



Regulatory and public affairs



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Our EU practice

The effective identification and management of regulatory risk and opportunities are important elements in maximising business potential. Focusing on the interface between law, politics and business, our EU regulatory and public affairs practice helps clients to proactively manage their regulatory environment.

We offer clients strategic policy advice and help to shape EU legislation and administrative decisions. The specialised practice is an integral part of our Brussels office, providing clients with the highest standard of legal advice and support. Its close co-operation with the firm's legal teams across the network gives the practice unrivalled access to legal and sector-specific industry expertise, allowing it to develop a quick understanding of clients' business and markets.

A large part of our work relates to shaping draft EU legislative measures. We analyse the potential effect of draft legislation on our clients' business activities and, in co-operation with our clients, define threats, opportunities and strategic goals. We then devise and implement detailed campaigns, encompassing both legal and public affairs advice. Our legal expertise, extensive experience with EU legislative procedures and in-depth understanding of how the EU institutions operate enable us to influence legislative processes to ensure that our clients' interests are represented.

We advise clients on strategic policy issues arising in the framework of competition and trade proceedings, in particular, on sensitive legal transactions and in-depth merger investigations. We assess the political environment surrounding proceedings and the attitudes of key decision makers and help our clients to define positions and approaches. We also develop and implement detailed strategies whereby we inform decision makers about the nature of and background to legal transactions and help to secure a positive outcome for our clients.

We regularly develop and implement EU outreach programmes and profile-raising strategies for clients seeking to build or improve relationships with officials in the EU institutions. Our insight into the work of the EU institutions and our network of contacts with key decision makers allow us to build relationships and raise clients' profiles with the EU institutions and other stakeholders.

Our EU regulatory and public affairs team advises in a broad range of areas, including consumer products and retail, transport, energy, environment, financial services, telecoms, media and technology.

Our EU practice experience

Our EU regulatory and public affairs practice has extensive experience of working with clients in different policy areas and dealing with very varied issues.

Influencing draft EU legislation

On behalf of our clients, we track EU legislative initiatives from the initial European Commission preparation through their passage in the EU Council and the European Parliament until adoption. We flag key issues at the earliest possible stage and design and implement public affairs campaigns to help shape legislation in the most constructive and timely way. We participate in the legislative process by inputting to draft legislation and engaging in constructive dialogue with the European institutions and member state governments, as well as through influential trade associations and think tanks. Here are some examples of our recent experience:

- engaging with the European Parliament and the European Commission on behalf of a global industry leader and introducing amendments to EU climate change legislation during several parliamentary readings;
- advising an EU aviation company on the revision of the EU legislation on access to airports;
- advising a significant EU technology company on the proposed revision of the regulation of the industry sector and successfully introducing several amendments to the Commission's legislative proposal through the EU Council;
- analysing for a large US consumer goods company the legislative preparation of the new EU food labelling regulation and working with the client through its European trade association to influence the final shape of the regulation;
- advising a large European company on regulations applicable to the construction sector;
- advising a media company on upcoming legislation on copyrights and collective rights management;
- advising several clients on the implementation of the new insurance solvency regulatory framework, including all technical standards, the set up of new supervisory authorities for financial markets across different financial sectors; and
- providing public affairs support to clients in the context of the current overhaul of financial markets for securities, bonds, raw materials and derivatives in Europe.

Strategic policy advice in the framework of competition, trade and other proceedings

We provide clients with strategic policy advice and support in the framework of merger transactions, cartel investigations, state aid cases, EU infringement proceedings and on a variety of international trade policy issues. Some recent examples of our experience in these areas are:

- providing public affairs advice in the context of several competition investigations in the transport, energy and financial services sectors, including advice on communication with the European Commission;
- managing a complaint to the European Commission regarding national legislation that infringes EU legislation in the telecoms sector;
- advising clients on European Commission decisions on state aid granted to different industry sectors;
- devising and implementing a public affairs strategy in the context of a sensitive merger case in the transport sector;
- developing EU public affairs campaigns in the context of anti-dumping investigations against imports into the EU (chemicals) as well as duties imposed against EU exports (steel); and
- helping to ensure that a client's interest in the financial services sector is reflected in EU international trade priorities (World Trade Organization, bilateral free trade agreements, Transatlantic Economic Council).

EU outreach programmes and profile raising

On behalf of our clients, we build and maintain communication channels and relationships. We complement direct contact with active participation in the most influential trade associations, chambers of commerce and think tanks. Some recent examples of such outreach programmes include:

- implementing an ongoing outreach programme for a leading global insurance and reinsurance company to develop its relationships with EU officials, particularly Members of the European Parliament;
- implementing outreach campaigns for a major EU aviation company on the revision of EU legislation on access to airports, social security for mobile workers, aviation safety and security, including analysing the decision-making process, identifying key decision makers and preparing the necessary documentation;
- developing an outreach programme for a non-EU trade association from the information technology sector that had not previously been present in the EU policy-making arena, and identifying issues that required a more active public affairs campaign; and
- advising a European energy company on cultivating constructive relationships with EU policymakers and on raising its profile with EU regulators.

Our German practice

The effective identification and management of regulatory risk and opportunities is an important element in maximising business potential. Focusing on the interface between law, politics and business, our Berlin public affairs practice helps clients to proactively manage their regulatory environment at both the EU and member state levels. For many years, our Berlin and Brussels teams have worked together utilising their experience, contacts and legal expertise to assist a wide variety of clients across a broad range of sectors.

We offer strategic and communication advice for political and, in particular, administrative and legislative decisions to its clients by combining legal, political and PR-related knowledge. The team monitors and influences political developments on behalf of our clients and assists with regulatory measures in industry sectors. All members of the team maintain regular and direct contact with public authorities, trade associations, politicians and lobbyists.

Our Berlin public affairs practice and our regulatory team in Germany have extensive experience of matters where managing the concerns of state and federal decision makers are significant factors in achieving a successful outcome. We have assisted clients on many contentious and complicated projects where significant care, skill and effort in handling state and federal public opinion and intense media coverage were essential.

We understand that many projects give rise to high-profile and highly sensitive issues on different regulatory levels. Recognising and managing these issues effectively are often central to a project's success. Our experience allows us to identify such issues at the outset to produce a coherent strategy for liaising with federal and state government, the media, community groups and other stakeholders, and to supervise and co-ordinate implementing this strategy.

Our German practice experience

- Advising a large US alcoholic beverages manufacturer on its German alcohol and health strategy.
- Advising a leading US aviation company on lobbying decision makers at the German federal and state level to gain the approval for its purchase of a publically owned airport.
- Advising a big German remediation company on its political and communications strategy about a tragic accident on a former open-cast coal mine that had been converted into a lake.
- Advising an international software company on its relations with German political decision makers by organising a series of events at our Berlin office.
- Advising a leading US cable company on critical public and political communication regarding their acquisition of two large German cable operators.
- Advising a major pharmaceutical company on their efforts to address regulatory issues about health insurance policies.

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Our team

Dr Andreas von Bonin

Andreas is a partner in the antitrust, competition and trade (ACT) group, based in the Brussels office. He joined the firm in 1999 as a trainee in Berlin and relocated to Brussels in 2000.

Andreas's practice focuses on European and German competition and regulatory law. He has extensive experience of merger control and joint venture cases, European State aid procedures and antitrust compliance and investigations, as well as competition litigation before the EU courts. His specialisms include EU regulatory law advice with particular experience in the transport and logistics, finance and telecoms and media sectors. Andreas also regularly advises industry associations and individual companies on their dealings with the EU institutions and on the EU legislative process.

Andreas obtained his law degree and doctoral degree in law (Dr., jur.) from the University of Freiburg (Germany) and an LL.M. degree from Columbia University Law School (New York, US). He was admitted to the Cologne and Brussels (E-list) bars in 2001. Andreas works in German, English and French.

Christiaan Smits

Christiaan heads the daily operations of our EU regulatory and public affairs practice in Brussels. In the last 10 years he has co-ordinated various public affairs campaigns, providing strategic advice on the EU institutions and policy-making processes and advocacy on a range of EU issues. He has worked on a broad range of projects across industry sectors including environment, financial services, transport and network industries.

Before joining the firm in August 2009, Christiaan was Manager EU Affairs at American International Group, a financial conglomerate comprising companies in the areas of insurance, banking, investment and aircraft leasing. Before that he ran the Institutional Relations department at CEA, the EU federation for the insurance industry, where he guided EU advocacy through an industry network across Europe.

Christiaan graduated from the University of Twente, the Netherlands, with an MA in Public Policy and Public Administration, specialising in political and legal aspects of EU legislation. Christiaan speaks English, Dutch and French.

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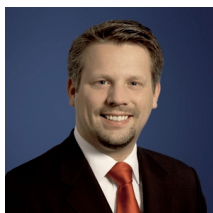
Claire Darmon

Claire is the deputy head of the EU regulatory and public affairs practice in Brussels. She joined Freshfields as regulatory public affairs consultant in April 2009. Before joining the firm, Claire worked as a public affairs consultant at Weber Shandwick, a leading Brussels-based public affairs consulting firm. Before that, she worked with Ernst & Young's EU department.

Claire advises clients of the practice on EU regulatory changes, principally in the areas of health and consumer protection, transport, copyrights, energy and environment. She has implemented and co-ordinated various public affairs campaigns, while providing strategic advice to clients on the EU institutions and policy-making processes.

Claire holds a master's degree in European Affairs and a double law degree from King's College in London and the Sorbonne in Paris. She speaks French, English, Spanish and some Italian.

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Lutz Reulecke

Lutz heads the Berlin practice. He studied law at the University of Bonn and worked as a member of the parliamentary staff at the Lower House of the German parliament with a special focus on media regulation. He was responsible for the Bundestag committee on 'new media – internet' and advised and supported Hans-Joachim Otto, the Federal Democracy Party spokesman for media politics, now Secretary of State in the Federal Ministry of Economics. He has also advised MPs of the Bundestag Enquete-committee 'The future of the media in the economy and society – Germany's development into an information-society'. Lutz has spent traineeships at KirchGruppe, the US Congress and Microsoft Deutschland. He published the *Handbuch des deutschen Lobbyisten* (*Handbook of the German Lobbyist*), which is now in its second edition.

Our knowledge management team

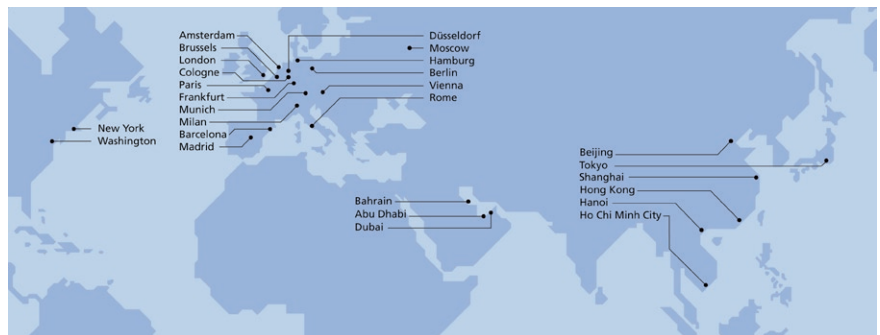
Our information management team in Brussels consists of professional support lawyers, information officers, paralegals and librarians. The team has broad experience in monitoring EU regulatory, competition and trade law developments. It is supported by the latest technologies to keep the public affairs team up to date with all relevant EU developments.

Our product regulation unit

Through an established network of local lawyers in over 120 countries, our product regulation unit in London monitors and advises on the challenges faced by multinational businesses in managing risks created by disparate regulatory regimes. The unit provides a means of understanding and managing these risks across a vast range of policy areas and jurisdictions worldwide.

Freshfields Bruckhaus Deringer

Freshfields Bruckhaus Deringer is a truly international business law firm. With more than 2,500 lawyers and 27 offices in 15 countries, we can provide our clients with a full range of business legal services in the world's major economies. In each country in which we have established an office, we seek to be recognised as a premier local law firm with global capabilities. We believe that our collaborative culture and our insistence on quality enable us to co-ordinate advice on the laws of the major financial jurisdictions and to do so pragmatically, efficiently and economically.



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