

LAWYERS ARE RESPONSIBLE

29 November 2024

A&O Shearman, London

Dear Mr Khalid Garousha and Mr Adam Hakki, Co- Chairs of the Executive Committee/Board,
and Mr Hervé Ekué, Managing Partner,

A&O Shearman's responsibility to withhold its legal services in relation to projects to extract fossil fuels

We write on behalf of *Lawyers Are Responsible*. We write further to our letters to A&O Shearman (then Allen & Overy) on 15 May 2023 and 18 July 2023. We note that you still have not responded to our letters.

We are unable to provide sufficient context in this short letter as to the developments in climate science in the time that has elapsed since our last communication with your firm, given the science is developing rapidly week-by-week during this dangerous phase of the climate and ecological emergency. However, we have sought to draw your attention to some salient points, which could not have escaped your notice.

On 7 November 2024, the EU's Copernicus Climate Change Service (C3S) reported global temperatures for the past 12 months were 1.62C greater than the 1850-1900 average. You will no doubt know that the reason global governments agreed an obligation upon States in the Paris Agreement to pursue efforts "to limit the temperature increase to 1.5C above pre-industrial levels" was due to the clear and compelling science on the dangerous effects of global temperatures exceeding this level which pose risks to human, animal and plant health, the maintenance of stable human civilisation and, perhaps most pertinently for members of a regulated profession such as the lawyers at A&O Shearman, the Rule of Law.

These dangerous effects are already being felt around the globe. UNICEF reported in August 2024 that 1 in 5 children - almost half a billion - were living in areas experiencing at least double the number of extremely hot days as their grandparents 60 years ago. Warmer temperatures have led to ocean heating and temperature anomalies: the C3S reported that global sea surface temperatures reached a record high in February 2024.

Warmer waters and air temperatures have been experienced by us as extreme rainfall and weather events: 61% of all global land during the period 1994-2023 had an increase in extreme rainfall compared with 1961-1990, according to data from the 2024 report of the Lancet Countdown. We have seen with our own eyes this year the extreme weather events in the USA with Hurricanes Helene and Milton, the DANA floods that destroyed parts of Valencia and no less than six typhoons which have made landfall in the Philippines in the past month.

Evidently for the Partnership of a global law firm, as competent stewards of its past and future intellectual capital, you are not only on constructive notice of the risks of the climate crisis but you will be acting upon them, both in terms of deciding which clients and matters you take on, but also in the advice that you dispense. In light of the evidence from the science, you will doubtless be rapidly transitioning your Energy practice away from work on fossil fuel projects.

We enclose a Counsel's Opinion on the legal protections afforded to lawyers who become conscientious objectors and refuse to carry out fossil fuel work, to whistleblow (including on client confidential data) and to participate in peaceful protest.

We suggest you study it carefully. If the Partnership of A&O Shearman will not show leadership in desisting from work on fossil fuel projects, then we may expect that your own staff will do so imminently.

Yours faithfully,



LAWYERS ARE RESPONSIBLE (LAR)

- Enc. **1. LAR's Position Statement following Counsel's Opinion**
2. LAR's Executive Summary of Counsel's Opinion
3. Counsel's Opinion on the Right of Conscientious Objection at Work
4. Worked Scenarios based on Counsel's Opinion