälle durch die Bernische Justiz in seiner Berufsausübung behindert resp. gemobbt sehe. Aus den uns von Herrn Kollega Lücke zur Verfügung gestellten Unterlagen konnte der Bernische Anwaltsverband entnehmen, dass derzeit diverse von Herrn Kollega Lücke initiierte Verfahren am Laufen sind, so hat Herr Kollega Lücke verschiedene Ausstandsbegehren gegen Richterinnen und Richter, Strafanzeigen gegen gewisse Richter und eine Aufsichtsanzeige an die Justizkommission des Kantons Bern betreffend das Obergericht des Kantons Bern eingereicht.

Der Bernische Anwaltsverband kann sich nicht in diese laufenden Verfahren einmischen. Die Justizkommission des Kantons Bern wird als Aufsichtsbehörde über die Justiz die Vorbringen von Herrn Kollega Lücke prüfen.

Wir haben in einem Gespräch mit Herrn Kollega Lücke diesen Standpunkt dargelegt, dass wir uns als Verband nicht in diese laufenden Verfahren einmischen können. Weiter haben



wir festgehalten, dass wir erstmals mit derartigen Vorwürfen gegen die Bernische Justiz konfrontiert sind und unsere persönliche Wahrnehmung bezüglich die Abläufe der Bernischen Justiz im Allgemeinen eine ganz andere ist, wobei wir nicht ganz ausschliessen, dass im Einzelfall auch Fehler passieren können. Tatsache ist, dass die Rechtsstaatlichkeit der Verfahren und die Tätigkeit unserer Justizbehörden durch unsere Mitglieder bis anhin nicht angezweifelt wurden.

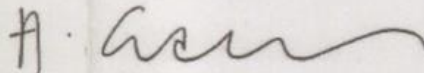
Wir haben anlässlich des Gespräches mit Herrn Lücke auch die anwaltlichen Pflichten und standesrechtlichen Vorgaben besprochen und ihm empfohlen, sich extern von einem erfahrenen Kollegen beraten resp. supervisieren zu lassen. Der Bernische Anwaltsverband ist bereit, ihm erfahrene Kolleginnen und Kollegen hierfür zu empfehlen. Herr Kollega Lücke ist auf dieses Angebot bis heute nicht eingetreten.

Wir haben die Vorbringen von Herrn Kollega Lücke ernst genommen und warten nun den Ausgang der von ihm initiierten Verfahren und die Prüfung durch die Aufsichtsbehörde ab. Selbstverständlich kann sich Herr Kollega Lücke wieder an uns wenden, wenn aus seiner Sicht Bedarf danach besteht.

Wir danken Ihnen für Ihre Kenntnisnahme und verbleiben

mit freundlichen, kollegialen Grüssen

**Bernischer Anwaltsverband**



Andrea Lanz Müller, Präsidentin

**BAV AAB**  
Bernischer Anwaltsverband  
Association des avocats bernois

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Andrea Lanz Müller

**Ardašir Pârse:** By rope parties you mean the connection between lawyers and the judiciary, or how is that to be understood?

**Oliver Lücke:** *I even go one step further and call this now mafia-like structures. And with good reason. As you know from the interview with Dorin, Switzerland manipulates the outcome of complaints in Strasbourg, and the Swiss Federal Supreme Court does the groundwork by systematically refusing to act on complaints there, so that in Strasbourg the national legal process can then be claimed to be unexhausted. I can now give you a few examples of these entanglements. The High Court of the Canton of Berne has a Chief Justice Christoph Hurni. This Chief Justice, Christoph Hurni, has attracted particularly bad attention, which may well mean something in terms of intrigue in the High Court of the Canton of Berne.*



*I refer, for example, to the "decision" presented above concerning interest on arrears before the claim is due. Thus, the Chief Justice Hurni attracted attention by particularly badly ignoring submissions in the same way as in the Federal Supreme Court. Even with the non-occurrence of complaints or submissions, this chief judge "excelling". If you do a little research on the Internet, you will find out that this Chief Justice Hurni previously worked as a clerk in the I. Civil Law Division of the Swiss Federal Supreme Court. At the same time, this Alexander Misic, mentioned in the interview with Mr. Dorin on corruption in Strasbourg, was also working as a court clerk at the Federal Court and both know each other, as you can find out on the Internet. So one can already get ideas why this chief judge Hurni simply does not respond to whole complaints or undesired reprimands.*

*Even when it came to fines, or to ordering me to pay the costs of appeal proceedings, this Chief Justice was very generous. I have to say that both the Swiss Federal Supreme Court and the High Court of the Canton of Berne, with regard to my complaints about a violation of Art. 6 ECHR regarding the lack of independence and impartiality of these two courts, had not only ignored, or at best only selectively considered in the respective "judgments", page after page of grounds of appeal and quoted case law of the European Court of Human Rights in the judgments handed down on this matter. No, one was even brazen enough to accuse me of "maladministration" in such manipulated judgments and to order me to pay the costs of the proceedings! Imagine that, when courts lie to themselves about the presumably politically desired reasons for a judgement, completely detached from the reasons for the respective appeal, in order to then, based on such "judgements", order me to pay the costs. The fact that there is probably something to the complaint about the lack of independence and impartiality of the courts in question confirms this, along with the repulsive bullying against me. The fact that I was ordered to pay costs by the High Court of the Canton of Berne for this allegedly futile complaint is particularly blatant, but that this Federal Court, in the sense of an industrial accident, in its two judgments 6B\_63/2018 and 6B\_1458/2017 of 21 June 2018, in each case in recital 3.2.3, recognized the then legal regulation for the organization of the courts in the Canton of Berne as "problematic" and only as a "temporary solution". In the wake of these two rulings, the High Court of the Canton of Berne then supplemented the organisational regulations of the High Court of the Canton of Berne with an Art. 27a in a very low-key manner. This was precisely because of my complaints, for which I had been shamefully charged with the court costs in a large number of previous rulings. Here one can see very clearly how these court officials at the High Court of the Canton of Berne were from the outset unwilling to take note of the grounds of the complaints and to consider them properly. Obviously, they were only interested in damaging me financially as far as possible. In my opinion, all these court personnel, and especially this Chief Justice Hurni, are completely unsuitable in character to exercise the office of judge. This Chief Justice Christoph Hurni, by the way, is supposed to teach civil procedure law at the University of Lucerne as a private lecturer. I am very glad that I was a student at the University of Frankfurt am Main in Germany and at the University of Berne, and this at a time when this Chief Justice Hurni did not have a teaching position.*



Christoph Hurni

*But that goes even further: This chief judge Hurni happens to be president of a civil chamber at the High Court of the Canton of Berne and it is also purely by chance that appeals against the judgements and decisions of this civil chamber often end up in the first civil law section of the Swiss Federal Supreme Court, where this chief judge Hurni previously worked. But that can be done even better! Kathrin Klett, the Federal Judge, was also involved in numerous decisions of the First Civil Division of the Swiss Federal Supreme Court. Chief Justice Hurni was a personal assistant to Federal Judge Klett. I leave it to the reader's imagination as to why this could be so. Or take the current board of the Bernese Bar Association. As already mentioned, I had a conversation with members of the board of directors because of the bullying I was subjected to. One person is Andrea Lanz Müller from the law firm "Das Advokaturbüro" in Bern. Mrs. Andrea Lanz Müller is the wife of the lawyer Franz Müller and the president of the board of the Bernese Bar Association. The husband Franz Müller, in turn, sits on the Bernese Bar Association's Board of Supervisors at the suggestion of the Bernese Bar Association. Or let us take the law firm Kellerhals Carrard, which installed a neon sign on the building in 2017, although the Federal Supreme Court had ruled in earlier, more civilized times that neon signs were illegal for lawyers advertising. At the time, however, no one at the Canton of Berne's legal supervisory authority*

*was interested in this, because after all it was the honourable and old-established Kellerhals Carrard law firm. And now guess who is also on the board of the Bernese Bar Association? A Mr. Andreas Güngerich as partner of Kellerhals Carrard and this lawyer, Andreas Güngerich is also a member of the Bar Examination Commission. The situation was particularly glaring until May 2017, when in all seriousness the lawyer Dr. Fritz Rothenbühler of Wenger Plattner was simultaneously President of the Board of the Bernese Bar Association and active in the legal supervisory board. In May 2017, this lawyer Dr. Rothenbühler resigned from his position as President of the Board of the Bar Association, but remained in the Bar Association's supervisory board. There you can see immediately which of the two activities had priority. In the end, no questions remain unanswered as to why the Bernese Bar Association did not support him. Today, the presidency of the board of the Bernese Bar Association and the activities at the Bar Association's supervisory authority are after all divided between the couple Andrea Lanz Müller and Franz Müller, as described above. I have a recorded statement from a person who had insulted me badly by e-mail and asked me to stop my work as a lawyer and that I should leave Switzerland. This person was so intelligent to send an e-mail with a false name, but was surprised that the person could be identified. The author apparently knew nothing about an IP address. So the same level as the note "Our friend..." on the internal control sheet. Notwithstanding the fact that this person had written in this e-mail only what the person had heard about my person, this person willingly stated that I had exposed myself in "certain circles". This person works in a cadre position in the Bernese administration with reference to the Bernese "justice". More evidence is probably not needed to prove repulsive and concerted bullying. And it should not be forgotten that this was practised by physically adult people in a collective, from a position of power and deceitfully. The reader should form his or her own opinion as to whether these persons also have a mental maturity in character corresponding to their age. In any case, I have reached the point where, with a few exceptions, I no longer wish to be called a "colleague" by any Bernese lawyer, because I consider this to be dishonorable. For them, "colleague" always means only their own advantage, but by no means collegiality in the literal sense. I can and would therefore prefer not to rely on their "collegiality". Not only that this demonstrable intrigue disgusts me, no, for bullying is generally the most pathetic and cowardly thing there is.*



Kanzlei Kellerhals\_Carrard



Dr. Fritz Rothenbühler

**Ardašir Pârse:** Now it becomes clear why you did not receive any help. These are really the worst rope parties. I can tell you, however, that I have also had the pleasure of experiencing rope parties in the judiciary both in the Federal Republic of Germany and in the Italian Republic, and I had a very good lawyer in Germany who had always warned me about how the legal system works.

**Oliver Lücke:** *They are not only rope parties, but also, in my view, the worst traitors to the principles of the lawyer profession. What can you as a potential client expect from such a lawyer who betrays or abandons his colleagues in such a function? I can tell you, nothing. Such a lawyer will never seek confrontation with the authorities for the interests of his clients, but rather work against the interests of his clients. I can also take this opportunity to tell you that the board of the Bernese Bar Association is well versed in this. As I have already said, in Switzerland, I only reprimand the rights and freedoms of the European Convention on Human Rights, because this is the only way to be able to prove the manipulations and falsifications of my submissions in the judgments of the Swiss courts. This does not only seem to bother the courts, but has also brought the people on the board of the Bernese lawyers' association into the picture, as they are probably afraid for their own sinecure and advantages. In October 2018, for example, the entire board initiated proceedings to exclude me from the Bar Association because I was hopelessly challenging the rights and freedoms of the Human Rights Convention and "I would not be dissuaded from doing so". The fact that these rebukes are indeed "hopeless" because of the corruption in Strasbourg, however, had been forgotten to mention on the part of the actors of the executive committee. Well, a "trial" was opened quickly at the association's internal "Professional Ethics Committee" and a "conciliation hearing", uh, excuse me, I'd better call it "spectacle without admission", was held. In the minutes of this hearing you can see that once again this Andrea Lanz Müller together with a Dominik Gasser had represented the board. The "trial" was conducted by the lawyer Felix Bangertner from Thun. As expected, no "agreement" could be reached in this mediation, so the proceedings were continued for exclusion from the Bar Association. However, nothing more has happened in the proceedings since about the end of January 2019, as the pressure on this club has increased. Letters from them are also no longer being answered. Inquiries from the press on the matter also remain unanswered. At first there was no stopping them, only to disappear into oblivion with this agreed spectacle, because from*



*their point of view everything got out of hand. There we are again at the words pathetic and cowardly, just as it fits to deceitful mobbers in terms of character.*

Standeskommission  
Bernischer Anwaltsverband

## VERHANDLUNGSPROTOKOLL

### SCHLICHTUNGSVERHANDLUNG

vom 16. Oktober 2018, 15:00 Uhr

#### Mitwirkende

Herr Rechtsanwalt Felix Bangerter, Thun, instruierendes Mitglied  
Herr Rechtsanwalt Patrick Lafranchi, Bern, Mitglied  
Frau Rechtsanwältin Beatrice Vogt, Biel, Mitglied

#### Protokoll

Frau Selina Müller, MLaw

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#### Parteien

**Bernischer Anwaltsverband,**  
Verein mit Sitz in Bern, handelnd durch die  
statutarischen Organe, p.A. Platanenstrasse 2,  
Postfach 1052, 3401 Burgdorf

Gesuchssteller

gegen

**Herr Rechtsanwalt Oliver Lücke**  
Effingerstrasse 14, 3011 Bern

Gesuchsgegner

#### Gegenstand

Antragsstellung auf Verbandsausschluss



Anwesend

Auf Seiten Gesuchsteller:

Frau Rechtsanwältin Andrea Lanz Müller, Präsidentin Vorstand BAV  
Herr Rechtsanwalt Dominik Gasser, Mitglied Vorstand BAV

Auf Seiten Gesuchsgegner:

Herr Rechtsanwalt Oliver Lücke  
Herr Alexander Lücke (Bruder des Gesuchsgegners)

15:02 Uhr: Das instruierende Mitglied begrüsst die Anwesenden und eröffnet die Verhandlung.

Die Vertreter des Gesuchstellers erklären sich damit einverstanden, dass Herr Alexander Lücke der Schlichtungsverhandlung persönlich beiwohnen darf.

**Anträge des Gesuchstellers:**

Es sei zu prüfen, ob Herr Rechtsanwalt Oliver Lücke Standesregeln verletzt habe.

Es sei zu prüfen, ob gegen Herrn Rechtsanwalt Oliver Lücke ein Aufsichtsverfahren einzuleiten sei.

Es sei der Gesuchsgegner aus dem Bernischen Anwaltsverband auszuschliessen.

**Anträge des Gesuchsgegners:**

Der Antrag auf Verbandsausschluss sei abzuweisen.

GS Der GS begründet seine Anträge. Der GS gibt vier neue Bundesgerichtsent-  
scheide, welche der GG veranlasst hat, sowie Deckblätter von Strafanzei-  
gen, die der GG eigereicht hat, zu den Akten.

GG Der GG begründet seinen Antrag. Der GG gibt das revidierte Obergerichts-  
reglement, einen E-Mail-Verkehr sowie zwei Presseartikel zu den Akten.

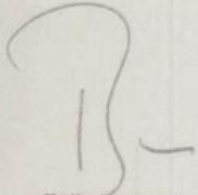
Es folgen Vergleichsgespräche, die jedoch scheitern.

Das instruierende Mitglied der Standeskommission stellt fest:

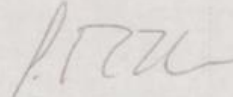
1. Der Einigungsversuch ist gescheitert.
2. Das Verfahren wird gemäss Art. 6 ff. des Reglements der Standeskommission BAV fortgesetzt.
3. Weitere Verfügungen folgen.

Ende: 16:04 Uhr

STANDESKOMMISSION DES  
BERNISCHEN ANWALTSVERBANDS

A handwritten signature in black ink, consisting of a large, stylized 'B' followed by a horizontal line and a small dash.

Felix Bangerter,  
instruierendes Mitglied

A handwritten signature in black ink, appearing to be 'S. Müller' with a long, sweeping horizontal line at the end.

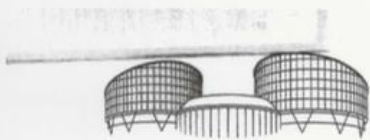
Selina Müller,  
Protokollführerin



Felix Bangerter

*In the meantime, corruption in Strasbourg is known and demonstrable. The European Court of Human Rights has also recently accepted a complaint concerning a violation of Article 3 ECHR, degrading treatment, which deals precisely with these manipulations in the jurisprudence of the Swiss judiciary by ignoring and falsifying complaints and a case of bullying against me.*

*In addition to this, there are our press activities and currently three foreign lawyers' associations are considering whether these associations will apply to the CCBE and/or FBE for support for me. At this point, one can see very clearly the difference between the European legal profession and these mafia-like structures in the Canton of Berne. Bullying is not well received by the foreign lawyers' associations and is simply outrageous. A foreign lawyers' association has already stated that it will submit a request for my support to both the CCBE and FBE. My requests to the executive committee of the Bar Association and this Felix Bangerter of the Professional Ethics Committee to resign as one person naturally remained unanswered. Here again, one can see how some people can take some liberties. In my case, however, there was no stopping them from having me excluded from the association because I was simply doing my job as a lawyer. But with oneself, people measure with a different measure stick and with oneself there is no reaction at all. At this point I would like to remind you of the neon sign of Kellerhals Carrard. I am also quite sure that I am not the only lawyer who has been ruined professionally by this disgusting intrigue economy, because he or she was uncomfortable or simply too successful and the desire for profit or resentment of some "professional colleagues" broke the spell. The structures are far too tightly organized for that to be an isolated case in my case. Also the numerous incidents in the different judicial authorities show very clearly that this seems to be a whole network. In the case of the mobbing judiciary, malice or lust for power may well play a role. But it will not play a big role in the result whether the respective motive for this cowardly collective bullying is to be found in baseness for the sake of baseness itself, or the joy of it, or because of profit, or lust for power, or simply "only" because of resentment, because each of these reasons on its own might be regarded as reprehensible in civilized society.*



EUROPEAN COURT OF HUMAN RIGHTS  
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ECHR- LGer1.1R

17. Februar 2020

**Beschwerde Nr. [REDACTED]/19**  
Lücke ./ Schweiz

Einbringungsdatum: 17. September 2019

Sehr geehrter Herr Lücke,

Ihr Schreiben ist bei der Kanzlei des Europäischen Gerichtshofes für Menschenrechte eingegangen. Der Beschwerde wurde die obige Nummer zugeteilt. Diese ist in jeder weiteren Korrespondenz in dieser Sache anzugeben.

Der Gerichtshof wird sich auf der Grundlage der von Ihnen vorgelegten Informationen und Unterlagen mit dem Fall beschäftigen, sobald es der Geschäftsgang erlaubt. Das Verfahren ist grundsätzlich schriftlich, und Sie müssen nur auf Vorladung des Gerichtshofs persönlich erscheinen. Die Entscheidung des Gerichtshofs wird Ihnen mitgeteilt.

Sie müssen jede Änderung Ihrer Post- oder E-Mail-Adresse mitteilen. Außerdem müssen Sie dem Gerichtshof jede wichtige Entwicklung in Bezug auf die obige Beschwerde mitteilen und alle weiteren relevanten Entscheidungen der nationalen Behörden und Gerichte einreichen.

Diesem Schreiben liegen Strichcode-Aufkleber bei. Kleben Sie bitte einen Aufkleber in die rechte obere Ecke der **ersten Seite** sämtlicher Schreiben an die Kanzlei des Gerichtshofs, die diese Beschwerde betreffen.

Auf Grund der hohen Arbeitsbelastung ist es dem Gerichtshof nicht möglich, in Zukunft den Empfang weiterer Schreiben zu bestätigen. Bitte sehen Sie von telefonischen Anfragen ab. Falls Sie einen Nachweis über den Eingang Ihres Schreibens beim Gerichtshof wünschen, so empfehle ich Ihnen den Versand als Einschreiben mit Rückschein.

/...

EUROPEAN COURT OF HUMAN RIGHTS  
COUNCIL OF EUROPE  
67075 STRASBOURG CEDEX  
FRANCE



COUR EUROPÉENNE DES DROITS DE L'HOMME  
CONSEIL DE L'EUROPE  
67075 STRASBOURG CEDEX  
FRANCE

**Ardašir Pârse: I must also say that I am speechless despite my experiences with the judiciary and the current knowledge that dishonesty and clan economy can be topped and I cannot believe all this, but I see the evidence. This is like in a bad film. What does a lawyer do in such a situation?**



**Oliver Lücke:** *To be honest, I have understandably come to an end with these people and I don't want anything more to do with them. I don't know what I could exchange thoughts with them about, especially since I would even enhance these people if I paid them even a second more attention than absolutely necessary. Unfortunately, I am still involved in this mobbing, because I don't just want to give my clients to these people. I will move every single case to Strasbourg with my clients as soon as the corruption in Strasbourg has been made public and eradicated. Even the European Union, in response to my Petition 1068/2018, has acknowledged a possible violation of the Agreement on the Free Movement of Persons, which is not surprising given the evidence that has been presented. So this disgusting behaviour by 'certain circles' does not go down well from this side either. All this will also find its way into a correspondingly in-depth documentation on Swiss official crime. I would be happy to discuss further developments in this matter with you in a further interview.*

**Ardašir Pârse:** **Of course, Mr. Lücke, I am also more than just curious to see how things will continue. Until the next interview I wish you a lot of strength and support against this mobbing.**

**Oliver Lücke:** Thank you very much for the interview. I will keep you up to date and when the time is right, I will be very happy you to have me interviewed again. I am currently awaiting the outcome of the European Parliament on my petition. It remains to be seen whether the European Parliament "only" passes a resolution or whether the EU Commission will take even more far-reaching measures on the matter. Then it remains to be seen what will become of the intervention of the CCBE and the FBE, as for example the CCBE is addressing the relevant political authorities with its "Defence of the Defenders" programme. Above all, the CCBE's letters will be published on the website and Switzerland would then appear as one of very few Western European countries in this list between Swaziland and Syria with the letter concerning my situation. We are also considering the possibility of several foreign lawyers' associations applying to the two European lawyers' associations, the CCBE and the FBE, for the exclusion of the Swiss and Bernese lawyers' associations, because these two Swiss lawyers' associations have no business there with the current membership of the boards. We will also continue to publicise all this in the press and make the perpetrators and their machinations known, so that people outside of Switzerland know what we are dealing with here. The aim is and remains that within the European Economic Area and of course also elsewhere, political majorities will emerge which are directed against Switzerland's conduct. It is very important, for example, that the so-called "Lugano Convention" be denounced as quickly as possible, because at present, with this "justice", Switzerland can reach into the pockets of anyone within the European Union with such manipulated civil law judgments and the person concerned cannot even defend himself against recognition of enforcement in his own state. This is an absurdity if you know the conditions and manipulations in the Swiss justice system. At the Swiss national border, the sphere of action for these people must absolutely come to an end. The outcome of my appeal to the European Court of Human Rights mentioned in the text should also be interesting. So we will certainly meet again in the coming months.

**Ardašir Pârse:** **I look forward to our next meeting and wish you all the best until then.**