persons and arrangements; and
• facilitate international cooperation.
The Directive criminalises:
• travelling for terrorist purposes, both
within and outside the EU, to counter the
phenomenon of foreign terrorist fighters;
• the funding, organisation and facilitation of
such travels, including through logistical and
material support, including the provision of
firearms and explosives, shelter, means of
transportation, services, assets and goods;
• receiving training for terrorist purposes.
Law enforcement will be provided with
the possibility to investigate and prosecute
training activities having the potential to lead
to the committing of terrorist offences;
• providing funds used to commit terrorist
offences and offences related to terrorist
groups or terrorist activities.
The Directive also strengthens provisions
criminalising recruitment, training for
terrorist purposes and the spread of terrorist
propaganda, including on the internet.
Terrorist groups have demonstrated advanced
skills in the use of the internet and new
communication technologies to disseminate
propaganda, interact with potential recruits,
share knowledge, plan and coordinate
operations.¹

The Directive also lays out new rules,
complementing the Directive on rights for
victims from 2012 (Directive 2012/29/EU),
to ensure that victims of terrorism receive
immediate access to professional support
services providing for physical and psycho-social
treatments as well as immediate information on
their rights, independently of where they live in
the European Union.

Note
¹ On 16-17 December 2015, in New York, the United Nations
Security Council Counter-Terrorism Committee held a
special meeting on preventing terrorists from exploiting the
internet and social media to recruit terrorists and incite
terrorist acts, while respecting human rights and
fundamental freedoms. This meeting was complemented by
United Nations Counter-Terrorism Committee Executive
Directorate-organised thematic sessions.

The constant development of the internet
and new technology progressively
and relentlessly changes the world in
which we live, communicate, do business and
exercise our citizen rights. And as difficult
as it might sometimes be, the legislator
enthusiastically endeavours to keep up with
the pace of the digital reality. A recent and
vivid example of an attempt to adapt the
online world to the administrative reality,
existing within the physical one, is the
European Regulation (EU) No 910/2014 on
electronic identification and trust services for
electronic transactions within the internal market,
repealing Directive 1999/93/EC² (‘the
Regulation’).

The Regulation addresses the need
for establishment of valid, legitimate and
mutually recognised means for electronic
identification and for the introduction of
workable certification services, and thus
reaches new heights in the pursuit of building
up trust amongst stakeholders within the
internet environment. Stepping on previous
European legislation, such as the E-Signatures
Directive,² the Regulation is designed to
further remedy the fragmentation of the
European digital market by introducing rules
directly applicable within the whole European
Union and by creating appropriate conditions
for the mutual recognition of key enablers
such as electronic identification, electronic
Pursuant to the Regulation, trust service providers may be ‘qualified’ and ‘non-qualified’. Despite the difference between them, both qualified and non-qualified trust service providers may be held liable for damages caused intentionally or negligently to customers - natural or legal persons, due to a failure to comply with the obligations under the Regulation, unless customers have been duly informed of the limitations of the respective trust service. In addition, both qualified and non-qualified trust service providers are bound by the requirement to take the appropriate technical and organisational measures to manage the risks that the provision of trust services implies. Further to the general rules, applicable to both qualified and non-qualified service providers, the Regulation provides qualified trust service providers with additional rights and obligations which are deemed to further increase the transparency of the market. On the one hand, a noteworthy advantage which qualified service providers may benefit from is the possibility to use the EU trust mark to indicate in a simple and recognisable way the service they provide. On the other hand, qualified service providers are subject to a set of additional requirements pertaining to the use of verification means for the purposes of issuing qualified certificates for trust services to natural or legal persons, the information obligation in case of change of the provision of qualified services, the personnel, the liability for damages, the technical security and reliability, and the trustworthiness of the data storage systems.

In addition to the general framework on the qualified and non-qualified trust service providers and on their activities, the Regulation further develops rules regarding each of the introduced trust services. In general, these rules substantiate the need to ensure that electronic trust services are recognised with the same legal effect as their tangible analogues, and are not denied legal effect and admissibility as evidence in legal proceedings only because of their electronic form.

Finally, it is noteworthy that the Regulation’s added value and contribution to the development of the European digital single market may be appreciated not only through the legal innovations it brings in substance to the EU legal framework but also through its methodological and procedural approach with regard to the adoption, enforcement and application of its rules.
To BD or not to be

Business development (BD) is an integral part of the lawyers’ daily work and embedded into law firm culture in many ways. In the current market, characterised by intense competition amongst firms and more demanding clients, a structured approach for the right kind of work with the right type of clients is essential for economic success. The market for legal services is as diverse as are the various service providers – small, medium, large law firms, alternative legal service providers – there is no ‘one size fits all’ approach for business development. Only one element trumps everything and all players in the legal market share this, which is the need of clients for premium legal services at the best combination of price, speed and quality. The question is not to engage in business development but to do it in a planned, organised and strategic manner.

In order to utilise business development to its full potential we are making the distinction between business development as a function and as a process.

BD as a function

Each lawyer has made inroads into business development – even a regular chat with a client is a business development exercise. So each lawyer is acting in a functional sense as he/she is likewise in a human resources, financial or IT function. The integration of this function within a law firm is dependent on the structure of the law firm, for example by size, geography or market position. Sometimes lawyers do feel overwhelmed with the complexity of the task at hand due to the education focus on delivering premium law advice. To be sure, there is a lot of natural talent for business development in the lawyers’ community but some do have difficulties adapting to a business development mindset. It is therefore very important to understand that business development is as crucial for the success of a law firm as delivering premium law advice.

In addition, lawyers do always work under time constraints with even tighter daily schedules, so when time is invested in business development it should be done...