

# Attorney Client Privilege after Akzo Nobel

Discussion of Legal Arguments  
What's next?

# Akzo Nobel Judgment- Legal Arguments

- Interpretation of AM&S judgment
  - re. the independence criteria for legal privilege
  - breach of principle of equality
- Evolution of national and EU legal systems
- Right of defense
- Principle of legal certainty
- Violation of the principle of national procedural autonomy
- Principle of the conferred powers

## Ways to go forward

- Be aware of the scope of the ECJ judgment
- Live with it, why bother, not secrets!!
- Adjust role, tasks and status of In-house Counsel
- Influence and develop legislative environment
- Guidance in the interim