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No justice without independent lawyers

The European Company Lawyers Association (ECLA) congratulates all colleagues across Europe on today's European Day of Justice 2021 which was initiated by the Council of Europe and the European Commission as well as the European Lawyers Day 2021, initiated by the Council of Bars and Law Societies of Europe (CCBE).

In keeping with this year's theme of "No justice without independent lawyers", the ECLA is proud to reiterate that company lawyers are independent by design, as demonstrated in the 2012 ECLA White Paper "Company Lawyers: Independent by Design".ⁱ Today, more than 150,000 company lawyers across Europe are strongly committed to advancing the rule of law.

Indeed, justice cannot exist without a strong rule of law. A strong rule of law is the cornerstone of European society as well of a flourishing European economy. The independence of lawyers from governments, states, and authorities is an indispensable foundational element thereof.

Jonathan Marsh, President of the ECLA and International General Counsel at TotalEnergies, observes that:

"Much has changed over the last 20 years in the European legal community including, most encouragingly, the increasingly vital role of company lawyers, who embody an essential aspect of the rule of law in European companies, in particular with respect to compliance, digital and ESG developments.

The independence of company lawyers and the importance of a professional legal privilege is increasingly recognized, as evidenced by the evolution of the jurisprudence of national member states, the Court of Justice of the European Union and the recent recommendations of the OECDⁱⁱ.

The ECLA welcomes this opportunity to highlight the role of company lawyers in supporting the advancement of justice and the rule of law in Europe and remains committed to working with stakeholders across all disciplines to reinforce the contribution of company lawyers to a better and stronger Europe.

About ECLA

The European Company Lawyers Association (ECLA) was founded in 1983 and is the umbrella organization of 22 different national associations of in-house counsel working in companies and organizations. For more than 38 years, ECLA has been committed to the profession of company lawyers throughout Europe and accounts for approximately 68,000 professionals in its network and represents the more than 150,000 company lawyers across Europe.

ⁱ <https://ecla.online/wp-content/uploads/2017/12/ecla-white-paper-independent-by-design.pdf>.

ⁱⁱ <https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0465>.