

# Newsletter

Spring  
2019



**Register now !**

**AEA-EAL CONFERENCE**

***AI Beyond the Hype***  
**- Benefits, Challenges and Liabilities**

**When and where?**

May 30th - June 1st, 2019  
in Edinburgh, Scotland

**What about?**

The conference will examine what artificial intelligence really is. It will consider what AI can do, what AI cannot now do; and what it might be able to do in the future. It will explore what is meant by “dumb” algorithms, and weak and strong AI. Case studies will include systems such as medical diagnosis software, autonomous vehicles and robot judges. It will look at human rights, ethical dilemmas, legal responsibilities, and who, if anyone, carries the can when it all goes wrong.

**Who should participate?**

Lawyers, businesses and professionals wishing to be ahead of the liability game, and anyone who cares about where society is heading: are we looking to a future where owners can choose their vehicles' ethical systems along with their paintwork and trim, and cars which, when confronted with the “trolley problem,” will decide who to run down. Fact or fantasy, and should we be afraid? Come along and find out.

**Register now on [www.aea-eal.eu](http://www.aea-eal.eu)**  
*see more on page 2*

## Foreword of President

*2018 was the year of an intensive work for all of us at the AEA-EAL. We went through many developments thanks to engagement of our members. For 2019 we have many plans which were discussed recently during the first yearly meeting of the Board of Directors and Chairs of Committees in Warsaw.*

An initial calendar of AEA-EAL events has been set up: on May 30-1st June 2019 in Edinburgh, the conference on Artificial Intelligence and legal responsibility; on July 5-6, 2019 in Gdańsk a Twinning of Lawyers, which will be a good opportunity to meet together colleagues from Eastern and Western Europe; on October 17-19 2019 in Łódź - Legal Business Forum as a platform for business and law firms to discuss use of new technologies in their daily work. We have still been working on other interesting events in 2019 which will be announced in a due course. As a member you may benefit from our network, you may write articles to the AEA-EAL Newsletter, including short description of your law firm. You are entitled also to become a member of one of the AEA-EAL Committees which gives you the opportunity to work together with colleagues from other countries and to be engaged more in our actions. The full list of advantages of membership you may find at our website. Taking this opportunity, I kindly ask you to download and update your contact info to keep your contact details updated. Please download also information on processing your personal data according to GDPR requirements. I kindly ask you to download and fill in the yearly membership survey. This gives us a feedback on your needs and expectations towards the AEA-EAL. This year will bring many new opportunities to enhance networking through meetings of other members on the occasion of the AEA-EAL events.



## Conference in Chisinau

**April 4 - 7, 2019**

Vladimir Palamarcuic, member of the AEA-EAL Scientific and Young Lawyers Committees together with Olga Diaconu co-organized the Spring Conference of EYBA. The theme of the event was “The harmonization and appropriation of the national legislation with the European Community Acquis”. This year's edition brought together young lawyers from Western and Eastern European countries and bridge the network and foster future collaboration. The AEA-EAL was a sponsor of the conference.

# AEA-EAL Invites you to Edinburgh

## May 30 - June 1, 2019

Dear Friends and Colleagues,

I have great pleasure in inviting you to an important international conference on Artificial Intelligence, entitled AI Beyond the Hype – Benefits, Challenges and Liabilities, which will be held in Edinburgh, Scotland (UK) on May 30 - June 1, 2019.

The conference is organized by the European Association of Lawyers (AEA-EAL) in partnership with the Faculty of Advocates, the Scottish Society for Computers and Law, the SCRIPT Centre at Edinburgh University and other sponsors.

The speakers are leading experts, both legal practitioners and academics. Topics to be discussed include: What is AI and why should I care?; AI and legal liability; AI and Fundamental Rights; Towards an Ethical use of AI and AI and licensing issues. Speakers so far confirmed include Professor Timo Minssen, Director of the Centre for Advanced Studies in Biomedical Innovation Law at the University of Copenhagen; Professor Burkhard Schafer, Professor of Computational Legal Theory and Director of the SCRIPT Centre at Edinburgh University, Andrew Katz, joint editor of the International Free and Open Source Law

### Provisional programme of the conference (subject to change)

#### Thursday, May 30, 2019

17.30 – 19:00 – SSCL Annual Lecture by Professor Timo Minssen

19:15 – 20.30– Welcome Reception for AEA-EAL conference participants.

#### Friday, May 31, 2019

09:30 – 10:00 – Registration of participants

10:00 – 13:00 – First Session of conference

13:00 – 14:00 – Sandwich lunch

14:00 – 17:00 – Second Session of conference

19:30 – Dinner

#### Saturday, June 1, 2019

09:00 – 12:00 – Meeting of the Board and General Assembly of the AEA-EAL (closed)

Afternoon – social programme for all participants.

Review, and a leading expert on software licensing; Chris Rees, the immediate Past President of the British Computer Society Karmen Turk, advisor to the Estonian Government on AI issues and myself. There will be a contribution from Wojciech Wiewiórowski, the Assistant Supervisor at the office of the European Data Protection Supervisor. Other leading speakers are also likely to confirm their participation.

We cordially invite all AEA-EAL members, solicitors and Advocates in Scotland, members of the Scottish Society for Computers and Law, IT professionals and other professionals involved or interested in this fast-moving field to attend. CPD accreditation has been applied for.

The Conference is not only a spectacular opportunity to share information and knowledge about this hugely important topic, but also an excellent opportunity to build an effective platform for communication and cooperation among stakeholders: lawyers, IT professionals and academics. **Registrations are available through our website [www.aea-eal.eu](http://www.aea-eal.eu).**

Iain G. Mitchell QC  
Chair of the Organizational Committee



Iain G. Mitchell QC is a member of both the Scottish and English Bars with over 60 reported cases in Scotland.

He is Chairman of a CCBE Working Party and a member of a Bar Council committee, each dealing with protection of Legal Professional Privilege. a member of the CCBE IT Committee and the Bar Council IT Panel, Chairman of the Scottish Society for Computers and Law, Honorary Lecturer in IT Law at Münster University in Germany and member of the AEA-EAL.

He is Joint Editor of the International Free and Open Source Law Review, and has contributed to (amongst others) Electronic Evidence (Butterworths) and Free and Open Source Software: Policy, Law and Practice (Oxford University Press).



# Save a date - Twinning of Lawyers

Gdańsk, July 5 - 6, 2019



Dear AEA-EAL Members and Friends,

Gdańsk Bar of Attorneys-at-law (OIRP in Gdańsk) and the AEA-EAL are organizing on July 5-6, 2019 a project called "Twinning of Lawyers". The aim of the project is to create a multi-national platform, networking and collaboration between lawyers and bars from Central and Eastern Europe and beyond, based both on professional and personal contacts. The structure of this year project consists of one-day seminar on data protection and implementation of the General Data Protection Regulation rules. This topic is particularly interesting for lawyers from Eastern-Partnership Countries, who are in process of accessing negotiations with the EU as well as other

partners, who are dealing with personal data in their cross-border practice. We foresee also networking events to boost mutual contacts with colleagues from Western countries, who have over 20-years' twinning experience with the Gdańsk bar. We welcome all of you to beautiful city of Gdańsk to meet colleagues from the East and from the West!

**Jerzy Mosek**  
Dean

**Jarosław Niesiołowski**  
Chair of the Foreign Affairs Committee  
Gdańsk Bar of Attorneys-at-law

# Save a date - Legal Business Forum

Łódź, October 17 - 19, 2019



Dear Colleagues,

The AEA-EAL Young Lawyers Committee in cooperation with the Łódź Bar of Attorneys-at-law (OIRP in Łódź) invites you for a - Legal Business Forum. Anna Kaczyńska, Deputy Chair of the Organizational Com-

mittee describes the aim of the event as creation of a platform for business and law firms to discuss use of new technologies in their daily work. We wish to focus on predictive justice, digital transformation in legal offices, impact and use of the IT specific tools (Blockchain, smart contracts etc.) in view of the evolving legal practices and Artificial Intelligence and robots in law and Law regulating AI and robots. The event having as its priority discussing very concrete innovation and technological issues and their influence on law practice and business. More information on topics and structure of the Forum will be available soon.

**Grzegorz Wyszogrodzki**  
Dean

**Aleksandra Grocholska - Jankowska**  
Vice-Dean  
Łódź Bar of Attorneys-at-law



# Irish Rule of Law International

*Irish Rule of Law International (IRLI) is a joint initiative of the Law Society of Ireland and the Bar of Ireland as well as the Law Society of Northern Ireland and the Bar of Northern Ireland, dedicated to promoting the rule of law in developing countries on a project-oriented, non-profit basis.*



Some of the IRLI volunteers/ directors outside the office in Lilongwe Malawi August 2018. Left to right Macdara O'Drisceoil, Maya Linstrum Newman, Tyler Holmes, Jolene Quinn, Eithne Lynch and Norville Connolly.

IRLI seeks to harness the skills of Irish and Northern Irish lawyers in using the law as a means of tackling global injustice and empowering all people to live in a society free from inequality, corruption and conflict. Originally founded in 2007 by the Law Society of Ireland and the Bar of Ireland, the organisation has collaborated with academics, judges, legal practitioners, policy-makers and civil society around the world to advance collective knowledge of the relationship between rule of law, democracy, sustained economic development and human rights. IRLI was joined in 2015 by the Law Society of Northern Ireland and the Bar of Northern Ireland. IRLI originated in the recognition of the importance of the rule of law for sustainable development and we believe that members of the Irish legal profession have a significant role to play in strengthening the rule of law and shaping the progress of fragile societies. IRLI has worked and is working in a number of countries for example Malawi. IRLI has been working in Malawi since 2011, to address capacity challenges within the criminal justice sector with the overall aim of improving access to justice for unrepresented vulnerable persons. As part of this programme, Irish volunteer lawyers are seconded to or positioned strategically alongside the principal institutional actors in the criminal justice system: The Legal Aid Bureau, Ministry of Justice, Office of the Director of Public

Prosecutions and the Malawi Police Service. Their work is also supplemented by volunteer lawyers based in Ireland, who provide short term intensive training for partner organisations. The Malawi team is currently made up of Programme Manager Fran Flood, Programme Lawyers Macdara O Drisceoil, Tyler Holmes, Maya Linstrum Newman and Programme Officer Jolene Quinn. Two further volunteers are currently being recruited to support the team there. In Malawi there is excessive use of pre-trial detention and the lack of a comprehensive legal aid system, amongst other factors, have resulted in overcrowding in Malawi's prisons as well as considerably long detention times for prisoners being held on remand. Overcrowding in prisons is a prevailing problem across many nations in Africa, with the practice of holding prisoners on remand compounding the issue. As a result, in some countries a good majority of the prison population is made up of those awaiting trial. By reducing overcrowding, conditions for prisoners improve thus enhancing Malawi's observance of the human rights of prisoners and remandees. The poor of Malawi also face physical, financial and language barriers to legal aid. Most live in remote rural areas, live on an income of \$1 per day, and do not speak English – the language of the court. With no representation vulnerable Malawians are often held in custody for months, or years, until a trial

court acquits or sentences him/her. In tackling access to justice for the poor, IRLI has sought to implement mechanisms in partnership with local actors to remove obstacles to free legal aid in the short-term (such as capacity constraints and shortage of lawyers) in order to bring about direct change at beneficiary level, while developing systemic, sustainable interventions aimed at providing long-term benefits to the wider criminal justice sector. IRLI works to build capacity in the criminal justice sector and provide access to justice in the following ways:

- Working closely with advocates and officials in the Legal Aid Bureau to progress cases of remandees and juveniles, with a focus on children, women, the sick, and the elderly.
- Training of magistrates, police officers, social workers, advocates and paralegals in human rights and due process, restorative justice and diversion, case management and client care, as well as the protection of children and young offenders who come in conflict with the law;
- Supporting the Office of the Director of Public Prosecutions to improve case management systems, processing of homicide cases and writing of legal opinions.
- Working with the Malawi Police Service to strengthen diversion programmes in police stations in Lilongwe so that juveniles and first-time offenders of minor crimes are diverted from the already over-burdened prison system;
- Facilitating a Child Diversion Programme in partnership with Chisomo's Children Club and the Ministry of Gender, Children, Disability and Social Welfare with a focus on reducing recidivism through correctional education;
- Engaging with local Traditional leaders, with the support of the Malawi Police Service and Legal Aid Bureau, to facilitate community legal education workshops to sensitise the broader community about bail rights, diversion, child protection and human rights.

The Malawi programme is funded by Irish Aid and the European Union.

**Norville Connolly**

[norvilleconnolly@gmail.com](mailto:norvilleconnolly@gmail.com).

Director Irish Rule of Law International  
[www.irishruleoflaw.ie](http://www.irishruleoflaw.ie)

Past President Law Society Northern Ireland  
Member of the AEA-EAL



# Solemn Reception of the Senegal Bar “Conférence du Stage” (14-18 January 2019)



Mr. Athanase Mbaigangnon, Dean of the Tchad Bar, Jean-Pierre van Cutsem and Mr. Alhassane Sangare, Dean of the Mali Bar



Mr. Ibrahima Ndoye, Prosecutor of the Republic of Senegal (left) and Mr. Mbaye Gueye, President of the Conference of the UEMOA Bars (Union Economique et Monétaire de l’Ouest Africain)

On the invitation of the President of the Bar of Senegal, Mbaye GUEYE, our past President and Member of the Board of Directors of the European Association of Lawyers AEA-EAL, Jean-Pierre van Cutsem represented our Association in the Conference of the Senegal Bar on training of lawyers. The program of the Conference included three main parts, not to mention social activities (cocktail dinners, excursions, etc.)

- Monday 14: Welcome of participants and screening of a film about the Senegalese Bar Association
- Tuesday 15 and Wednesday 16 a symposium organized by the Senegalese Bar Association about Regulation No. 5/CM/UEMOA on the new skills for lawyers connected with representing clients under arrest.
- Thursday 17 a Ceremony of “Rentrée Solennelle de La Conférence du Stage”. The Senegal Bar Association is a national bar affiliated at the Constitutional Council, the Supreme Court and the Courts of Appeal. It brings together lawyers from all over Senegal, regardless of the jurisdiction of the Court of Appeal where they are based. The headquarters of the bar is located in the capital city of Dakar. The bar was created by Act No. 84-09 of 4 January 1984, and the President of the Bar, is elected for a two-year term; he heads the bar and is assisted by the bar’s Council. As for the colloquium on Regulation No. 5/CM/UEMOA, it proved to be very informative on the role of the lawyer. First of all, it should be pointed out that UEMOA,

“Union Economique et Monétaire de l’Ouest Africain”, groups together the countries that use the CFA as their currency, was created in 1994 and currently groups 8 West African countries, namely: Benin, Burkina Fasso, Côte d’Ivoire, Guinea-Bissau, Mali, Niger, Senegal and Togo. The Bars of the UEMOA countries are gathered in the UEMOA Bar Conference currently chaired by the President of the Bar of Senegal. As in the European Union, the Regulations adopted by the WAEMU Council of Ministers are immediately applicable in the national legal systems of the various UEMOA member countries. On 25 September 2014, the UEMOA Council of Ministers adopted Regulation No. 05//CM/UEMOA on the harmonization of the rules governing the legal profession in the UEMOA region, which entered into force on 1 January 2015. The theme of the colloquium was article 5 of these Regulations, which states: “Lawyers shall assist their clients as soon as they are arrested, during the preliminary investigation, on police or gendarmerie premises or before the public prosecutor’s office”. It is the notion of arrest that is the subject of debate and a circular from the Minister of Justice of Senegal No. 00179 dated 11 January 2018 specifies that the notion of arrest would encompass a broader reality than police custody and that it actually extends to all situations in which the suspect is at the disposal of the Judicial Police Officer for the purposes of an interrogation or investigation. In the course of the interventions and debates

it emerged that, although the Regulation is indeed directly applicable in the domestic legal order, the implementation of the provisions of the said Regulation is more advanced in some UEMOA countries than in others; but that in any case significant progress has been made since the entry into force of the Regulation. It seems important to note that many judicial police and gendarmerie officers also participated in the seminar and therefore had the opportunity to better understand the rights of lawyers when they intervene alongside their clients from the moment they are arrested. Thursday 16th was devoted to the “Rentrée Solennelle de la Conférence du Stage” and consisted of many speeches, including intervention of the Minister of Justice representing the President of the Republic of Senegal, President of the Bar of Senegal and his successor, Mr Papa Laïty Ndiaye, who will become President of the bar in July as well as many other speeches, including the former President of the Bar of Paris. These speeches were followed by interventions of two Secretaries of the Conference. It was well-organized and very successful event. As the AEA-EAL extends to the countries of Eastern Europe and Asia, it would be important for it to also look to Africa and the lawyers of UEMOA, whose values seem very close to those of the lawyers of the European Union.

Jean Pierre van Cutsem



## Secret service surveillance of lawyers in the EU

Reports alleging tapping by some member states’ secret services of phone calls between lawyers and their clients were raised by MEPs in a debate with Latvian Secretary of State for European Affairs Zanda Kalniņa-Lukaševica and Commissioner Věra Jourová on January 13, 2019. At the core of the debate was the question of how to strike a balance between national security needs and the right to confidentiality of exchanges between lawyer and suspects or accused persons. It was prompted by an oral question on the alleged long-term tapping of a Dutch law firm’s telephones by the national intelligence agency. MEPs asked whether such “structural” surveillance is in line with the EU Charter of Fundamental Rights and called for a clear definition of when “national security” can be cited to justify exceptions to it.

## The publicity of the beneficial owner of the companies will be accentuated soon.



*The Fifth Directive of the European Union for the Prevention of Money Laundering and the Financing of Terrorism, of 30 May 2018, echoes the great concern over the recent attacks suffered (Paris, Nice, Berlin, Brussels, London, Barcelona and Cambrils), and is determined to toughen the surveillance measures, and one of them is to improve "the transparency of the companies and other legal entities, trusts ("trust") and similar instruments":*

For this purpose, it establishes that Public Registries must have "sufficient, accurate and current" information on the beneficial ownership of the companies, and allow public access to this information. It is reminded that the beneficial owner is "the individual or individuals who ultimately own or control, directly or indirectly, a percentage greater than 25% of the capital or voting rights of a legal entity or that, through agreements or statutory provisions, exercise a direct or indirect control of a corporation". If the beneficial owner is also a corporation, the beneficial owner of this corporation shall be consigned, and the chain will continue upwards until reaching the beneficial owners who hold control in more than 25%. The Directive emphasizes the need for the "legally bound subjects" (the companies themselves -by means of their directors-, financial entities, public registries, notaries, lawyers that provide corporate or real estate advice, real estate agents, among others) to collect and safeguard these data, maintaining them in a "sufficient, accurate and current" way. For years, this information has already been gathered by

companies, affected professionals, financial institutions and notaries. The novelty lies in the public access to the information contained in the registers, which the Directive concludes that "it allows for greater control of information by civil society, including the press or civil society organizations" since "The confidence of investors and the public in financial markets depends to a large extent on the existence of a rigorous disclosure regime that provides transparency regarding real ownership and the control structures of companies". It is also a novelty that, if there is no real ownership, because the capital is in hand of partners with smaller shareholdings, the data of the directors of the final company will be consigned. The scope of this publicity remains to be seen, and its collateral effects can be disconcerting (all the citizens to know who is the owner of half of the city, it is a collateral effect that does not have much to do with the fight against terrorism...). We must remember, however, the misgivings that caused the first company Directives, back in the 70s, which forced to deposit the annual accounts of the companies in the Commercial Registry.

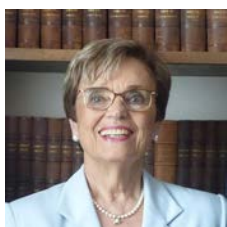
Juan Nunez



## The European Commission launched on January 11, 2019 a public consultation to gather information on the impact of EU rules on equal pay.

The principle of 'equal pay for equal work' is enshrined in the EU's Treaties. EU law prohibits direct and indirect discrimination on the grounds of sex. The public consultation will gather input from citizens, public authorities, social partners, civil society and researchers to find ways to better implement and enforce the equal pay principle enshrined in the Gender Equality Directive and the 2014 Pay Transparency Recommendation. The public consultation is one of many actions of the European Commission's Action Plan to tackle the gender pay gap, launched in November 2017. This action plan follows up on the 2014 Pay Transparency Recommendation, which raised awareness on the gender pay gap and encouraged companies to revise their pay structures. However, the 2017 Implementation Report of this Recommendation showed that in one third of Member States, transparency measures still do not exist what also concluded that the persisting gender pay gap and this limited follow-up calls for possible further measures at EU level. Present public consultation will feed into this assessment. The consultation on EU legislation on equal pay is available online on the European Commission website -link <https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2018-3415794/public-consultation> and open until 5 April 2019

Ph.D. Elisabeth Hoffmann



## Opening of the Brussels Bar

17 - 19 January, 2019

*Ph.D. Elisabeth Hoffmann, past President of the AEA-EAL represented our Association during the Ceremony of the Solemn Opening of the Brussels Bar and Young Brussels Bar.*

Celebrations included, among others, the seventh edition of the international contest of surrealist pleading, solemn session of re-opening of the Young Bar presided over by Mrs Anne-Claire Dombret, President of the Conference of the Young Bar of Brussels, "The dilemma of Lucerne" speech delivered by Mr. Vincent Defraiteur. The Ceremony of the Brussels Bar was presided by Mr. Michel Forges, its Dean. We congratulate the Brussels Bar its long-lasting tradition of organizing the Solemn Opening Ceremony as well as very active functioning of the Young Brussels Bar, which benefits young advocates in the city and region.

# Judgment of the EU Court of Justice in Case C-265/17P Commission vs. United Parcel Service



***Annulment of an European Commission decision due to procedural irregularity The Court of Justice confirms that the Commission's decision prohibiting the acquisition of TNT Express by UPS must be annulled due to procedural irregularity The General Court was right in finding that the Commission infringed UPS's rights of the defence.***

By decision of 30 January 2013, the Commission prohibited the acquisition by UPS of TNT Express on the ground that in 15 Member States that operation would have led to a significant impediment to effective competition on the market for the international express delivery of small parcels within the European Economic Area (EEA). The decisive factor on which that prohibition was based is an econometric analysis that led the Commission to conclude that there was a risk that prices would increase on the majority of the markets concerned. UPS successfully brought an action against that prohibition before the General Court. By judgment of 7 March 2017, the General Court annulled the Commission's decision

on the ground that UPS's rights of the defence had been infringed. The General Court found that the price concentration econometric model ultimately used by the Commission differed considerably from that disclosed to UPS during the administrative procedure, without the Commission giving UPS the opportunity to submit observations on the amendments made. The Commission brought an appeal before the Court of Justice to have the judgment of the General Court set aside. In its judgment, the Court of Justice points out that observance of the rights of the defence before the adoption of a decision relating to merger control requires the notifying parties to be put in a position in which they can make

known effectively their views on the accuracy and relevance of all the factors on which the Commission intends to base its decision. Thus, where the Commission intends to base its decision on econometric models, the notifying parties must be able to submit their observations in that regard. The disclosure of such models and methodological choices underlying their development is all the more necessary as it contributes to ensuring that the procedure is fair, in accordance with the principle of good administration enshrined in Article 41 of the Charter of Fundamental Rights of the European Union.

source: curia.eu



# European Presidents Conference in Vienna 28.02 - 02.03, 2019



*Maria Ślęzak, President of the AEA-EAL, represented our Association during the 47th Conference of Presidents of European Bars, Law Societies and international organizations of lawyers.*

The immediate Past President Monique Stengel also participated in this meeting. The Conference has been started with a minute of silence in an honour of Paweł Adamowicz, the Mayor of Gdańsk, Poland who lost his life being attacked during charity event. The topic of the Conference was rule of law and fundamental rights. The speakers spoke about negative trends in some EU countries, especially Poland and Hungary, and in particular about pressure on judiciary, necessity of full respect for separation of powers (judges cannot try to replace parliaments, politicians should accept courts' decisions), about possibility of suspension of financial support for countries who violate the rule of law, application of Art. 7 of the Treaty, EU's interest in spreading fundamental values in Eastern Partnership countries. One of the speakers expressed a conclusion that it is better to have violating countries "in" than "out" because having them "in" gives us at least a chance to influence negative trends. Our president Maria Ślęzak drew the attention of participants that we should support more actively those who fight for the rule of law in the countries outside EU. During the event on Thursday the participants were hosted by the Mayor of Vienna at the dinner and on Friday by Austrian Federal Chancellor at the lunch-reception, and the "Juristenball" (Lawyers' Ball) at the Hofburg Palace on Saturday was a splendid end of the Presidents' Conference.



Jose de Freitas, CCBE President, Michele Lucherini, FBE President and Maria Ślęzak, AEA-EAL President at the gala dinner in Pallavicini Palace

## Law Society of England & Wales produces further no-deal Brexit Guidance

*In November 2018, The Law Society of England and Wales published a series of guidance notes in various aspects of law and performance of legal profession in case of no deal Brexit.*

The documents highlight the changes in civil and commercial cooperation that will occur should the UK leave the EU on 29 March 2019 without having reached an agreement with the EU. In this scenario, the UK and the EU will have failed to agree the withdrawal agreement and the agreement governing their future relationship. The guidance notes cover civil and commercial cooperation, providing legal services in the EU, family law and data protection. All these notes can be found [here](#).

## AEA - EAL Presidents on the Festivity of Sant Raimon de Penyafort

*Maria Ślęzak, AEA-EAL President, Monique Stengel, immediate past President and Juan Nunez, past President participated the traditional festivity in Barcelona.*

This year celebrations were held on February 14 - 16, 2019. Topics of seminars accompanying the Festivity included gender inequality in the legal profession, challenges, opportunities and benefits of empowering female leadership in the legal profession as well as international commercial tribunals, arbitration and other ADR. Our President took active part in those discussions.





# Day of Endangered Lawyers

The AEA-EAL Human Rights Committee has issued its statement to commemorate the Day of Endangered Lawyers to commemorate our harassed colleagues in Turkey.



Every year on 24th of January the Day of the Endangered Lawyer is observed. This tradition started in 1977 when four attorneys in Madrid were murdered in an incident known as the “Massacre of Atocha”. This year, the entire community of lawyers concentrates on Turkey due to the recent widespread arrests, detentions and dismissals of members of the legal profession in that country. We demonstrate our support for harassed, silenced, pressured, threatened, persecuted, tortured, disappeared and/or murdered legal professionals in Turkey. We admire and honor our colleagues who fight for human rights. We also express the solidarity with all endangered lawyers not only in Turkey but beyond as well. We are seriously concerned at the current situation of lawyers in many countries where fundamental rights and standards are not observed and lawyers are harassed and persecuted or even tortured. It constitutes the manifest breach of the rules which are fundamental in the democratic countries.

## AEA-EAL Human Rights Committee

The Day of the Endangered Lawyer provides a time to reflect on the personal and professional safety of lawyers around the world facing mounting persecution, prosecution, arbitrary detention, threats, torture, assaults and death as a consequence of carrying out their professional duties.

*“(...) the Turkish government has been increasingly interfering with and exercising undue influence over the legal profession using adverse constitutional and legislative reforms together with systematic attacks against judges, prosecutors, lawyers and other legal professionals (...)”*

- Joint Submission to the UN Special Rapporteur on the Independence of Judges and Lawyers, 2018



## Forthcoming and planned events

- 1** 30 May - 1 JUNE 2019, Edinburg  
**ARTIFICIAL INTELLIGENCE AND LEGAL LIABILITY**  
Conference on legal liability of creating and use of Artificial Intelligence
- 2** 5 - 6 July 2019, Gdańsk  
**TWINNING OF LAWYERS**  
Seminar on use of GDPR by non-EU lawyers and networking meeting
- 3** 6-7 September, Tbilisi  
**EAST-WEST ECONOMIC COOPERATION: TBILISI LEGAL FORUM**  
Conference for business and lawyers on commercial and legal opportunities of co-operation.
- 4** 17 - 19 October 2019, Łódź  
**LEGAL BUSINESS FORUM**  
Platform for business and law firms to discuss use of new technologies in their daily work.
- 5** 7 November 2019, Bern  
**STANDARD SETTING AND MARKET ACCESS**  
Panel of experts open for wide participation of AEA-EAL members and other lawyers

### AEA-EAL INFO

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## Strasbourg: a capital of Europe from Atlantic to Pacific?

*Thirty years ago, the Soviet-American iron curtain collapsed under the impact of the people settled on the Amber Roads. The demackinderisation of the European continent will emerge through the German reunification, the disovietisation and the emancipation of the countries of Central Europe.*

Some initial assumptions:

- The market "globalisation" exposes the incapacity of capitalism to hold its hegemony. The planet remains always bigger than them. The post-1945 standard model is disrupted.
- The hyperclass and the peoples are struggling. The capitalism has programmed its obsolescence because the costs of its reign have become exorbitant (Wolfgang Streeck).
- The orgy of the global debts hisses the end of the ball. And with it of those who command by the debt. If the global wealth has been multiplied by 26, the global public debt has been multiplied by 65. Hence the "panic of the world" (Th. Gomart).
- It is the big return of the real, politics and the classic powers. Such as Europe.
- *Cuius regio, eius oconomia.*
- At the same time, a transatlantic distance and a disavowal of the level of the Nation State have been notified.
- The political demand of the peoples fluctuates between small size but sovereign political units and political architecture of big space.

Hence these little reflections:

The Euro-Siberian continental space is squared with lines of friendship (amity lines). They correspond to the plural and millenary roads that have names of Amber Roads or Silk Roads. These are both historical and trade routes, routes of spirituality (leylines), of culture and ideas. Nothing, if not, few things hinder it. There are no natural borders. The Ural Mountains are not high enough. The space from the Atlantic Bretagne to the borders of Eastern Siberia is open, easily circulatory. The way from the Rhine to the Pacific is free. Unfortunately, the extra European powers will have ceaselessly accumulated quarrels, barriers and walls to the constitution of a solidarity confederation of peoples. It is high time to end this catastroika. Europe cannot remain an invertebrate space and rump of Globalia. Europe must erase the incapacitating anachronisms, which neutralise and humiliate it. It must think and act on its continental liberation and transcend enmities and lethal hostilities. We must make Europe by reconciling Europeans; it will be from its Eurasian core space. Just follow its rivers or accompany the network of oil and gas pipelines on its landmass and thus recover the raw materials, fossil fuels and necessary ores for the economic, technical, and therefore political project. To reunite and reassemble together the dispersed and separated European Diasporas is the challenge. The Silk Roads will be the giant gateway, which will once again connect the vast shatterbelts between Europe and India and between Europe and China. Across the steppic space and from fluvial Danubian Rhenish axes, without forgetting land communications, the western peninsula of Europe will make the giant leap forward towards Central Europe and Central Asia. From the Baltic Sea to the Black Sea, along the Volga, the Baltic/Pontic axis of the Bosphorus of the Aegean Sea and from the eastern basin of the Mediterranean will be constituted. It aims to unblock the Ukrainian gateway, thus routing the Russian hydrocarbons to the West and opening up whole of Europe. Also by renewing trade relations with India and China, Europe will recover the Middle-Earth. This pacified space from the Atlantic to the Pacific must give rise to a new system of collective security. Of which Strasbourg could be the Lothringian pivot. Thus, the heirs of Charlemagne's three sons and their brothers from Central Europe will meet again united. And the sharing of Verdun (843) will be revoked. Herewith, the peripheries will be connected again, united, reconnected to the centers. Let us never forget that without energetic supply, Europe would be geopolitically locked, padlocked and neutralised. This disarticulated marionette would only be a piece of Rimland unable to hold its axiological project, economic, societal or legal. Wanting to be at the heart of the world and this heart itself convoques to the mobilisation. Which means

starting to move, getting mobilised, getting on the road and having a telos on the horizon. The right itself does not exist without territory. Any civilisation takes place on a specific organisation of space. Europe is first a land, a space, a nomos. The right is its sacred grove. The Nation State idea is no longer operative. The real of balance of power has reduced it to nothing. The rules of the game push the limits and borders. The European space needs room. The future of the political institutions as economic and technical instances passes through the conformation of the momentum to the real. However, Europe is a particular geographical area. Its right or its rights cannot be detached from the history of its Polity, from the imponderables of its geography nor from the aspirations of its peoples. Europeans must lift themselves to the height of these thresholds. To become unified beyond all the old stato-national antagonisms and to live the permanent game of anchorages, re-anchorages and pullings out involves injecting anti-production, that is, coagulating stabilisation jets (G.DeLEUZE) in the flow of flows. May the great instances located in Strasbourg play at the largest scale the role of continental converter of a dynamisor sensor of real, various and plural forces, generous and carnal, living and organic. May the networks of the AEA-EAL associate their skills to such an ethic of responsibility in a collusion of legitimacy and of historical thickness. Professor Walter LEINER considered that the triumph was grounded in a Roman idea of success and historical success, which means, something on which we can build something and on which we must raise a new dimension of adhesion, durability and greatness. Let us establish the Euro-Siberian hemisphere. Let us not forget that the goddess Europe owes its name to its great eyes that see far and wide. To be continued.

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