

Brussels: launched

Brussels is one of the few cities where “international law” – in the form of European law – is practised daily in private firms and international institutions. Not a hub for “big deals” or M&A, Brussels nevertheless offers a great diversity of legal work. Australian lawyer **Anne MacGregor** of Linklaters & Alliance describes her experience working in the capital of Europe

I arrived in Brussels in October 1993. Two months later, snow drifts brought the grey Belgian capital to a standstill for about 24 hours during one of the coldest winters the country has experienced.

But I was bright-eyed and bushy-tailed. I'd managed to convince an unsuspecting official in the European Commission's Directorate-General for Trade to take me on for five months as an unpaid trainee. I'd been studying for a Masters in Hamburg, and after two years of doing almost nothing but trade and EC law, Brussels seemed the logical next step.

Without European citizenship, and just an Australian passport, it was an uphill battle. But throughout the application process, I had hung on to the idea that the Commission always took some non-EU nationals as trainees. Afterwards, the Traineeship Office told me they had searched their records, which went back 15 years, and I was the first Australian trainee in the Commission that they knew of. That was how my career in Brussels began.

After the traineeship, I landed a job as the sole lawyer in the Brussels office of a German law firm from Freiburg. While there, I got myself over to London to sit the Law Society's Transfer Test and to be admitted as an English solicitor. That has smoothed my way ever since because I can practise as an EU-admitted lawyer in Brussels, and have rights of audience before the European Court of Justice in Luxembourg.

Citizenship and work permits are stumbling blocks for many Australians wanting jobs in Brussels. In the area of visa and immigration law, the EU member states still maintain most of their individual competencies. To take on a non-EU national as an employee, an employer has to obtain a work permit from the Belgian authorities. The process normally takes at least three months, but can take up to six months from when the application is filed. The paperwork required includes x-rays from the candidate, police clearance certificates, references, academic documentation and more. Usually, a specialist Belgian employment lawyer is needed to get the application through the relevant ministry.

Even when an initial permit is granted, it is valid for only 12 months, after which it has to be renewed. Furthermore, the permit relates to a particular employer, and if the holder changes jobs within Brussels, the new employer has to go through the same procedure again. After five years, a more flexible work permit, specific to the non-EU national and of unlimited duration, becomes available. The accompanying residency permit, issued by the local town hall, is always only valid for the duration of the work permit currently held.

In 1996, I joined the Brussels office of the major German law firm Deringer Tessin Herrmann & Sedemund, which had been looking for a native English-speaking lawyer

hing pad for a Euro legal career

with a German LL.M. and some Brussels experience. At Deringer, I began to understand what practising EC law in Brussels with an international law firm was all about. The bulk of the work was competition-related. A great deal of it concerned notifications to the European Commission for the regulatory clearance of mergers and joint ventures under the European Merger Control Regulation.

I also built up a practice specialising in giving EU regulatory advice to an international

in a country area and commute in to the city in under an hour.

Belgium does, however, have high taxes and high compulsory social security contributions. You can expect to lose around 55% of your gross wage on the income normally enjoyed by large firm lawyers.

Another disadvantage is that, at the moment, there is no bilateral social security agreement between Belgium and Australia. If an Australian has worked in Belgium and

you a foot in the door somewhere.

Some employers will want you, but might not be prepared to get you a work permit and so they might offer you a job, albeit illegally. Any experience in Brussels will help you move up the career ladder for your next job, and it is certainly much easier to be “in the right place at the right time” if you are already in town. An Australian legal education will stand you in good stead in Brussels, and, as in London, Australians who have worked

particularly those with Flemish as their first language.

Most of the key EU institutions, including the European Commission, the European Parliament, the Council of Ministers, the Economic and Social Committee and the Committee of the Regions are in Brussels. There are also hundreds of diplomatic missions, trade associations, chambers of commerce, regional representations from EU countries and a plethora of EU hangers-on.

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food company. All the relevant legislation for the company’s European business was in the form of European Directives, implemented in national laws in EU member states. And we did a fair smattering of international trade work: anti-dumping cases and advising a Latin American government in negotiating a free trade agreement with the EU.

Earlier this year – after a stint in Washington DC, and with the New York Bar exam behind me – I returned to Brussels to work in the German group of Linklaters & Alliance’s EU and competition practice. While in the United States, I realised how “Europeanised” I’d become and how much I enjoyed being in the EU legal environment. Eleven years after leaving Australia – originally for one year – I don’t see myself moving again in the short to medium term.

Salaries in Brussels for international lawyers (versus those practising only Belgian law) now compare favourably to London and New York, while the cost of living and housing is lower than in many other world cities. Brussels has only one million inhabitants, and so it is quite possible to live

contributed for years to the Belgian social security system but then wants to return home to retire, Belgian law does not allow them to collect their Belgian pension in Australia.

Both the Belgian and Australian governments, however, now appear to be moving towards opening negotiations on a bilateral agreement later this year. This development was prompted in large part by the advocacy work of the Southern Cross Group, an international non-profit lobbying organisation for Australians overseas, started in Brussels by some expatriates a few years ago. (More information on the group is available at www.southern-cross-group.org).

Lawyers with just an Australian passport – and even those with EU-relevant experience and skills, such as a competition law background or one or two European languages – need to understand that a job in Brussels will not fall into their lap. To have a career there you have to be persistent, and realise when you start out that the first job you get might not be exactly what you want. But working as a trainee or a paralegal might get

there over the years have acquitted themselves well and are highly thought of.

New York and Sydney are certainly culturally diverse, but walk along a crowded Brussels street and you’ll hear people speaking the EU’s eleven official languages – and more. Belgium boasts three official languages (French, German and Flemish) while Brussels itself is officially bilingual (French and Flemish). English is widely spoken and understood by the locals,

Should all this make you want to get out, London is under three hours away by train (via the Channel Tunnel), while Paris is less than two hours’ journey.

Is Brussels worth the effort? Undoubtedly. But getting started for Australian lawyers is often, unfortunately, even harder than resisting the temptation to keep eating those famous Belgian pralines.

At any one time there are only a handful of Australian lawyers working in Brussels...

Peter Alexiadis from Sydney is probably the longest-serving Brussels-based Australian lawyer. Now a partner with the US firm Squire Sanders & Dempsey, he gave up a lecturing position at the University of Sydney and went to Brussels in 1989 for what he thought would be a one- or two-year stint with Coudert Brothers. Thirteen years later, having developed a specialist communications regulation practice, he has no immediate plans to return to Australia. Alexiadis says if he had stayed in Sydney, he would not have had the career opportunities in competition law that he has enjoyed in Brussels. The European market for anti-trust is simply so much bigger than that in Australia, he adds.

Fiona Lawrence, who spent two years at the ACCC in Canberra and then three and a half years doing anti-trust with Minters in Sydney, recently joined Freshfields Bruckhaus Deringer in Brussels. Lawrence’s second (British) passport allowed her to move to Brussels without having to wait for a work permit, and as a German speaker, she was an attractive candidate for an Anglo-German firm. She likes having an office three times the size of her Sydney office and the fact that the working day starts at 9.15am or 9.30am, but misses the harbour view and sunshine.

Miranda Cole, a senior associate at Squire Sanders & Dempsey, moved to London several years ago to do an LL.M. After two and a half years with the firm in London, she went to Brussels to work on a deal and found it made sense to stay. Cole now expects to be there for the foreseeable future, and says that compared to London, life in the smaller city is a lot simpler – and she enjoys not being in an “Anglo” environment.

Ellie Palmer, a law student from the University of Adelaide who is fluent in French, is currently working as the co-ordinator for the Southern Cross Group in Brussels, learning at the same time about how the EU works. After graduating in Australia two years down the track, Palmer says she would seriously consider coming back to pursue a career in Brussels because she finds the environment highly stimulating. Probably no other international legal environment in the world offers work on matters with such a broad range of trans-national implications.

travel survival kit

Is a European language (other than English) absolutely essential? No, but it definitely gives you more opportunities professionally, and a knowledge of French and/or Flemish will certainly help you feel more comfortable living in Brussels. You can get by quite well with just English, but remember that almost everyone working as a lawyer in Brussels speaks two languages – if not three or four. Your job application will not stand out for potential employers if you are monolingual, and need a work permit to boot because you don’t have an EU passport. There is no doubt that without German (which I studied at university), I would never have been able to pursue the career I have had so far.

Does an EU passport help? Undoubtedly. Australian-born lawyers with a second, EU citizenship by descent through a parent, or naturalised Australians with an original EU citizenship definitely have the advantage. Furthermore, only those with an EU passport are eligible to hold permanent positions in the European institutions, so a career as a Eurocrat is out of the question for most Australians.