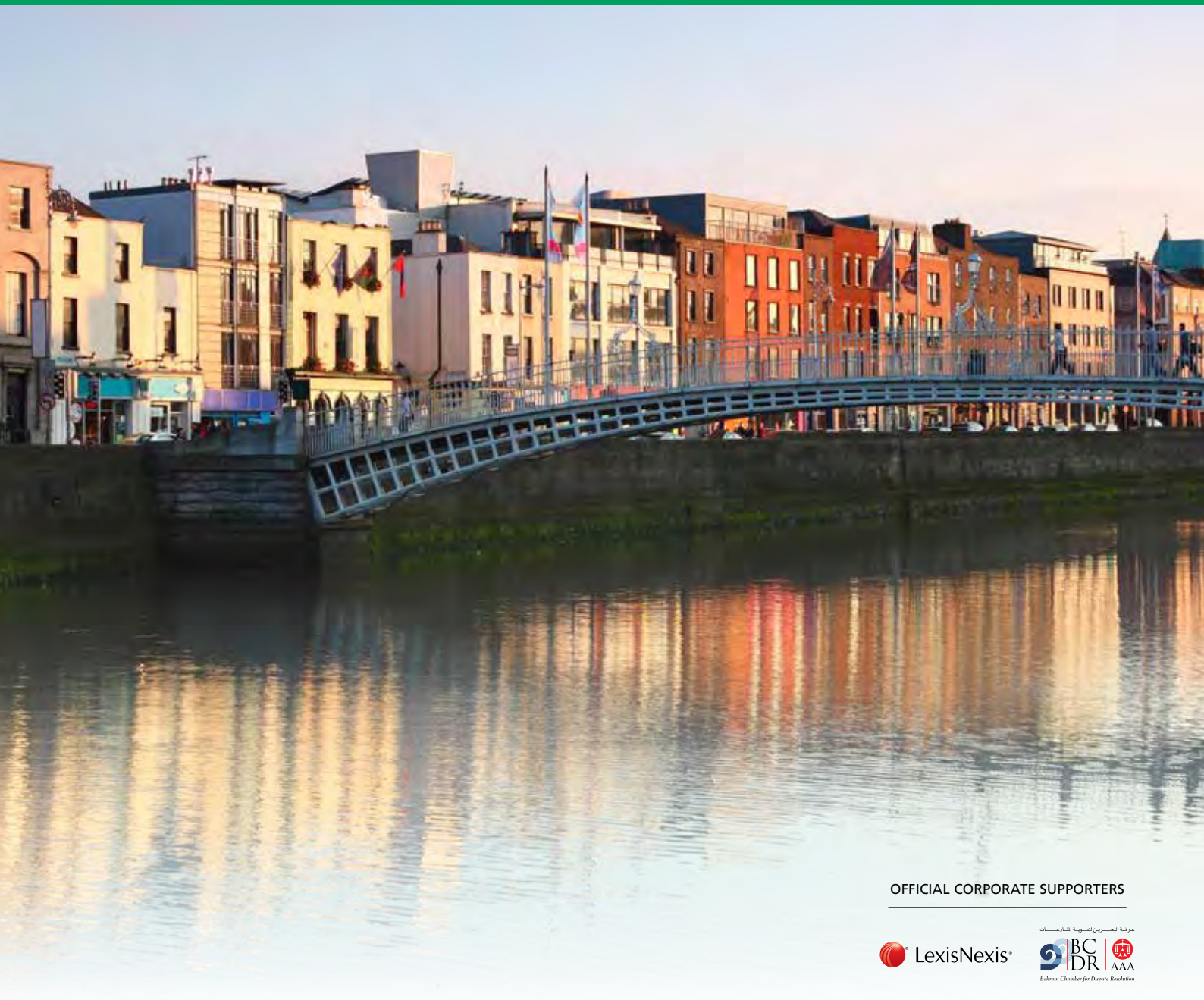


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## IBA STAFF

In addition to the Association's senior officers, many staff from the IBA offices will be attending the conference and would be happy to talk to delegates about any aspect of the Association's work.

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*Deputy Executive Director*

**Tim Hughes**

*Head of Legal Practice Division*

**Ronnie Hart**

*Head of Public and Professional Interest Division*

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# INTRODUCTION BY THE PRESIDENT OF THE INTERNATIONAL BAR ASSOCIATION



Welcome to the International Bar Association's Annual Conference in Dublin. The city has a great deal of history to explore, fabulous culture and folklore and for those taking in more of Ireland, amazing landscapes to enjoy. You can be sure of a very warm welcome in this city and a wide-ranging conference programme tackling the key issues of our profession today.

In a year where we celebrate our 65th Anniversary I am proud to look back at the roots of our Association and see that today, we continue to uphold the purpose for which we were formed. I quote to you from the minutes of the inaugural meeting of the IBA held in New York in 1947:

'What we will be able to accomplish will depend upon the loyalty and the faithfulness of persons like yourselves who have made this meeting possible. Lawyers are looked upon by the peoples of the world as their leaders, and by contributing ourselves, our time, we can undertake to accomplish the things that they hold dear, such as for instance the improvement of the administration of justice under the law. By devoting ourselves to the principles and aims of the United Nations we can make a real contribution to world peace and neighbourliness. These are high objectives which we have set out for ourselves'.

High objectives indeed, but looking at the extraordinary work carried out today across 73 committees covering every area of law I believe that those who attended that first meeting would be proud of what the IBA has achieved. And we want to do more. My number one priority as President has been to urge lawyers to focus their expertise on how we can help and support the many thousands of people worldwide affected by the severe economic crisis that began four years ago. As such, I set up an IBA Task Force that looks at 'Challenges for the Legal Profession post GFC'. This Task Force is bringing you a series of 'President Priority Sessions' during the week that tackles these challenges and provides recommendations for how we, as lawyers, can contribute to the sustainable development of the world economy, alleviate poverty and improve the prosperity of people through legal reform and justice. I urge you to attend in particular, the PPID Showcase 'Lawyers Against Poverty' to hear Nobel Peace Prize winner Professor Muhammad Yunus speak. All the President Priority Sessions are highlighted in the programme.

In closing, I hope your experience here will inspire you to get involved in our work during the rest of the year. Please feel free to talk to me, other IBA Officers or members of staff, to let us know of your interest so that we may keep in touch with you after the conference.

With warm regards for a wonderful week.

A handwritten signature in black ink, appearing to read 'Akira Kawamura'. The signature is fluid and cursive, with a large initial 'A'.

Akira Kawamura  
President

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# MESSAGE FROM THE CHAIR OF THE LEGAL PRACTICE DIVISION



## About the Legal Practice Division (LPD)

The LPD comprises more than 50 committees and fora, listed on pages 21–27 of this programme, which cover all specialist areas of substantive legal practice as well as focusing on regional matters and the interests of corporate counsel. LPD committees are grouped into 16 sections with common interests.

To make heard the global voice of the legal profession, committees of the LPD regularly submit comments on pending legislation and regulation schemes and reforms all over the world, affecting many different practice areas. Working groups monitor activity by key regulators and identify opportunities for comment, particularly where there is potential international or cross-border impact, or where a new scheme is being piloted. They also work together with various intergovernmental world organisations to contribute the legal profession's viewpoint.

Committees also work together on projects to benefit their practitioners: guidelines for best practice, model rules and checklists, training proposals and databases to collate and share information. Many sections and committees hold specialist conferences throughout the year, and produce publications for their members.

More information on the Legal Practice Division is available at [www.ibanet.org/Committees/Divisions/Legal\\_Practice/home.aspx](http://www.ibanet.org/Committees/Divisions/Legal_Practice/home.aspx)

I am delighted to welcome you to Dublin for the IBA's 2012 Annual Conference.

Once again, the Legal Practice Division (LPD) has put together an impressive range of sessions addressing the cutting edge issues faced by international practitioners in the current global economic environment. In addition to covering 'hot topics' in virtually all specific areas of practice, our Regional Fora and committees will be addressing the broad spectrum of issues raised by developments in investment and trading activities in emerging economies, regional and bilateral agreements, and what they mean for the clients we advise. Continuing economic integration and globalisation are creating the need for a global mobile workforce and fundamentally changing employment relationships. We will have sessions addressing the legal, regulatory and policy issues that will need to be navigated in this environment. Our sessions will also focus on governmental and regulatory responses to the impact on our environment and sustainable development posed by global industrialisation and population growth. We will also continue to address the issues in the pervasive use of social media and the fast adoption of new communication devices and channels, and, looking ahead, how the law may need to evolve to adapt to this environment.

And of course, we will address the continuing and far reaching impact of the prolonged global economic downturn on businesses and sovereign entities. Consistent with this theme, the LPD, with our European Regional Forum, will present its Showcase session on Tuesday morning titled 'The euro area crisis – thinking the unthinkable' where we will address the crises in the euro area that have exposed the European and national legal systems to issues not considered before. Leading regulators, financiers and lawyers will provide insight into the difficult discussions looking for solutions.

In addition to our sessions, we will have a special lecture on Friday by Mary Robinson in memoriam of George Seward, the first President of what is now the Legal Practice Division. Mrs Robinson, the first woman President of Ireland and formerly the United Nations High Commissioner for Human Rights, is the current chair of the Council of Women World Leaders and is the President of the Mary Robinson Foundation – Climate Justice.

Alongside these hardworking days, I hope that you will spend some time enjoying our very special programme of social events which feature the cultural best Dublin has to offer, including the spectacular opening and closing parties.

The IBA Annual Conference is a special opportunity each year for international practitioners in every field to bring together expertise, share perspectives and help shape the way we solve the issues facing us. It is also a special opportunity to enjoy the pleasure of reconnecting with old friends and making new ones.

A handwritten signature in black ink that reads "S. Khatcherian".

Sylvia Khatcherian  
Chair, Legal Practice Division

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# MESSAGE FROM THE CHAIR OF THE PUBLIC AND PROFESSIONAL INTEREST DIVISION



## About the Public and Professional Interest Division (PPID)

The PPID contains 18 committees and other entities, including the IBA Human Rights Institute and the Bar Issues Commission, which are listed on pages 27–29 of this programme. Between them they present a wide range of member bodies, providing resources and activities focused on professional and public interest work.

The PPID's objectives are to promote an interchange of information and views among Member Organisations of the Association and its individual members about the public and professional interests of the legal profession throughout the world; and to support and promote those activities, the rule of law and the defence of human rights.

Areas in which the PPID Committees, Fora and Other Entities have been particularly active in recent times are anti-money laundering, anti-corruption, pro bono and access to justice, and increasing the IBA's connection with intergovernmental world organisations.

More information on the Public and Professional Interest Division is available at [www.ibanet.org/Committees/Divisions/Public\\_Professional\\_Interest\\_Div/home.aspx](http://www.ibanet.org/Committees/Divisions/Public_Professional_Interest_Div/home.aspx)

I am so pleased that you have joined us here in Dublin, a wonderfully vibrant cultural centre which provides a perfect setting for our week together.

The Public and Professional Interest Division (PPID) once again promises to give you access to the latest expertise and debate on issues integral to the legal profession and also on broader issues affecting society at large, having prepared excellent sessions that focus on topics such as legal education, anti-corruption, corporate social responsibility, judicial independence, and the changing nature of law firm management among many others.

The diversity of these sessions is typical of the PPID which zeroes in on the issues that are at the heart of the profession for every lawyer regardless of experience, specialism and geography. This is particularly exemplified through the inclusion of other issue areas such as the rule of law and professional ethics as well as particular interest groups such as young lawyers, senior lawyers, judges and women lawyers under the auspices of the PPID.

Our showcase session this year will focus on how the legal profession can be a worldwide driver and facilitator of the very difficult social, economic, and political changes that are needed, in every country in the world, to eliminate the terrible consequences of poverty: ignorance, disease, economic exploitation of the poor, and inaccessibility to basic human and civil rights. These changes – and the response of international organisations like the IBA – are even more challenging because the best way forward in each country is shaped by local customs, socio-economic forces, political environments, and tradition.

Another exciting feature this year is the identification of 'President Priority Sessions' connected to the culmination of the second phase of the Presidential Task Force on the Global Financial Crisis. These sessions include not only the PPID Showcase, but also a variety of other related sessions taking place throughout the week. You can read more about these sessions and the Task Force on page 15.

I am sure that you will take full advantage of the opportunities offered to you at this year's Annual Conference and I very much look forward to seeing you in Dublin.

A handwritten signature in black ink that reads "Peter D. Maynard".

**Peter D Maynard**  
*Chair, Public and Professional Interest Division*

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# MESSAGE FROM THE CHAIR OF THE BAR ISSUES COMMISSION



## About the Bar Issues Commission (BIC)

The Bar Issues Commission (BIC), established in 2004, is the forum for the IBA's Member Organisations which each appoint members such as their President to take part in BIC activities. Individual members can also join the BIC and take part in its activities which comprise the Annual Bar Leaders Conference in May each year, sessions at the Annual Conference and, through a policy committee, the undertaking of projects that concern bar associations and law societies such as complaints procedures, regulation, codes of conduct and other guidelines that provide a benchmark for international standards worldwide. The BIC also has a working committee on International Trade in Legal Services following regulatory changes as pursued by the World Trade Organization, which provides useful information and training sessions for bar associations on how the General Agreement on Trade in Legal Services affects their jurisdiction.

More information on the Bar Issues Commission can be found at [www.ibanet.org/barassociations/bar\\_associations\\_home.aspx](http://www.ibanet.org/barassociations/bar_associations_home.aspx)

As Chair of the Bar Issues Commission, I'm delighted to share a few words. The Bar Issues Commission supports the interests of the IBA's Member Organisations and the 202 bar associations and law societies representing more than 126 jurisdictions around the world. In addition to organising programmes and conferences that address the issues facing our profession, through the Commission's Policy Committee, we grapple with the thorny matters that are best addressed by an international body representing lawyers globally. We are especially proud of our most recent work, 'IBA General Principles for the Legal Profession', and the document's accompanying Commentary. Many other exciting projects are currently under way, including guidelines for bar associations and law societies on anti-corruption measures for the legal profession, and the creation of an IBA website on the legal profession's core values.

In Dublin, I invite you to participate in the Bar Issues Commission's thought-provoking programmes. The programmes promise to be controversial, touching some of the legal profession's current hot buttons. Sessions will explore the public perception of lawyers, examine what actually constitutes legal services and minimum legal training requirements and consider alternative business structures for legal practices.

In addition to these substantive and thought-provoking sessions, an Open Policy Committee breakfast meeting will provide an update on current Bar Issues Commission projects and an opportunity for Member Organisations to recommend projects that we can initiate in the future.

I look forward to meeting as many of you as I can. Your guidance and feedback is critical to the Bar Issues Commission's success.

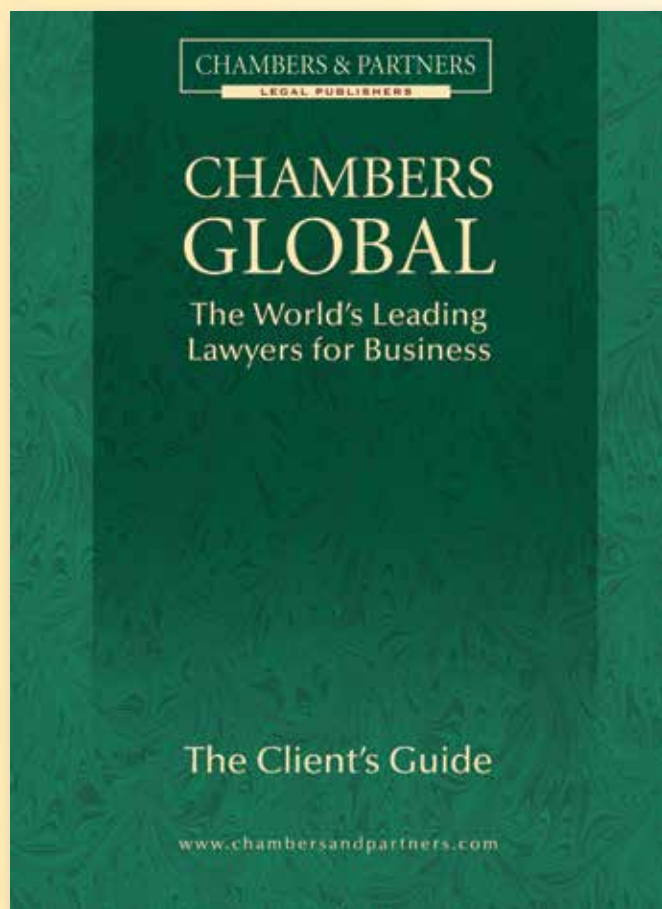
Regards,

A handwritten signature in black ink, appearing to read 'James M Klotz', with a horizontal line extending to the right.

**James M Klotz**  
*Chair, Bar Issues Commission*

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# MESSAGE FROM THE CO-CHAIRS OF THE INTERNATIONAL BAR ASSOCIATION'S HUMAN RIGHTS INSTITUTE



## About the International Bar Association's Human Rights Institute (IBAHRI)

Established in 1995, the IBAHRI works to promote, enforce and protect human rights under a just rule of law. The IBAHRI believes that the independence of the judiciary is one of the cornerstones of the rule of law and works to protect the right of judges and lawyers to be able to practise freely and without undue interference.

The IBAHRI undertakes a variety of projects to build capacity, lobby for change and highlight issues of international concern to the public, the media and the legal community. The IBAHRI also leads the way in human rights training for judges, prosecutors, public defenders and lawyers. For more information, visit:

[www.ibanet.org/IBAHRI.aspx](http://www.ibanet.org/IBAHRI.aspx).

The IBAHRI's work is conducted thanks to grants and donations, and relies largely on individuals who become members by contributing just £40 a year. To find out more about becoming a member or supporting a project, visit: [www.ibanet.org/IBAHRI.aspx](http://www.ibanet.org/IBAHRI.aspx), or email [hri@int-bar.org](mailto:hri@int-bar.org).

The International Bar Association's Human Rights Institute (IBAHRI) is pleased to welcome you to Dublin for another successful IBA Annual Conference! As has been done in the past, the IBAHRI will host a variety of keynote and topical sessions relating to human rights and the global legal profession.

This year's IBAHRI Showcase 'Peace after Terror: rules or reconciliation?' discusses the law's response to terrorism and whether reconciliation processes are more effective than rules, with expert speakers from both the international and Irish perspective. In addition, the IBAHRI will host a joint session with the Judges' Forum on judicial independence and will co-present a session on same sex marriages and civil unions with the LGBT Subcommittee and the Immigration and Nationality Law Committee – 'The tie that binds: same-sex marriage, civil unions, or just friends? Why the difference matters'.

On the Friday, at the Rule of Law Symposium, we will present the 2012 IBA Human Rights Award, sponsored by LexisNexis, recognising the outstanding achievements of a lawyer making a substantial contribution to the promotion, protection and advancement of human rights.

Dublin will also be host to the second plenary meeting of the IBAHRI Task Force on Illicit Financial Flows, Poverty and Human Rights. This exciting new project convenes well-respected lawyers, leading academics, tax experts and development and human rights authorities, to contribute to an innovative report analysing how illicit financial flows, and specifically the proceeds of corporate tax evasion, impact on poverty and as such are a human rights concern.

The IBAHRI will hold its biennial general meeting in Dublin and we invite you to join us and put to the IBAHRI Officers any questions and suggestions you have relevant to the Institute's work.

We look forward to seeing you in Dublin.

Sternford Moyo  
Co-Chair, IBAHRI

Baroness Helena Kennedy QC  
Co-Chair, IBAHRI



Geraldine Kelly  
**PRESIDENT DSBA**

## **The Dublin Solicitors Bar Association (DSBA) is Pleased to Welcome the IBA to our Home Town**

The DSBA was set up in 1935 by a dedicated and like-minded group of solicitors who identified the need for an association of solicitors to reflect the views of those practising throughout Dublin and to represent their interests.

At that time solicitors throughout Dublin numbered no more than 355 and throughout the country a mere 789 as compared with the four thousand solicitors in Dublin alone today and over eight thousand solicitors throughout the country.

The DSBA has responded to the ever growing demands and needs of Dublin solicitors and has attracted, and continues to attract solicitors from throughout the Leinster region and beyond.

[www.DSBA.ie](http://www.DSBA.ie)

*We hope you enjoy your stay and make the most of our Dublin hospitality*

# THE IBA GLOBAL FINANCIAL CRISIS PROJECT

Our programme in Dublin takes on a very important theme this year. IBA President Akira Kawamura has extended the IBA's Global Financial Crisis (GFC) Project to address his and our profession's profound concerns for the predicament of the poor. Phase Two will assess, and to the extent that it is feasible, propose social and legal reforms that would remediate the hardships encountered in society as a consequence of cataclysmic events such as the GFC.

Given their connection to the work of the Task Force, a series of sessions for this conference have been highlighted as 'President Priority Sessions' and are so noted in the programme and listed below. These sessions will be monitored and their contents summarised for inclusion in a planned book of papers.

Hendrik Haag, former Chair of the Legal Practice Division, led Phase One of the Task Force. It prepared a report to address the deficiencies of systems of financial regulation and offered suggestions for reform.

Now, under the leadership of Dr Peter Maynard, Chair of the Public and Professional Interest Division (PPID), the PPID is carrying out Phase Two. Through a book of papers by noteworthy authors, the Task

Force will examine the role that the law and legal profession can play, and the impact they may have, in confronting the negative social effects of the GFC upon those living in or being driven into poverty.

When economic hardships intensify, those living in poverty suffer immediately and the most. With no buffer to protect them, the poor risk losing what little they have, including shelter and food. The Global Financial Crisis has taken even the most basic work away from the poor and has driven others into poverty. Further disabled by poverty, the poor have no ready means of recovery.

Phase Two will report on wider social and legal problems that have resulted from, or been highlighted by, the GFC. It will look for solutions through suggesting changes that can be made to the legal arrangements and frameworks. The Task Force will aim to define social/legal policy that would serve to improve the circumstances of people's lives and avoid both foreseeable and unforeseen consequences in times of financial crisis.

The following are the President Priority Sessions that will be held over the next five days:

Day	Time	Sponsored by	Title	Location	Page
Monday	0930 – 1230	Public Law Section	Beyond the tipping point: is mankind populating itself into extinction?	Wicklow Meeting Room 3, Level 2	70
Monday	0930 – 1230	Anti-Money Laundering Legislation Implementation Working Group/ Professional Ethics Committee	Should professional ethics regulate money laundering by lawyers?	Liffey Meeting Room 5, Level 1	74
Tuesday	0930 – 1230	Human Rights Law Committee/Indigenous Peoples	The dispossessed: an examination of groups on the edge of society, their rights, legal challenges, successes and failures	Liffey Meeting Room 4, Level 1	90–91
Tuesday	1430 – 1730	Anti-Corruption Committee	2012 global update on anti-corruption legislation and enforcement	Ecocem Room, Level 2	92
Tuesday	1430 – 1730	War Crimes	Pillage: the corporate war crime?	Wicklow Meeting Room 2, Level 2	95
Wednesday	0930 – 1230	Banking Law/Corporate Social Responsibility	CSR, the financial industry and project financing	Conference Room 3, Level 1	101
Wednesday	0930 – 1230	Anti-Corruption Committee	Fair and equitable treatment: the issue of corruption in international investment arbitrations	Liffey Meeting Room 2, Level 1	101–102
Wednesday	1430 – 1730	Human Rights Law Committee	Public and private use of human rights: how can advocacy of human rights best be achieved in both spheres?	Wicklow Meeting Room 3, Level 2	109–110
Wednesday	1430 – 1730	Anti-Corruption Committee	The role of financial institutions in the fight against corruption – can we bank on them?	Ecocem Room, Level 2	113
Thursday	0930 – 1230	African Regional Forum/ Corporate Social Responsibility	CSR in Africa – effective tool or convenient escape?	Ecocem Room, Level 2	115
Thursday	0930 – 1230	PPID/Pro Bono and Access to Justice	PPID Showcase: Lawyers against poverty	Liffey Hall 1, Level 1	57

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# OPENING CEREMONY KEYNOTE SPEAKER – PROFESSOR JOSEPH E STIGLITZ



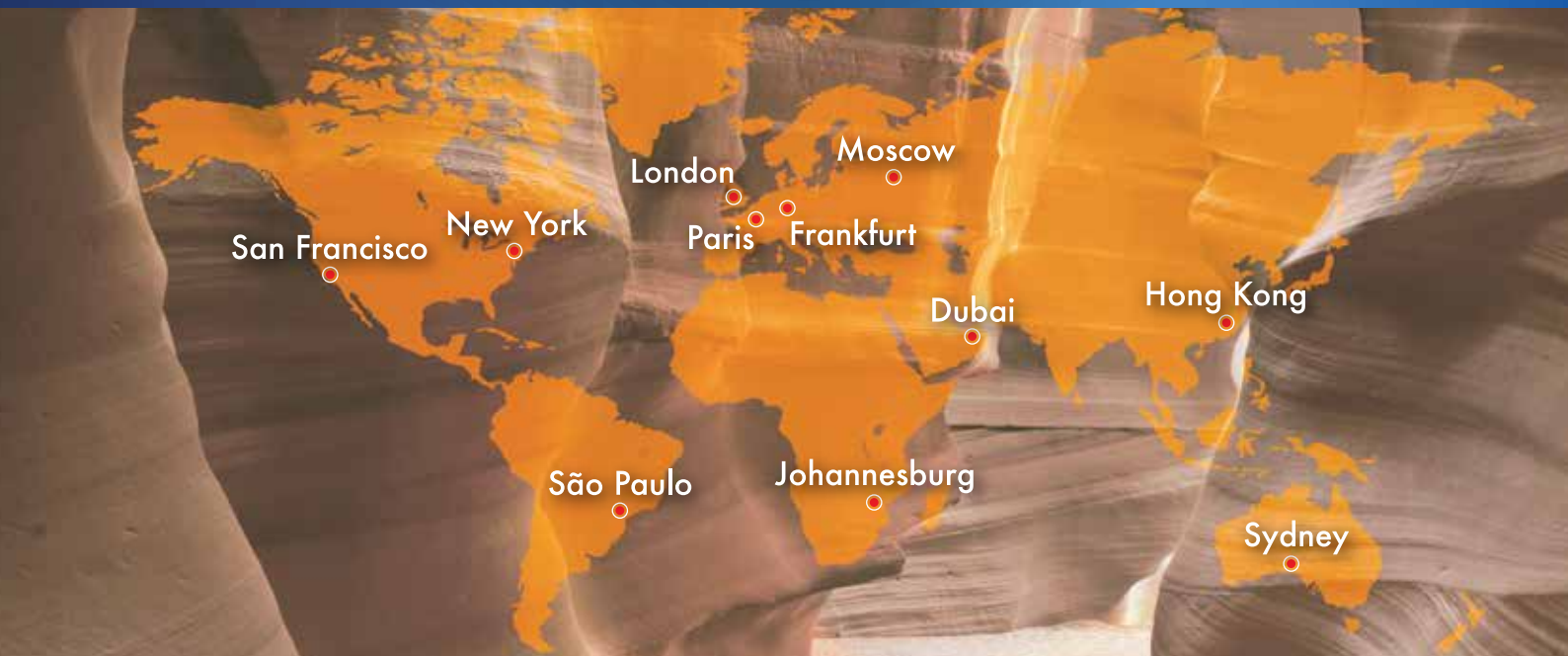
The Nobel Prize in Economics Laureate, **Professor Joseph E Stiglitz**, will be the **opening ceremony keynote speaker** at this year's IBA Annual Conference.

As former Chief Economist and Senior Vice-President of the World Bank between 1997 and 2000, a frequently cited expert and a renowned leading educator in economics, Professor Stiglitz's remarks will provide the audience with the latest thinking on the most salient topics of the day, including the global economy and the sovereign debt crisis.

Professor Stiglitz's work has focused on explaining the circumstances in which markets do not work well, and how selective government intervention can improve their performance. Policy analysts and theorists alike have adopted, as standard tools, the pivotal concepts of adverse selection and moral hazard, pioneered by the new branch of economics which Professor Stiglitz helped to create and which explores the consequences of information asymmetries, 'The Economics of Information'.

Professor Stiglitz is currently University Professor at Columbia University in New York and co-chair of the university's Committee on Global Thought, as well as co-president of the Initiative for Policy Dialogue. He has also taught at MIT (the Massachusetts Institute of Technology), Oxford, Princeton, and Stanford universities. Other prestigious positions held by Professor Stiglitz include: Chairman of the US Council of Economic Advisors (1995–1997); Chair of the Commission on the Measurement of Economic Performance and Social Progress, which released its report in 2009; and by appointment of the President of the United Nations General Assembly, Chair of the Commission of Experts on Reform of the International Financial and Monetary System, which also released its report in 2009.

Mr Stiglitz's extensive curriculum vitae includes major contributions to other fields in macroeconomics and monetary theory, development economics and trade theory, public and corporate finance theory, and also to the theories of industrial and rural organisation, welfare economics and income and wealth distribution.



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# SECTION AND COMMITTEE INFORMATION

## LEGAL PRACTICE DIVISION

### Antitrust and Trade Law Section 32–33

*Council Liaison Officer*

**Ronan Harty** *Davis Polk & Wardwell, New York, USA*

The Antitrust and Trade Law Section is among the largest sections in the Legal Practice Division with over 1,400 members.

#### Antitrust 32

*Co-Chairs*

**Cani Fernández** *Cuatrecasas Gonçalves Pereira, Madrid, Spain*

**Jose Augusto Regazzini** *TozziniFreire Advogados, São Paulo, Brazil*

The Antitrust Committee provides an international forum for the exchange of the most current thinking in the field of antitrust law.

#### Global Forum for Competition and Trade Policy

*Chair*

**Iñigo Igartua** *Gómez-Acebo & Pombo Abogados, Barcelona, Spain*

The Global Forum for Competition and Trade Policy consists of a group of experts representing the key interests of economists, lawyers, academics, practitioners and national and international policy-makers who are committed to expanding the global discussion of the ramifications of competition policy for global trade and investment.

#### Trade and Customs Law 32–33

*Chair*

**Mauro Berenholc** *Pinheiro Neto Advogados, São Paulo, Brazil*

The Trade and Customs Law Committee is a forum for international practitioners, corporate counsel, academics and government officials to convene, exchange ideas and promote discussion of issues across the spectrum of international trade and customs law.

### Corporate Law Section 33

*Council Liaison Officers*

**Jaime Carey** *Carey y Cia, Santiago, Chile; Assistant Treasurer, Legal Practice Division*

**Jon Grouf** *Duane Morris, New York, USA*

The Corporate Law Section has over 3,000 members from around the world.

#### Closely Held and Growing Business Enterprises 33

*Chair*

**Stephanie Denkowicz** *Manatt Phelps & Phillips, New York, USA*

The Closely Held and Growing Business Enterprises Committee addresses issues of ownership, management and financing of startups, owner managed, closely held and family businesses and their legal advisers, and organisations with ambitions for growth.

#### Corporate and M&A Law 33

*Co-Chairs*

**Per Berglöf** *Advokatfirman Delphi, Stockholm, Sweden*

**Alan M Klein** *Simpson Thacher & Bartlett, New York, USA*

The Corporate and M&A Law Committee is the principal committee within the IBA that covers issues relating to mergers and acquisitions. The committee reviews developments relating to corporate governance, privatisations, joint ventures, as well as multinationals, listed corporations, private family companies, partnerships and business trusts.

### Criminal Law Section 33–34

*Council Liaison Officer*

**Almudena Arpón de Mendivil** *Gómez-Acebo & Pombo Abogados, Madrid, Spain; IBA Treasurer; LPD Secretary-Treasurer*

The Criminal Law Section has nearly 650 members from around the world.

#### Business Crime 34

*Co-Chairs*

**Marc Henzelin** *Lalive, Geneva, Switzerland*

**Michael O’Kane** *Peters & Peters, London, England*

The Business Crime Committee’s primary objective is to promote awareness within the business community and among transactional lawyers of the growing significance of legal compliance.

#### Criminal Law 34

*Co-Chairs*

**Dan Conaway** *Conaway & Strickler, New York, USA*

**Saba Naqshbandi** *3 Raymond Buildings, London, England*

The Criminal Law Committee provides a forum for members from many countries and criminal justice systems to meet regularly, communicate, exchange views and monitor developments in substantive and procedural criminal law.

### Dispute Resolution Section 34–36

*Council Liaison Officers*

**Sally Harpole** *Sally Harpole & Co, Hong Kong SAR*

**Guido Santiago Tawil** *M&M Bomchil, Buenos Aires, Argentina*

The Dispute Resolution Section has nearly 4,000 members from around the world.

#### Arbitration 34

*Co-Chairs*

**Mark W Friedman** *Debevoise & Plimpton, New York, USA*

**Alexis Mourre** *Castaldi Mourre & Partners, Paris, France*

The Arbitration Committee focuses on laws, practice and procedures relating to the arbitration of transnational disputes, as well as alternate dispute resolution methods.

**Consumer Litigation****35***Chair***Tara A Archer** *Higgs & Johnson, Nassau, Bahamas*

The aim of the Consumer Litigation Committee is to consider international aspects of liability and the consumer's rights.

**Litigation****35***Co-Chairs***Florian Kremslehner** *Dorda Brugger Jordis Rechtsanwälte, Vienna, Austria***Antonio Bravo** *Eversheds Nicea, Madrid, Spain*

The Litigation Committee focuses on the legal, practical and procedural issues involved in conducting litigation. Differences and developments in individual jurisdictions are compared. The issues arising in international litigation receive particular attention, including issues such as jurisdiction, choice of law and the role of international judicial assistance in dispute resolution.

**Mediation****35***Chair***Babak Barin** *Barin Avocats, Montreal, Quebec, Canada*

The Mediation Committee focuses on laws, practices and procedures relating to the mediation, conciliation and negotiation of transnational disputes, as well as other alternate dispute resolution (ADR) processes.

**Negligence and Damages****35–36***Chair***Paul Emerson** *Lamb Chambers, London, England*

The Negligence and Damages Committee has the objective of providing practical information from a range of jurisdictions to personal injury and other litigation lawyers worldwide.

**Energy, Environment, Natural Resources and Infrastructure Law Section (SEERIL)****36–37***Council Liaison Officer***Arent van Wassenae** *Allen & Overy, Amsterdam, the Netherlands; Chair, Energy, Environment, Natural Resources and Infrastructure Law Section (SEERIL)*

The Section on Energy, Environment, Natural Resources and Infrastructure Law (SEERIL) has a membership of over 2,300 lawyers in private practice, oil and mining companies, international organisations, government and academia. The section coordinates the activities of six committees that aim to advance the development and understanding of the law affecting oil and gas, mining, power, water, international construction projects and environment, health and safety law.

**Environment, Health and Safety Law****36***Chair***Eugene E Smary** *Warner Norcross & Judd, Grand Rapids, Michigan, USA*

The objective of the committee is to promote knowledge and awareness in all areas of environmental, health and safety law and related issues, as well as the interrelationships between them.

**International Construction Projects****36***Co-Chairs***Thomas P Wilson** *Kilpatrick Townsend & Stockton, Dubai, UAE***John Wright** *Goodman Derrick, London, England*

This committee is for lawyers interested in construction law and in exchanging experiences from construction projects around the world. All aspects and types of construction and engineering projects are dealt with, from traditional building and civil engineering contracts to state-of-the-art project finance infrastructure projects.

**Mining Law****36–37***Chair***Luis Carlos Rodrigo Prado** *Rodrigo Elias & Medrano Abogados, Lima, Peru*

The objective of the Mining Law Committee is to promote an interchange of information and views and to advance knowledge among individual members of the section and others as to laws, practices and procedures affecting all activities concerning minerals and mining throughout the world.

**Oil and Gas Law****37***Chair***Jean-André Díaz** *Total, Paris, France*

The Oil and Gas Law Committee focuses on issues such as: exploration and production for all forms of hydrocarbons; onshore and offshore oil and gas; joint operating agreements and other usual contracts used by the industry; financing and insurance; comparative tax regimes; state participation and national oil companies; natural gas transportation and distribution; LNG chain; and hydrocarbons regulatory bodies and agencies.

**Power Law****37***Chair***Juan Francisco MacKenna** *Carey y Cia, Santiago, Chile*

The mission of the Power Law Committee is to provide a forum where energy lawyers with different legal backgrounds from around the world can interact and learn from one another in a setting encouraging collegiality and the friendly exchange of ideas. The committee explores various topics to provide its membership with practical and useful advice to better serve clients, and to offer the opportunity for collaboration, networking and friendships among its members.

**Water Law****37***Chair***Pia L Nielsen** *Molt Wengel, Copenhagen, Denmark*

The Water Law Committee looks at the following issues: quantity and quality rights in international rivers; national water allocation systems; national water quality protection systems; water resource related aspects of natural resource development; hydroelectric development; water transfers; alternate dispute resolution mechanisms; and institutional issues in water resources development and distribution.

**Financial Services Section****37–38***Council Liaison Officers***Lisa Curran** *Allen & Overy, Rome, Italy***Hendrik Haag** *Hengeler Mueller, Frankfurt am Main, Germany*

The Financial Services Section is one of the largest sections in the Legal Practice Division, comprising over 3,400 members.

**Banking Law****37***Co-Chairs***Michel Molitor** *Molitor Avocats à la Cour, Luxembourg***Stephen Powell** *Slaughter and May, London, England*

The Banking Law Committee provides a worldwide forum for banking lawyers and other legal professionals within the banking community to address all sorts of practical and legal issues arising in commercial and regulatory activities in this context.

**Capital Markets Forum****37–38***Co-Chairs***Rachel Eng** *WongPartnership, Singapore***Petra Zijp** *NautaDutilh, Amsterdam, the Netherlands*

The Capital Markets Forum is a private sector initiative set up to monitor and assist in the orderly development of capital markets, while recognising the importance of the legal role in providing a framework for market forces, and in settling the parameters of fair behaviour.

**Insurance****38***Chair***Peter Mann** *Clayton Utz, Sydney, New South Wales, Australia*

Insurance is present in every facet of commercial, industrial and private life. The committee aims to provide information about developments in insurance and reinsurance law and markets throughout the world, as well as specialist knowledge to assist in the efficient solution of practical insurance problems. New insurance products are also brought to the attention of members.

**Investment Funds****38***Co-Chairs***Kirstene Baillie** *Field Fisher Waterhouse, London, England***Felipe Cousiño** *Alessandri & Compañía, Santiago, Chile*

The Investment Funds Committee provides a forum for its members to consider current developments in the global investment funds industry, including regulatory developments, product structuring and distribution, and other issues relating to investment management.

**Securities Law****38***Co-Chairs***Derk Lemstra** *Stibbe, Amsterdam, the Netherlands***David Rockwell** *Sullivan & Cromwell, London, England*

The main goal of the Securities Law Committee is to bring together securities lawyers from a broad range of countries to follow, discuss and shape public policy in a world of rapidly globalising capital markets. The focus of the committee is the intersection of national capital markets with each other in a world of cross-border transactions. Key areas of focus are developments in underwriting and distribution of all types of capital markets products, the securities laws as they impact cross-border mergers and acquisitions, the regulation of market players such as investment banks, brokers and exchanges, securities laws as they impact public companies, and a close watch on cross-border and international regulatory developments.

**Human Resources Section 38–39***Council Liaison Officers***Christopher Rees** *Taylor Wessing, London, England***Dirk Jan Rutgers** *DLA Piper, Amsterdam, the Netherlands*

The Human Resources Section has nearly 1,000 members from around the world.

**Discrimination Law****38–39***Co-Chairs***Ignacio Funes de Rioja** *Funes de Rioja & Asociados, Buenos Aires, Argentina***David A Lowe** *Rudy Exelrod Zieff & Lowe, San Francisco, California, USA*

The committee is concerned with discrimination and gender equality issues that arise in the profession and under the general law. The committee members are made up of private practitioners, academics and in-house counsel who assist in the promotion of discrimination and gender equality issues.

**Employment and Industrial Relations Law****39***Co-Chairs***Els de Wind** *Van Doorne, Amsterdam, the Netherlands***Gerlind Wisskirchen** *CMS Hasche Sigle, Cologne, Germany*

The aims of the committee are to develop and exchange knowledge of employment and industrial relations law and practice.

**IBA Global Employment Institute****39***Chair***Salvador del Rey** *Cuatrecasas Gonçalves Pereira, Barcelona, Spain*

The purpose of the committee is to assist multinationals and worldwide institutions in developing a global and strategic approach to the main legal issues in the human resources and human capital fields. It will provide a unique employment, discrimination and immigration law contribution on a diverse range of global issues. Their work is designed to enhance the management, performance and productivity of those organisations and to achieve best practice in their human capital and management functions in a strategic perspective.

**Immigration and Nationality Law****39***Chair***Enrique Arellano** *Enrique Arellano Rincón Abogados, Mexico City, Mexico*

The Immigration and Nationality Law Committee is concerned with all aspects of immigration and nationality law on a worldwide basis, including business-related immigration, family reunion policies, refugees and compassionate cases.

**Insolvency, Restructuring and Creditors' Rights Section (SIRC)****41***Council Liaison Officer***Carsten Ceutz** *Bech-Bruun, Copenhagen, Denmark**Co-Chairs***Judith Elkin** *Haynes and Boone, New York, USA***David Jenny** *VISCHER, Basel, Switzerland*

The Insolvency, Restructuring and Creditors' Rights Section (SIRC) has over 800 members. The section is the most prominent international association of lawyers interested in insolvency and creditors' rights law and serves as an Official Observer to the UNCITRAL Working Group on Insolvency Law, which it has assisted in developing the UNCITRAL Model Cross-Border Insolvency Law. It is currently working with the organisation to identify areas for harmonisation of domestic insolvency laws aimed at ensuring certainty and effectiveness in cross-border trade and other financial transactions.

## Intellectual Property, Communications and Technology Section **41–43**

*Council Liaison Officers*

**Almudena Arpón de Mendivil** *Gómez-Acebo & Pombo Abogados, Madrid, Spain; IBA Treasurer; LPD Secretary-Treasurer*  
**Peter Bartlett** *Minter Ellison, Melbourne, Victoria, Australia*

With nearly 1,700 members, the Intellectual Property, Communications and Technology Section is one of the largest sections in the Legal Practice Division.

### Art, Cultural Institutions and Heritage Law **42**

*Chair*

**Massimo Sterpi** *Studio Legale Jacobacci & Associati, Rome, Italy*

The committee is concerned with all aspects of law as it relates to art, artists and cultural heritage in the broadest context. This extends from archaeology and the protection of ancient monuments to national heritage and public and private collections to the art trade and contemporary art. 'Art law' is an interdisciplinary field involving tax (individual estates and charities), commercial transactions, intellectual property in all aspects and private and public international law.

### Communications Law **42**

*Co-Chairs*

**Fabrizio Cugia di Sant'Orsola** *Cugia Cuomo & Associati, Rome, Italy*  
**Christopher Watson** *CMS Cameron McKenna, London, England*

The Communications Law Committee is a leading global forum for legal practitioners with specialist expertise or interest in the communications sector. The committee offers members access to a worldwide network of leading practitioners, in-house counsel and regulators active in telecommunications and media markets. The scope of the committee's work covers network, service and content-related developments across all delivery platforms. This provides members with access to practical global perspectives on the array of technological, commercial and policy issues that confront communications lawyers, their companies and clients.

### Intellectual Property and Entertainment Law **42**

*Co-Chairs*

**William Bunker** *Knobbe Martens Olsen & Bear, Irvine, California, USA*  
**Matthias Nordmann** *SKW Schwartz Rechtsanwälte, Munich, Germany*

This committee focuses on intellectual property and entertainment law. The term 'intellectual property', as it is commonly referred to today, includes a diverse range of areas of law. The main areas are patents, trademarks, copyright, trade secrets and unfair competition. Allied to these are a number of related areas including data protection, database protection, privacy, design rights and domain names. In the entertainment law area, the key focus is on the creation, provision and delivery of content in relation to print, films, broadcasts, cable programmes, musical works and sound recordings. There is also involvement with media law including defamation and privacy and authors' rights in a more general sense.

### Media Law **42**

*Chair*

**David Schulz** *Levine Sullivan Koch & Schulz, New York, USA*

The committee is dedicated to gathering and disseminating knowledge in all areas of law related to the media industry. This encompasses both content and communication issues.

### Space Law **43**

*Chair*

**Rachel A Yates** *Holland & Hart, Greenwood Village, Colorado, USA*

The committee provides a forum for lawyers to address the increasing number of practical legal issues arising in commercial and regulatory activities in this specialised area of domestic and international law.

### Technology Law **43**

*Co-Chairs*

**Erik Valgaeren** *Stibbe, Brussels, Belgium*

**Bart van Reeken** *De Brauw Blackstone Westbroek, Amsterdam, the Netherlands*

The Technology Law Committee brings together lawyers practising aspects of the law particularly relevant to modern technologies. They have in common that they deal with developing bodies of law coming to grips with the new questions posed by new technologies. The mandate of this committee is broad and includes virtually any kind of technology.

## International Sales, Franchising and Product Law Section **43–44**

*Council Liaison Officer*

**Lynda J Zadra-Symes** *Knobbe Martens Olson & Bear, Irvine, California, USA*

The International Sales, Franchising and Product Law Section has over 1,200 members from around the world.

### International Franchising **43–44**

*Chair*

**John R F Baer** *Greensfelder Hemker & Gale, Chicago, Illinois, USA*

The International Franchising Committee focuses on the law and business of international franchising. Committee interests include competition law principles, cross-border sales and licensing issues, the business forms employed and trademark and intellectual property protections required to assure franchising success.

### International Sales **44**

*Co-Chairs*

**Amir Singh Pasrich** *ILA Pasrich & Company, New Delhi, India*

**Steven M Richman** *Duane Morris, Cherry Hill, New Jersey, USA*

The International Sales Committee examines legal issues fundamental to the growth and development of international commerce, including international sales contracts, agency and distribution, cross-border acquisitions, warranties and financing of international sales.

### Product Law and Advertising **44**

*Chair*

**Juan Pablo M Cardinal** *Richards Cardinal Tutzer Zabala & Zaefferer, Buenos Aires, Argentina*

The committee covers a broad range of topics and problems, which are of increasing importance to the international lawyer in both national and transnational work in the field of product law and advertising.



## Law and Individual Rights Section 44–45

*Council Liaison Officers*

**Michael Greene** *A&L Goodbody, Dublin, Ireland; Vice-Chair, Legal Practice Division*

**Klaus Reichert SC** *Law Library/Brick Court Chambers, Dublin, Ireland*

The Law and Individual Rights Section has a membership of over 700.

### Family Law 44–45

*Chair*

**Jacqueline Julyan QC** *Durban Bar, Durban, South Africa*

The committee focuses on developments of international significance in all aspects of family law, including marriage, divorce, inheritance, human rights in the family, adoption and international child abduction.

### Healthcare and Life Sciences Law 45

*Chair*

**Neil Kirby** *Werksmans Attorneys, Johannesburg, South Africa*

The Healthcare and Life Sciences Law Committee is concerned with all aspects of medicine and law including health law on a worldwide basis.

### Human Rights Law 45

*Chair*

**Opuada Willie-Pepple** *Pepple & Pepple, Port Harcourt, Nigeria*

The committee is concerned with all human rights matters relevant to legal practice. The committee directs its attention to both national laws and to international human rights instruments, the position of lawyers themselves and the protection of the rights of others.

### Indigenous Peoples 45

*Chair*

**Steven Cooper** *Ahlstrom Wright Oliver & Cooper, Sherwood Park, Alberta, Canada*

The Indigenous Peoples Committee looks at questions of development as it affects both land and people. It approaches the subject from the legal perspective of the people and the land affected rather than that of developers or proponents of projects, governments or business in general.

## Leisure Industries Section 45

*Council Liaison Officer*

**Klaus Reichert SC** *Law Library/Brick Court Chambers, Dublin, Ireland*

*Chair*

**Brenda Pritchard** *Gowling Lafleur Henderson, Toronto, Ontario, Canada*

The Leisure Industries Section comprises approximately 250 international lawyers practising in the fields of travel, tourism, hospitality, sports and gaming law. The section started as the Travel Law Section and addressed the needs of travel law practitioners serving the travel industries. It grew to merge with the Tourism and Sports and Gaming sections, expanding in its scope to provide a specialist network of professionals in the leisure industries. The section recognises that lawyers who work in the leisure industries often practise in one of the more traditional legal fields, and provides a focused forum on issues that emerge due to the greater amount of leisure time available and the increased internationalisation of sports and gaming.

## Maritime and Aviation Law Section 46

*Council Liaison Officer*

**Desmond Williams** *Werksmans Attorneys, Johannesburg, South Africa*

The Maritime and Aviation Law Section has over 900 members.

### Aviation Law 46

*Chair*

**Patrick Farrell** *Norton Rose, London, England*

The Aviation Law Committee is concerned with several major areas of law. Aircraft transactions and financing are always a major interest. The committee also follows developments of international law with respect to airlines in both economic and tort areas, and also focuses on competition issues related to aviation.

### Maritime and Transport Law 46

*Chair*

**Gregory W Poulos** *Cox Wootton Griffin Hansen & Poulos, San Francisco, California, USA*

The committee has a tradition of being the platform where leading maritime law professionals meet, create connections and discuss the most current legal issues in the field of maritime and transport law. The committee works for and supports the unification of maritime and transport law on a worldwide basis, and enables members to: increase knowledge of maritime and transport issues throughout the world; improve client advice; meet fellow practitioners face-to-face; and become well known to other competent specialists.

## Public Law Section 46

*Council Liaison Officer*

**Luz Nagle** *Stetson University College of Law, St Petersburg, Florida, USA*

*Chair*

**Bernard Bekink** *University of Pretoria, Pretoria, South Africa*

The Public Law Section has over 300 members and provides a worldwide forum where all topics of public law are discussed and ideas are exchanged and developed. Its members are active worldwide in furthering the debate relating to governmental policy and the implementation and regulation of administrative action. In doing this, the committee makes a respected contribution to issues in the fields of judicial review and constitutional law. The committee strives to examine future trends in this area, anticipate new issues and examine new relationships between governments and the private sector. An ongoing theme is how the civil law and common law systems compare when dealing with these issues. By its very nature, the committee draws on lawyers who may come from different areas of practice, but whose work involves administrative law issues, whether in a litigation context or not.

## Real Estate Committee 46

*Council Liaison Officer*

**Luis Moreno** *Haynes and Boone, Mexico City, Mexico*

*Chair*

**Martin Holler** *Giese & Partner, Prague, Czech Republic*

The Real Estate Committee is the only truly international forum for lawyers interested in real estate law and comprises nearly 700 members. The recent globalisation of the real estate industry has fundamentally changed the committee's focus. While real estate assets are traditionally governed by national rules, real estate transactions have long ceased to be a purely national matter. Today, the ownership of properties is traded among investors around the globe. Increasing internationalisation of all aspects of real estate law has also changed the types of lawyers involved. In this evolving context, the committee provides a unique and valuable forum for lawyers from different countries and different legal backgrounds to address all sorts of practical and legal issues, exchange views and meet during conferences.

## Taxation Section 46–47

*Council Liaison Officers*

**Edgar H Paltzer** *Niederer Kraft & Frey, Zurich, Switzerland*

**Carola van den Bruinhorst** *Loyens & Loeff, Hong Kong SAR*

The Taxation Section has over 1,300 members around the world.

## Individual Tax and Private Client 47

*Chair*

**Helen Darling** *MacFarlanes, London, England*

This committee is concerned with not only what the law is but how it might develop internationally in: inheritance rights and succession rules; will making; lifetime giving; trusts; creditor claims against trusts and estates; and regulatory compliance affecting trusts.

## Taxes 47

*Co-Chairs*

**Stuart Chessman** *Vivendi, New York, USA*

**Albert Collado** *Garrigues, Barcelona, Spain*

The Taxes Committee offers its members access to the highest quality technical, practical and professional tax expertise to understand and find solutions to international tax issues and concerns, encourages interface between international tax specialists, and promotes the building of networks among tax lawyers worldwide. The committee is divided informally into four practice group areas – income taxes, other taxes, tax litigation and employee benefits.

## IBA Fora 40–41

### African Regional Forum 40

*Council Liaison Officers*

**Jacob Arko Saah** *Saah and Company, Accra, Ghana*

**Desmond Williams** *Werksmans Attorneys, Johannesburg, South Africa*

*Chair*

**Ashwin Hirjee Trikamjee** *Garlicke & Bousefield, Umhlanga, South Africa*

The problems facing African lawyers are different from those affecting lawyers in other regions. To this end, the African Regional Forum was created to identify and address these challenges.

### Arab Regional Forum 40

*Council Liaison Officers*

**Hassan Arab** *Al Tamimi & Company, Dubai, UAE*

**Sylvia Khatcherian** *Morgan Stanley, New York, USA; Chair, Legal Practice Division*

*Co-Chairs*

**Sadiq Jafar** *Hadeef & Partners, Dubai, UAE*

**Fady Kardous** *Kardous Law Office, Damascus, Syrian Arab Republic*

This forum provides a network for lawyers who work in or have an interest in the Arab region, to establish contact and exchange information. A particular focus of interest is the continuing economic importance of the region, including reconstruction and investment projects.

### Asia Pacific Regional Forum 40

*Council Liaison Officers*

**Peter Bartlett** *Minter Ellison, Melbourne, Victoria, Australia*

**Chung Hwan Choi** *Lee & Ko, Seoul, South Korea*

*Co-Chairs*

**Jeffrey A Blount** *Fulbright & Jaworski, Hong Kong SAR*

**Henry Shyn** *GE Energy, Seoul, South Korea*

In addition to offering an unrivalled opportunity to establish contact among lawyers within and outside the region, and with acknowledged experts on different areas of law, specialist forum activities provide an unparalleled opportunity to keep abreast of legal business developments in the Asia Pacific region.

### Corporate Counsel Forum 40

*Council Liaison Officers*

**Pii Ketvel** *Marcol Capital Europe/Clyde & Co, Luxembourg*

**Sylvia Khatcherian** *Morgan Stanley, New York, USA; Chair, Legal Practice Division*

*Chair*

**Catherine Muldoon** *BDP International Inc, Philadelphia, Pennsylvania, USA*

The Corporate Counsel Forum is the pre-eminent forum for discussion, education and spokespersonship for corporate counsel within the IBA. Through its conference sessions and publications, it looks at the most topical issues for corporate counsel in all legal fields, as the responsibilities and complexities of the role continue to increase.

### European Regional Forum 40

*Council Liaison Officers*

**Hendrik Haag** *Hengeler Mueller, Frankfurt am Main, Germany*

**Pii Ketvel** *Marcol Capital Europe/Clyde & Co, Luxembourg*

*Co-Chairs*

**Dovile Burgiene** *LAWIN, Vilnius, Lithuania*

**Gianmatteo Nunziante** *Nunziante Magrone, Rome, Italy*

The forum develops and strengthens the existence of the IBA within the whole of Europe by promoting the goals of the IBA to members, non-members and others, disseminating professional know-how, and assisting the committees and other constituencies of the IBA to increase their presence in the different sub-regions of Europe, including parts of North Africa and the Middle East.

The goals of the forum include addressing current and long-term needs of professional organisations and individual members within the geographical reach of the forum, as well as increasing membership and participation in the IBA and integrating them within the organisation. The forum will also facilitate cross-border activity between lawyers and bars in different European countries. The forum has a particular focus on cross-disciplinary activities.

**Latin American Regional Forum****41***Council Liaison Officers***Daniel Del Rio** *Basham Ringe y Correa, Mexico City, Mexico***Guido Santiago Tawil** *M&M Bomchil, Buenos Aires, Argentina**Co-Chairs***Lisandro Alfredo Allende** *Brons & Salas, Buenos Aires, Argentina***Eduardo M Sanguinetti** *Sanguinetti Fodere Abogados, Montevideo, Uruguay*

The Latin American Regional Forum covers all countries in Latin America as well as Mexico, Puerto Rico and Spanish-speaking areas of the Caribbean, and provides a focus for all activities in the region.

**North American Regional Forum****41***Council Liaison Officers***Jon Grouf** *Duane Morris, New York, USA***Lynda J Zadra-Symes** *Knobbe Martens Olson & Bear, Irvine, California, USA**Co-Chairs***Laura Christa** *Christa & Jackson, Los Angeles, California, USA***Paul Lalonde** *Heenan Blaikie, Toronto, Ontario, Canada*

The North American Regional Forum covers Canada, Mexico, Puerto Rico, the United States and English-speaking areas of the Caribbean. The aim of the North American Forum is two-fold: to spread knowledge about legal practice within North America; and to expand the international perspective of lawyers practising in North America.

## PUBLIC AND PROFESSIONAL INTEREST DIVISION

**Academic and Professional Development 47–48***Council Liaison Officer***Robert A Stein** *University of Minnesota, Gray Plant Mooty, Minneapolis, Minnesota, USA; Co-Chair, Rule of Law Action Group**Co-Chairs***Tony King** *Clifford Chance, London, England***Kay Maxwell** *University of Wollongong Faculty of Law, Sydney, New South Wales, Australia*

The Academic and Professional Development Committee has a membership of over 800 and aims to represent the interests of law teachers (academic and professional) as well as professional developers.

**Anti-Corruption 48***Council Liaison Officer***Margery Nicoll** *Law Council of Australia, Canberra, Australian Capital Territory, Australia; Vice-Chair, Bar Issues Commission**Co-Chairs***Nicola Bonucci** *Organisation for Economic Co-operation and Development (OECD), Paris, France***Timothy Dickinson** *Paul Hastings Janofsky & Walker, Washington DC, USA*

The Anti-Corruption Committee focuses on the effect of new anti-corruption laws around the world and comprises nearly 700 members. The advent of several anti-corruption conventions has brought about the enactment of new anti-corruption laws in scores of countries. Aggressive enforcement, including extraterritorial enforcement of national laws and a wide range of anti-corruption initiatives, has brought this issue to the forefront worldwide.

**Bar Issues Commission****48–49***Council Liaison Officers***Horacio Bernardes Neto** *Motta Fernandes Rocha Advogados, São Paulo, Brazil; Chair, Bar Issues Commission Policy Committee; Vice-Chair, Bar Issues Commission***James Klotz** *Miller Thomson, Toronto, Ontario, Canada***Margery Nicoll***Chair***James Klotz**

The Bar Issues Commission (BIC) supports the activities and interests of the IBA's Member Organisations by providing a forum for discussion on issues of common interest. Through its Policy Committee, the BIC proposes resolutions and guidelines for approval by the IBA Council that are of relevance to Member Organisations. The BIC holds an annual conference in May of each year, presents sessions at the annual conference, has resource pages on the IBA website and provides e-bulletins for its members.

**Corporate Social Responsibility 49***Council Liaison Officer***Oluwatoyin Ajoke Bashorun** *Churchfields Solicitors, Lagos, Nigeria**Co-Chairs***Birgit Spiesshofer** *Salans, Berlin, Germany***Kenneth Thompson II** *Reed Elsevier, Miamisburg, Ohio, USA*

Corporate social responsibility (CSR) is variously defined but is generally accepted to denote responsibly grounded business decision-making that considers its impact on people, communities and the environment. The increasing emphasis on CSR has particular importance for lawyers both as advisers to their clients and, in the case of law firms, as enterprises in their own right. The committee's remit therefore includes both an examination of the many CSR-related issues on which business clients may seek legal advice from an in-house counsel or external lawyer and the issues that confront lawyers and law firms in relation to their key stakeholders; partners, staff, clients, their professional regulator and the community in which they practice. The CSR Committee has over 600 members from around the world.

**Forum for Barristers and Advocates 49***Council Liaison Officer***Jacqueline Leong QC** *Hong Kong Bar Association, Hong Kong SAR**Co-Chairs***Russell Adam Coleman SC** *Hong Kong Bar Association, Hong Kong SAR***Paul Sreenan SC** *General Council of the Bar of Ireland, Dublin, Ireland*

The Forum for Barristers and Advocates has over 1,000 members and represents those bar associations whose members practise as independent referral practitioners in jurisdictions where the legal profession is divided. It was formed by the bar leaders in these jurisdictions to give a voice within the IBA to the principles of independent advocacy. The forum has played a particular role in addressing the importance to the rule of law of the independence of advocates and the judiciary, the need for ethical conduct and training and education.

**International Bar Association's Human Rights Institute (IBAHRI) 49***Council Liaison Officers***Sternford Moyo** *Scanlen & Holderness, Harare, Zimbabwe; Co-Chair, IBAHRI***Julia Onslow-Cole** *PricewaterhouseCoopers Legal, London, England; Council Member, IBA Global Employment Institute***Martin Šolc** *Kocián Šolc Balaščík, Prague, Czech Republic**Co-Chairs***Baroness Helena Kennedy QC** *London, England***Sternford Moyo**

Established in 1995, the IBA's Human Rights Institute (IBAHRI) is a leading voice in the promotion, protection and enforcement of human rights under a just rule of law. The IBAHRI undertakes a variety of projects to build capacity, lobby for change and highlight issues of international concern to the public, the media and the legal community. This includes training and workshops, fact-finding missions and trial observations, targeted media and advocacy campaigns and providing long-term technical assistance to under-resourced bar associations and law societies. The IBAHRI also produces publications highlighting issues of concern to the worldwide media.

**Judges' Forum 49***Council Liaison Officers***Norman Clark** *Walker Clark, Fort Myers, Florida, USA***Hon Sheila M Murphy** *John Marshall Law School, Chicago, Illinois, USA**Co-Chairs***Justice Michelle May** *Family Court of Australia, Brisbane, Queensland, Australia***Judge Henrik Rothe** *The Danish Maritime and Commercial Court, Copenhagen, Denmark*

The Judges' Forum comprises over 170 members and offers an opportunity for judges from all jurisdictions to meet and discuss issues that are of common and current interest to members of the judiciary. Membership of the forum is open to judges of all levels of court and seniority, whether exercising general or special jurisdiction, and including part-time retired judges.

**Law Firm Management 49-50***Council Liaison Officers***Stephen MacIver** *Sparke Helmore, Sydney, New South Wales, Australia; Secretary-Treasurer, Public and Professional Interest Division; IBA Assistant Treasurer; Secretary-Treasurer and Council Member, IBAHRI***Gabrielle H Williamson JD** *Luther Rechtsanwalts-gesellschaft, Brussels and Düsseldorf, Germany; Vice-Chair, Public and Professional Interest Division**Co-Chairs***Stephen Denyer** *Allen & Overy, Frankfurt am Main, Germany***Ronaldo Camargo Veirano** *Veirano Advogados, Rio de Janeiro, Brazil*

In the highly competitive and demanding environment where ever increasing pressures are being felt in the practice of law, every lawyer – whether a partner or not, whether performing a specific management responsibility or not – must be prepared to meet these challenges. The Law Firm Management Committee provides lawyers with the practical tools that they need in order to enhance their practice, their business development skills and their management capabilities. The committee provides a forum for informative, practical and relevant programmes, seminars, discussion forums and articles on all aspects of practice and law firm management for firms of all sizes.

The Law Firm Management Committee is the largest committee within the PPID and has over 3,300 members.

**Multidisciplinary Practices 50***Council Liaison Officer***Julia Onslow-Cole***Chair***Peter Smith** *Addleshaw Goddard, London, England*

This committee was first created to follow the developments of multidisciplinary practices in different jurisdictions. In the aftermath of Enron, many multidisciplinary practices were dissolved, and multidisciplinary practices became even more controversial. In more recent times, multidisciplinary practices seem to be on the rise again, and it is becoming increasingly relevant to see how they are governed in different jurisdictions. The committee has nearly 400 members and aims to bring together legal professionals and other interested individuals from many and various jurisdictions and backgrounds to monitor, discuss and shape the developments of multidisciplinary practices and the rules to which they are subject around the world.

**Pro Bono and Access to Justice 50***Council Liaison Officer***Patricia Blair** *Mediation Consultants, Wilton, Connecticut, USA**Chair***Robin Sully** *Canadian Bar Association, Ottawa, Ontario, Canada*

This committee's objectives are to foster worldwide recognition of the principle that access to justice is the right of all individuals and to promote access to justice for all, regardless of their financial means, race, age, ethnicity, gender or popularity of cause. The committee has over 350 members and provides a forum for lawyers from diverse backgrounds to exchange views and discuss practical solutions to problems encountered in the provision of legal assistance, including state-funded and non-governmental legal aid, advisory services, the use of public defenders and certificates, clinics, public interest litigation, public legal education, etc. It is also working to ensure that laws reflect the interests of every resident, including the poor and the marginalised, and that judicial, quasi-judicial, administrative and dispute resolution processes are open and accessible to all, administering laws on a fair, transparent and efficient basis.

**Professional Ethics****50–51***Council Liaison Officer***Alberto Navarro** *Navarro Castex Abogados, Buenos Aires, Argentina**Co-Chairs***Geraldine Clarke** *Gleeson McGrath Baldwin, Dublin, Ireland;**Council Member, Public and Professional Interest Division***John Corcoran** *Russell Kennedy, Melbourne, Victoria, Australia*

Professional ethics involves an area that all lawyers must be familiar with, regardless of their field of practice. The Professional Ethics Committee seeks to promote the high standards of professional conduct and ethics on a global basis. The committee has over 500 members and provides a forum for all international lawyers who are interested in discussing and debating issues affecting the practice of law. In today's world a lawyer may face conflicting duties and the application of professional standards may be far from apparent.

**Regulation of Lawyers' Compliance****51***Council Liaison Officer***Stephen Macliver** *Sparke Helmore, Sydney, New South Wales, Australia; Secretary-Treasurer, Public and Professional Interest Division; IBA Assistant Treasurer; Secretary-Treasurer and Council Member, IBAHRI**Chair***Stephen Revell** *Freshfields Bruckhaus Deringer, Singapore*

This new committee has been formed to meet the growing interest of IBA members in the regulation of law firms and lawyers (and the related compliance obligations and the risks of failure to comply). The committee provides a forum where members can discuss, debate and influence legislation impacting the practice of law, particularly in light of the ever expanding multijurisdictional approach to the regulation of law firms and lawyers.

**Rule of Law Action Group****51***Council Liaison Officer***Anne Ramberg** *Swedish Bar Association, Stockholm, Sweden; Council Member, IBAHRI**Co-Chairs***Justice Richard J Goldstone** *Past Justice of the South African Constitutional Court and Former President of the ICTR and ICTY, Morningside, South Africa***Robert A Stein** *University of Minnesota, Gray Plant Mooty, Minneapolis, Minnesota, USA; Council Member, Public and Professional Interest Division*

The Rule of Law Action Group continues to address and guide the Association in its rule of law work.

**Senior Lawyers****51***Council Liaison Officer***John H Morrison** *Evanston, Illinois, USA; Honorary Life Member of Council and Association**Chair***Rachel Levitan** *Levitan Sharon & Co, Tel Aviv, Israel*

The Senior Lawyers' Committee is designed, as the name implies, to cater for the needs and interests of senior lawyers and comprises over 400 members. It acts, not only within, but also outside the IBA to advance the interests of senior lawyers, particularly in issues of age discrimination.

**War Crimes****51***Council Liaison Officer***Norman Clark** *Walter Clark, Fort Myers, Florida, USA**Co-Chairs***Stuart Alford** *Former UN Prosecutor, East Timor; Chambers of Frances Oldham QC, London, England***Cecile Aptel** *Fletcher School of Law and Diplomacy, Medford, Massachusetts, USA*

The IBA's War Crimes Committee is the only IBA committee of its kind focused specifically on international criminal law, a field of law that has seen tremendous growth and development over the past 15 years. The committee endeavours to provide IBA members with comprehensive and reliable information and resources on international criminal law. It also provides lawyers, international agencies and tribunals with an unparalleled and easily accessible network of contacts and, in turn, is directly involved with the IBA's ongoing programme in support of international, ad hoc and domestic war crimes tribunals. The committee works alongside the IBA's Human Rights Institute to promote justice around the world, and uphold the principle of accountability.

**Women Lawyers' Interest Group****51***Council Liaison Officers***Moira Huggard-Caine** *TozziniFrieri Advogados, São Paulo, Brazil; Vice-Chair – Latin America, Law Firm Management Committee***Gabrielle H Williamson JD** *Luther Rechtsanwalts-gesellschaft, Brussels and Düsseldorf, Germany; Vice-Chair, Public and Professional Interest Division**Chair***Anne-Marie Hutchinson** *Dawson Cornwell, London, England*

The Women Lawyers' Interest Group comprises nearly 1,500 members and offers a forum for women members from Australia to Zambia to discuss topics of global significance to women practitioners.

**World Organisations***Council Liaison Officers***John Heaps** *Eversheds, London, England***Graeme Kirk** *Gross & Co, Bury St Edmunds, England; Council Member, IBA Global Employment Institute**Co-Chair***Hans Corell** *Former Under-Secretary-General for Legal Affairs and the Legal Counsel for the United Nations, Stockholm, Sweden; Vice-Chair, IBAHRI***John Heaps**

The aim of this committee is to oversee IBA contacts with the UN and other world organisations, ensuring the relevant IBA committees and constituents are fully informed and their inputs coordinated.

**Young Lawyers****51–52***Council Liaison Officers***Geraldine Clarke****Eric Rieger** *European Chemicals Agency, Helsinki, Finland; Secretary, Environment, Health and Safety Law Committee**Chair***Rouven Bodenheimer** *Lungerich Lenz Schuhmacher, Cologne, Germany*

The Young Lawyers' Committee's primary goal is to further the interests and objectives of young lawyers around the world and within the IBA. The committee has nearly 1,000 members and aims to help them establish themselves within the legal profession by promoting their professional skills.

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# SCHEDULE OF SESSIONS BY COMMITTEE

## Conference headquarters

Convention Centre Dublin (CCD)  
Spencer Dock, North Wall Quay  
Dublin 1  
Ireland  
Tel: +353 1 856 0000  
[www.theccd.ie](http://www.theccd.ie)

## Working Sessions

Working sessions will take place from 0930 – 1230 and 1430 – 1730 at the CCD.

**The working sessions, ticketed and non-ticketed lunches, unless otherwise stated, will take place at the conference headquarters.**

Please refer to the meeting room layouts on pages 134 and 135

Committee business meetings discuss future activities: members and non-members are welcome to attend.

Accompanying persons are not entitled to attend working sessions.

## Coffee and tea breaks

Coffee and tea breaks will take place from 1100 – 1130 and 1600 – 1630 at the CCD.

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## Dress Code

The dress code is business attire for working sessions and smart casual for social events unless otherwise stated.

## Social Programme

Full details of all conference and committee social events appear on pages 137–143

All functions are open to delegates and registered accompanying persons. Tickets for social events, subject to availability, may be purchased from the IBA registration desk.

**\* Indicates functions open to delegates and registered accompanying persons and for which there is no charge. Admission is by conference badge unless otherwise indicated.**

Day	Time	Title	Location	Page
<b>SATURDAY</b>	1500 – 1800	Registration	The Forum, Ground Floor, CCD	
<b>SUNDAY</b>	1000 – 1800	Registration	The Forum, Ground Floor, CCD	
	1800 – 1930	* Opening Ceremony	Royal Dublin Society Ballsbridge, Dublin 4, Anglesea Road entrance	19, 137
	1930 – 2230	* Welcome Party	Royal Dublin Society Ballsbridge, Dublin 4, Anglesea Road entrance	137
		Sponsored by:		
<b>MONDAY – THURSDAY</b>	0830 – 1730	Registration	The Forum, Ground Floor, CCD	
<b>MONDAY</b>	1800	* Newcomers' reception	Marquee, CCD	53
<b>TUESDAY</b>	0800 – 0930	Association of Danish Law Firms and the Danish Bar and Law Society breakfast	Marquee, CCD	59
	1600 – 1800	Tour of Four Courts and Criminal Courts of Justice in Dublin <b>FULLY BOOKED</b>		59
<b>WEDNESDAY</b>	0800 – 0930	Japan Federation of Bar Associations breakfast	Marquee, CCD	60
<b>THURSDAY</b>	1830	* Young Lawyers' reception	Jameson Distillery	139
			The highlight of the reception will be the presentation of the prestigious IBA Young Lawyer of the Year Award in recognition of William Reece Smith Jr.	
		Sponsored by:	 LexisNexis®	
<b>FRIDAY</b>	0830 – 1430	Registration	The Forum, Ground Floor, CCD	
	1930 – 2230	Closing party	Guinness Storehouse St James's Gate, Dublin 8	139
		Sponsored by:		

Section/Committee	Co-presented with	Title	Location	Page	
<b>BIC SHOWCASE</b>					
Wednesday	0930 – 1230		Public perception of lawyers	Conference Room 1, Level 1	57
<b>IBAHRI SHOWCASE</b>					
Monday	0930 – 1230		Peace after terror: rules or reconciliation?	Wicklow Hall 2B, Level 1	55
<b>LPD SHOWCASE</b>					
Tuesday	0930 – 1230	European Regional Forum	The euro area crisis – thinking the unthinkable	Wicklow Hall 1, Level 2	55
<b>PPID SHOWCASE</b>					
Thursday	0930 – 1230	Pro Bono and Access to Justice	Lawyers against poverty	Liffey Hall 1, Level 1	57
<b>General Interest</b>					
Monday	1300 – 1400		An interview with Patricia O'Brien, Under-Secretary-General for Legal Affairs and the Legal Counsel at the United Nations	Auditorium, Level 3	59
Tuesday	1300 – 1400		An interview with Juan E Méndez, UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	Auditorium, Level 3	59
Thursday	1430 – 1730		Developing your practice: Win more work – turn contacts into clients: Pippa's COPACABANA approach to international networking	Liffey Hall 2, Level 1	60
Friday	1300 – 1400		Memorial lecture: George Seward, Honorary Life President of the International Bar Association, delivered by Mary Robinson	Auditorium, Level 3	61
<b>LEGAL PRACTICE DIVISION</b>					
Tuesday	0930 – 1230	European Regional Forum	LPD SHOWCASE: The euro area crisis – thinking the unthinkable	Wicklow Hall 1, Level 2	55
Wednesday	1230 – 1430		Legal Practice Division lunch	Spencer Dock Units, Mayor Street	138
Thursday	0930 – 1015		General meeting	Liffey Meeting Room 5, Level 1	65
<b>Antitrust and Trade Law Section</b>					
Monday	0930 – 1230		Competition issues in regional and bilateral trade agreements	Conference Room 4, Level 1	71
<b>Antitrust</b>					
Monday	1430 – 1730		Competition issues in the BRICS countries	Conference Room 3, Level 1	77
Tuesday	0930 – 1230	Litigation	Private antitrust actions	Wicklow Hall 2A, Level 2	89
Tuesday	1430 – 1730	Business Crime	Settlement v leniency	Wicklow Hall 1, Level 2	95
Wednesday	0930 – 1230		Trends in merger enforcement – from local to global	Conference Room 2, Level 1	105
Wednesday	1300		Antitrust Committee lunch	Tea Rooms	142
<b>Trade and Customs Law</b>					
Tuesday	1430 – 1730		The WTO Agreement on Technical Barriers to Trade – defining the tools for regulation	Liffey Meeting Room 2, Level 1	32



Section/Committee		Co-presented with	Title	Location	Page
Wednesday	1430 – 1730		Rules of origin: dealing with trade preference qualification and trade remedy circumvention	Wicklow Meeting Room 1, Level 2	110
Wednesday	2030		Trade and Customs Law Committee dinner	Bang	142
Thursday	0930 – 1230	Arbitration/International Sales/Latin American Regional Forum/North American Regional Forum	North American collaboration – what's next for the three amigos?	Liffey Hall 2, Level 1	117–118
<b>CORPORATE LAW SECTION</b>					
<b>Closely Held and Growing Business Enterprises</b>					
Monday	0930 – 1230	Family Law	Breaking up is hard to do: the private entrepreneur in their mid-life crisis	Wicklow Meeting Room 2, Level 2	70
Tuesday	1430 – 1730		Company financing: access to capital markets for family-owned businesses	Conference Room 2, Level 1	93
Wednesday	1430 – 1730	Intellectual Property and Entertainment Law/Young Lawyers	Get your IP house in order – the what, why and how – advising entrepreneurs and closely held businesses in setting up an IP strategy	Conference Room 3, Level 1	107
Wednesday	2030		Closely Held and Growing Business Enterprises Committee dinner	Winding Stair	142
Thursday	1430 – 1730	Law Firm Management	Have the urge to merge and purge? Lessons from law firm mergers	Wicklow Hall 2B, Level 2	123–124
<b>Corporate and M&amp;A Law</b>					
Monday	0930 – 1230		Public M&A – selected topics	Liffey Hall 1, Level 1	73
Monday	1430 – 1730		Current legal developments	Wicklow Hall 2A, Level 2	78
Tuesday	0930 – 1230		Private equity	Liffey Hall 2, Level 1	89
Tuesday	1430 – 1730		Gorilla or guerrilla – managing related party and conflict of interest transactions	Liffey Hall 2, Level 1	94
Tuesday	2000		Corporate and M&A Law Committee dinner	Fire	141
Wednesday	0930 – 1230		Controversial shareholders' meeting	Liffey Hall 2, Level 1	101
Wednesday	1430 – 1730		Negotiated M&A transactions: the complex, troubling provisions	Liffey Hall 2, Level 1	109
Thursday	0930 – 1230	Corporate Counsel Forum	M&A and anti-bribery and corruption	Wicklow Hall 2B, Level 2	117
Friday	0930 – 1230	Employment and Industrial Relations Law	Post-merger integration	Conference Room 5, Level 1	128
<b>CRIMINAL LAW SECTION</b>					
Tuesday	2000	Anti-Corruption	Anti-Corruption Committee and Criminal Law Section joint dinner	Town Bar and Grill	141
Thursday	1430 – 1730	Anti-Corruption	Battle of the Titans: international finance meets the criminal law – a mock trial in the Dublin Four Courts before three senior Irish judges	Four Courts, Dublin	121

Section/Committee	Co-presented with	Title	Location	Page	
<b>Business Crime</b>					
Monday	0930 – 1230		Criminal fraud and the global economic recession	Wicklow Meeting Room 1, Level 2	71
Tuesday	1430 – 1730	Antitrust	Settlement v leniency	Wicklow Hall 1, Level 2	95
Wednesday	0930 – 1230	International Sales	UN and EC sanctions – a due process wilderness?	Wicklow Meeting Room 1, Level 2	105
Friday	0930 – 1230	Arbitration	Arbitration and criminal law	Wicklow Hall 1, Level 2	126
<b>Criminal Law</b>					
Monday	1430 – 1730	Bar Issues Commission	Navigating the criminal law minefield: a cautionary tale for defence lawyers and lawyers representing corporations	Conference Room 1, Level 1	81
Wednesday	0930 – 1230	Leisure Industries Section	Athletic and catwalk criminals: an in-depth look at crime in the fashion and sports industries	Ecocem Room, Level 2	100
<b>DISPUTE RESOLUTION SECTION</b>					
Monday	0930 – 1230	Financial Services Section	The role of arbitration in banking and finance	Auditorium, Level 3	75
<b>Arbitration</b>					
Monday	1430 – 1730	Mediation	Mediator by day, arbitrator by night. So you want to be an international adjudicator?	Liffey Hall 2, Level 1	80
Tuesday	0930 – 1230		Investment arbitration	Auditorium, Level 3	89
Tuesday	1430 – 1730		Counsel conduct	Auditorium, Level 3	93–94
Wednesday	0800 – 0930		Open committee business meeting and breakfast	Spencer Dock Units, Mayor Street	99
Wednesday	0930 – 1230		NYC workshop	Auditorium, Level 3	103
Wednesday	1430 – 1730		Hot topics in arbitration	Auditorium, Level 3	107–108
Wednesday	2000		Arbitration Committee reception and dinner	The Royal Hospital Kilmainham	142
Thursday	0930 – 1230	International Sales/Latin American Regional Forum/ North American Regional Forum/Trade and Customs Law	North American collaboration – what's next for the three amigos?	Liffey Hall 2, Level 1	117–118
Thursday	1430 – 1730		Expert witness industry: helping or hurting arbitration	Wicklow Hall 2A, Level 2	123
Friday	0930 – 1230	Business Crime	Arbitration and criminal law	Wicklow Hall 1, Level 2	126
Friday	0930 – 1230	International Sales/ Litigation	A battle of perspectives: transactional lawyers v litigators for international sales and related commercial transactions	Liffey Hall 2, Level 1	126

Section/Committee	Co-presented with	Title	Location	Page	
<b>Consumer Litigation</b>					
Tuesday	0930 – 1230	Product Law and Advertising	The alpha consumer	Wicklow Meeting Room 3, Level 2	90
<b>Litigation</b>					
Tuesday	0930 – 1230	Antitrust	Private antitrust actions	Wicklow Hall 2A, Level 2	89
Tuesday	0930 – 1230	Forum for Barristers and Advocates/Judges' Forum/ Young Lawyers	Controlling discovery in commercial litigation	Conference Room 2, Level 1	87
Tuesday	1430 – 1730	Insolvency, Restructuring and Creditors' Rights Section (SIRC)	Catching the golden goose – overcoming corporate and jurisdictional barriers to recover assets	Wicklow Hall 2A, Level 2	93
Wednesday	0930 – 1230	Securities Law	Litigation lessons for securities lawyers	Conference Room 6, Level 3	102–103
Wednesday	0930 – 1230	Professional Ethics	The truth, the whole truth and nothing but the truth – the obligations and responsibilities of lawyers when dealing with witnesses	Wicklow Hall 2B, Level 2	104–105
Wednesday	1430 – 1730		Attorney-client privilege: how strong is it?	Liffey Hall 1, Level 1	106
Thursday	0930 – 1230	Banking Law	Class actions or mass actions – the experience of litigators and financial institutions	Conference Room 5, Level 1	114–115
Thursday	0930 – 1230	Family Law/Judges' Forum	Kidding around? Children's rights and legal representation	Conference Room 4, Level 1	117
Thursday	1245		Litigation Committee lunch <b>SOLD OUT</b>	Luttrellstown Castle	143
Thursday	1430 – 1730	Intellectual Property and Entertainment Law	Follow the money – monetary compensation in intellectual property cases	Conference Room 4, Level 1	123
Friday	0930 – 1230	Arbitration/International Sales	A battle of perspectives: transactional lawyers v litigators for international sales and related commercial transactions	Liffey Hall 2, Level 1	126
<b>Mediation</b>					
Monday	1430 – 1730	Arbitration	Mediator by day, arbitrator by night. So you want to be an international adjudicator?	Liffey Hall 2, Level 1	80
Wednesday	0930 – 1230	International Construction Projects	Mediation, dispute resolution boards and the resolution of construction and natural resource disputes	Wicklow Hall 2A, Level 2	103
Wednesday	1300		Mediation Committee Lunch <b>SOLD OUT</b>	Hugo's	142
Thursday	0930 – 1230		Why not international mediation?	Wicklow Hall 2A, Level 2	120
Thursday	1430 – 1730		Mediation in corporate disputes: the various roles experts can play in resolving the dispute	Conference Room 6, Level 3	124
<b>Negligence and Damages</b>					
Tuesday	1430 – 1730	Healthcare and Life Sciences Law	A doctor's nightmare: protection from medical malpractice suits	Wicklow Meeting Room 3, Level 2	92

Section/Committee		Co-presented with	Title	Location	Page
Wednesday	1430 – 1730		Damages for the victims of state crimes	Wicklow Meeting Room 4, Level 2	107
<b>ENERGY, ENVIRONMENT, NATURAL RESOURCES AND INFRASTRUCTURE LAW SECTION (SEERIL)</b>					
Monday	0930 – 1230	Corporate Social Responsibility/Indigenous Peoples	Towards an IBA Best Practices Guide for setting up a large project: lessons from the Santiago Protocol	Wicklow Hall 1, Level 2	75
Tuesday	2030		Section on Energy, Environment, Natural Resources and Infrastructure Law (SEERIL) dinner <b>SOLD OUT</b>	O'Connells	142
<b>Environment, Health and Safety Law</b>					
Monday	2000	Water Law	Committees on Environment, Health and Safety Law and Water Law joint dinner <b>SOLD OUT</b>	Bang	141
Tuesday	0930 – 1230		Biodiversity preservation in the face of global industrialisation	Liffey Meeting Room 1, Level 1	86
Tuesday	1430 – 1730	Oil and Gas Law	Unconventional hydrocarbons: exploration, production and transportation	Liffey Meeting Room 1, Level 1	99
Wednesday	1430 – 1730	Technology Law	Nanotechnology – the next environmental regulatory frontier	Conference Room 5, Level 1	108–109
<b>International Construction Projects</b>					
Monday	1430 – 1730		Experts and expertise in construction: The law relating to expert evidence on delay and disruption and a debate on the proposition: 'It's all smoke and mirrors: scheduling/programming experts are all imposters'	Conference Room 4, Level 1	78
Tuesday	0930 – 1230		Choices of jurisdiction, venue and governing law in construction contracts	Wicklow Hall 2B, Level 2	86
Tuesday	1430 – 1730		The project from hell – an Irish tale: construction turnarounds and workouts – experiences from construction booms and busts in Ireland and elsewhere	Conference Room 1, Level 1	96
Wednesday	0930 – 1230	Mediation	Mediation, dispute resolution boards and the resolution of construction and natural resource disputes	Wicklow Hall 2A, Level 2	103
Wednesday	2000		International Construction Projects Committee dinner	La Stampa	142
Thursday	0930 – 1230		Third-party involvement in construction projects: the influence of funders, insurers, guarantors and community interests	Conference Room 6, Level 3	119
Thursday	1430 – 1730		Latest developments in construction	Ecocem Room, Level 2	124
Friday	0845		International Construction Projects Committee excursion and lunch	Kilkenny Castle and City	143
<b>Mining Law</b>					
Monday	1430 – 1730		Consultation: the way forward	Liffey Meeting Room 5, Level 1	77–78
Tuesday	0930 – 1230	Taxes	Taxation on mining activities	Conference Room 1, Level 1	90

Section/Committee		Co-presented with	Title	Location	Page
Wednesday	0930 – 1230		Resource nationalism: new trends	Wicklow Meeting Room 3, Level 2	103–104
Thursday	2000		Mining Law Committee dinner	Quay 16 – MV Cill Airne	143
<b>Oil and Gas Law</b>					
Tuesday	1430 – 1730	Environment, Health and Safety Law	Unconventional hydrocarbons: exploration, production and transportation	Liffey Meeting Room 1, Level 1	99
Thursday	1430 – 1730		Changes in regulation of oil and gas exploration and production	Liffey Meeting Room 1, Level 1	122
<b>Power Law</b>					
Tuesday	0930 – 1230		Small v big power generation plants: pros and cons	Wicklow Meeting Room 2, Level 2	90
Wednesday	0930 – 1230		Evolution post the 'Not-In-My-Back-Yard' (NIMBY) trend: communities and interest groups v new power plants and transmission corridors	Wicklow Meeting Room 4, Level 2	101
<b>Water Law</b>					
Monday	2000	Environment, Health and Safety Law	Committees on Environment, Health and Safety Law and Water Law joint dinner <b>SOLD OUT</b>	Bang	141
Tuesday	1430 – 1730	Young Lawyers	Is water law a sexy career for young lawyers?	Wicklow Meeting Room 1, Level 2	94
Wednesday	1430 – 1730		Hydraulic fracturing (fracking) – is it time to frack?	Wicklow Meeting Room 5, Level 2	108
Thursday	1000		Water Law Committee excursion and lunch	Kilbeggan Distillery	143
<b>FINANCIAL SERVICES SECTION</b>					
Monday	0930 – 1230	Dispute Resolution Section	The role of arbitration in banking and finance	Auditorium, Level 3	75
Monday	1430 – 1730		'Is the storm over?' – the evolving liabilities of financial institutions	Wicklow Hall 2B, Level 2	80
<b>Banking Law</b>					
Tuesday	1245	Securities Law	Committees on Banking Law and Securities Law joint lunch	Ely Bar and Brasserie	141
Wednesday	0930 – 1230	Corporate Social Responsibility	CSR, the financial industry and project financing	Conference Room 3, Level 1	101
Wednesday	1430 – 1730	Taxes	Taxes on financial transactions	Wicklow Hall 2B, Level 2	113
Thursday	0930 – 1230	Litigation	Class actions or mass actions – the experience of litigators and financial institutions	Conference Room 5, Level 1	114–115
Thursday	1430 – 1730		Developments – loan facility agreements	Conference Room 3, Level 1	122
Friday	0930 – 1230		Support of banks	Conference Room 4, Level 1	128
<b>Capital Markets Forum</b>					
Monday	0930 – 1230		Corporate governance standards: differences between stock exchanges and consequences for disclosure	Liffey Meeting Room 3, Level 1	71

Section/Committee		Co-presented with	Title	Location	Page
Tuesday	1430 – 1730	Securities Law	Fixing the securities offering process: lessons from recent offerings	Conference Room 6, Level 3	94
Wednesday	2000		Capital Markets Forum dinner	Quay 16 – MV Cill Airne	142
<b>Insurance</b>					
Monday	0930 – 1230	Technology Law	Insuring liabilities in cyberspace (the screams can be heard): cloud computing and social media	Conference Room 6, Level 3	72
Tuesday	0945	Maritime and Transport Law	Committees on Insurance and Maritime and Transport Law joint excursion and lunch <b>SOLD OUT</b>	Naval gazing and the Irish countryside	141
Wednesday	0930 – 1130		Report on the substantive project on direct access of insurance by third parties	Liffey Meeting Room 5, Level 1	99–100
Thursday	0930 – 1230		Wind, water and quake: coverage in the wake of catastrophes	Wicklow Meeting Room 2, Level 2	120
Thursday	1430 – 1730	Maritime and Transport Law	Clear and present danger – the coverage of security risks on a global scale	Liffey Meeting Room 3, Level 1	122
Thursday	2100		Insurance Committee dinner	Pearl Brasserie	143
<b>Investment Funds</b>					
Tuesday	0930 – 1230		Current Issues for UCITS funds	Liffey Meeting Room 3, Level 1	87
Tuesday	2000	Private Investment Funds Subcommittee	Investment Funds Committee and Private Investment Funds Subcommittee joint dinner	Cliff Town House	141
Wednesday	0930 – 1230		Challenges for alternative fund managers in an increasingly regulated environment	Liffey Meeting Room 3, Level 1	100
Thursday	1430 – 1730	Latin American Regional Forum	Emergent economies: investment, challenges and opportunities	Conference Room 5, Level 1	123
<b>Private Investment Funds Subcommittee</b>					
Tuesday	2000	Investment Funds	Investment Funds Committee and Private Investment Funds Subcommittee joint dinner	Cliff Town House	141
<b>Securities Law</b>					
Tuesday	1245	Banking Law	Committees on Banking Law and Securities Law joint lunch	Ely Bar and Brasserie	141
Tuesday	1430 – 1730	Capital Markets Forum	Fixing the securities offering process: lessons from recent offerings	Conference Room 6, Level 3	94
Wednesday	0930 – 1230	Litigation	Litigation lessons for securities lawyers	Conference Room 6, Level 3	102–103
Thursday	0930 – 1230		Enforcement of bondholders' rights – why is bondholder activism so rare when issuers default?	Wicklow Meeting Room 1, Level 2	115
<b>HUMAN RESOURCES SECTION</b>					
<b>Discrimination Law</b>					
Monday	0930 – 1100		A rose by any other name: language discrimination in the workplace	Ecocem Room, Level 2	69
Tuesday	1430 – 1730	Disability Rights Working Group	The rights of the disabled in private employment and the legal profession: new international challenges for employers and employees	Wicklow Meeting Room 5, Level 2	91–92

Section/Committee		Co-presented with	Title	Location	Page
Wednesday	2000	Employment and Industrial Relations Law	Committees on Employment and Industrial Relations Law and Discrimination Law joint dinner	Town Bar and Grill	142
Thursday	0930 – 1230	Employment and Industrial Relations Law/Technology Law	Getting personal: the tension between social media and work	Liffey Meeting Room 3, Level 1	116
Thursday	1230 – 1330		Open committee business meeting	Liffey Meeting Room 3, Level 1	120
<b>Disability Rights Working Group</b>					
Tuesday	1430 – 1730	Discrimination Law	The rights of the disabled in private employment and the legal profession: new international challenges for employers and employees	Wicklow Meeting Room 5, Level 2	91–92
<b>Lesbian, Gay, Bisexual and Transgender (LGBT) Issues Subcommittee</b>					
Wednesday	0930 – 1230	IBAHRI/Immigration and Nationality Law	The tie that binds: same-sex marriage, civil unions, or just friends? Why the difference matters	Liffey Meeting Room 1, Level 1	104
<b>Employment and Industrial Relations Law</b>					
Monday	1100 – 1230		Dignity and equality at work: the evolution of legally prohibited conduct	Ecocem Room, Level 2	76
Monday	1430 – 1730		Government regulation and intervention – recent developments and the impact on employee and labour relations	Conference Room 5, Level 1	79
Tuesday	0930 – 1230	Immigration and Nationality Law	Global mobility solutions for HR managers: pitfalls and best practices	Conference Room 4, Level 1	88
Wednesday	2000	Discrimination Law	Committees on Employment and Industrial Relations Law and Discrimination Law joint dinner	Town Bar and Grill	142
Thursday	0930 – 1230	Discrimination Law/Technology Law	Getting personal: the tension between social media and work	Liffey Meeting Room 3, Level 1	116
Thursday	1430 – 1730		The future of the employment relationship	Liffey Meeting Room 2, Level 1	125
Friday	0930 – 1230	Corporate and M&A Law	Post-merger integration	Conference Room 5, Level 1	128
<b>IBA Global Employment Institute</b>					
Tuesday	1230 – 1430		Open committee business meeting and lunch	Foyer, Level 5	91
<b>Immigration and Nationality Law</b>					
Monday	1430 – 1730	Corporate Counsel Forum	The employees you really, really want to bring into the country – corporate immigration challenges and frustrations!	Conference Room 2, Level 1	81
Tuesday	0930 – 1230	Employment and Industrial Relations Law	Global mobility solutions for HR managers: pitfalls and best practices	Conference Room 4, Level 1	88
Tuesday	1430 – 1730	Individual Tax and Private Client	Mobility, tax and passports: implications of crossing the border	Liffey Meeting Room 3, Level 1	94–95
Wednesday	0930 – 1230	IBAHRI/LGBT Issues Subcommittee	The tie that binds: same-sex marriage, civil unions, or just friends? Why the difference matters	Liffey Meeting Room 1, Level 1	104
Wednesday	1430 – 1730		The global citizen: international mobility of the skilled in the age of free trade	Liffey Meeting Room 2, Level 1	113
Thursday	2000		Immigration and Nationality Law Committee dinner	Pig's Ear	143

Section/Committee		Co-presented with	Title	Location	Page
<b>IBA FORA</b>					
Monday	0930 – 1230		BRICS: trade and investment activities in 2012 and beyond	Liffey Meeting Room 2, Level 1	70
<b>African Regional Forum</b>					
Monday	1430 – 1730		Global warming and the environment – a challenge for lawyers in Africa?	Conference Room 6, Level 3	79
Tuesday	0800 – 0930		African Regional Forum breakfast	Marquee, CCD	138
Wednesday	1430 – 1730		Whither Africa: nationalisation, privatisation or public-private partnerships?	Conference Room 2, Level 1	113
Thursday	0930 – 1230	Corporate Social Responsibility	CSR in Africa – effective tool or convenient escape?	Ecocem Room, Level 2	115
Thursday	1230 – 1430		Lunch	Marquee, CCD	138
<b>Arab Regional Forum</b>					
Monday	1230 – 1430		Lunch	Foyer, Level 5	137
Monday	1430 – 1730		Enforcement of arbitration awards in Arab jurisdictions: a myth or reality?	Wicklow Meeting Room 4, Level 2	78
<b>Asia Pacific Regional Forum</b>					
Tuesday	0930 – 1230	International Sales	'Buying' big things – acquiring and financing complex capital equipment and other moveable physical assets	Liffey Meeting Room 2, Level 1	86
Tuesday	1230 – 1430		Lunch	Marquee, CCD	138
Wednesday	0930 – 1230	European Regional Forum	Why Asia into Europe and Europe into Asia?	Conference Room 4, Level 1	105
Thursday	1430 – 1730	Forum for Barristers and Advocates/Judges' Forum/ Young Lawyers	The dos and don'ts of trial work – an Asian, European and North American perspective	Conference Room 1, Level 1	125
<b>Corporate Counsel Forum</b>					
Monday	1430 – 1730	Immigration and Nationality Law	The employees you really, really want to bring into the country – corporate immigration challenges and frustrations!	Conference Room 2, Level 1	81
Tuesday	1230 – 1430		Lunch	Marquee, CCD	138
Thursday	0930 – 1230	Corporate and M&A Law	M&A and anti-bribery and corruption	Wicklow Hall 2B, Level 2	117
<b>European Regional Forum</b>					
Monday	1230 – 1430		Lunch	Spencer Dock Units, Mayor Street	137
Tuesday	0930 – 1230	Legal Practice Division	LPD SHOWCASE: the euro area crisis – thinking the unthinkable	Wicklow Hall 1, Level 2	55
Tuesday	1430 – 1730	Law Firm Management/ Professional Ethics	Are lawyers' fees fair and reasonable in all the circumstances?	Conference Room 4, Level 1	92-93
Wednesday	0930 – 1230	Asia Pacific Regional Forum	Why Asia into Europe and Europe into Asia?	Conference Room 4, Level 1	105
Thursday	1230 – 1430		Open committee business meeting	Spencer Dock Units, Mayor Street	121
Friday	0930 – 1230		How to avoid an energy crisis in Europe: implementation of the third energy package in the European energy market	Liffey Meeting Room 2, Level 1	127



Section/Committee	Co-presented with	Title	Location	Page	
<b>Latin American Regional Forum</b>					
Tuesday	0930 – 1230	Technology Law	Apples to applications – attracting technology to emerging markets	Conference Room 3, Level 1	85–86
Tuesday	1230 – 1430		Lunch	Spencer Dock Units, Mayor Street	138
Tuesday	1430 – 1600		Open committee business meeting	Wicklow Meeting Room 4, Level 2	91
Thursday	0930 – 1230	Arbitration/International Sales/North American Regional Forum/Trade and Customs Law	North American collaboration – what's next for the three amigos?	Liffey Hall 2, Level 1	117–118
Thursday	1430 – 1730	Investment Funds	Emergent economies: investment, challenges and opportunities	Conference Room 5, Level 1	123
<b>North American Regional Forum</b>					
Monday	1230 – 1430		Lunch	Marquee, CCD	137
Thursday	0930 – 1230	Arbitration/International Sales/Latin American Regional Forum/Trade and Customs Law	North American collaboration – what's next for the three amigos?	Liffey Hall 2, Level 1	117–118
<b>INSOLVENCY, RESTRUCTURING AND CREDITORS' RIGHTS SECTION (SIRC)</b>					
Tuesday	1430 – 1730	Litigation	Catching the golden goose – overcoming corporate and jurisdictional barriers to recover assets	Wicklow Hall 2A, Level 2	93
Wednesday	2000		Insolvency, Restructuring and Creditors' Rights Section (SIRC) reception and dinner	Kildare Street and University Club	142
<b>Reorganisation of Regulated Industries Subcommittee</b>					
Thursday	1430 – 1730		Can you foreclose on a country? A practical guide to the restructuring of sovereign entities	Liffey Hall 1, Level 1	121–122
<b>Enforcement of Creditors' Rights Subcommittee</b>					
Monday	1430 – 1730		When the music stops: new developments in the liability of directors and officers in and after insolvency proceedings	Wicklow Meeting Room 1, Level 2	82
<b>Insolvency Legislation and Legislative Reform and Harmonisation Subcommittee</b>					
Monday	0930 – 1230	Judges' Forum	<i>A bridge over troubled waters:</i> overcoming challenges to the restructuring of multinational corporate groups through new rules encouraging cross-border cooperation of judges, insolvency representatives and practitioners	Conference Room 5, Level 1	69
<b>Reorganisation and Workouts Subcommittee</b>					
Wednesday	1430 – 1730		Blood, sweat and tears – money v sweat equity: the competing rights of creditors and pension holders of insolvent entities	Conference Room 4, Level 1	107
<b>INTELLECTUAL PROPERTY, COMMUNICATIONS AND TECHNOLOGY SECTION</b>					
Monday	0930 – 1230		Round the tables – breakfast and a taste of hot topics in the Intellectual Property, Communications and Technology Section	Liffey Hall 2, Level 1	73–74

Section/Committee	Co-presented with	Title	Location	Page	
Tuesday	1430 – 1730		The 'Double Irish' and its progeny – IP and technology holding companies	Wicklow Hall 2B, Level 2	95–96
<b>Art, Cultural Institutions and Heritage Law</b>					
Monday	1430 – 1730	International Sales/Technology Law	Fakes' anatomy: a complete guide to avoiding fakes, half fakes and not original works (or, in case, to getting your money back)	Wicklow Meeting Room 5, Level 2	78–79
Tuesday	0930 – 1230	Space Law	Cornices, cupolas and copyrights: protection and infringement of architectural copyrights by remote sensing, media use, virtual worlds and construction changes	Liffey Meeting Room 5, Level 1	87
Tuesday	2030		Art, Cultural Institutions and Heritage Law Committee dinner	Bang	142
<b>Communications Law</b>					
Tuesday	1930	Media Law/Space Law/Technology Law	Committees on Communications Law, Media Law, Space Law and Technology Law joint dinner	The Morrison Hotel	141
Wednesday	0930 – 1230		Futurology in communication – where invention and law combine	Wicklow Meeting Room 2, Level 2	102
<b>Intellectual Property and Entertainment Law</b>					
Monday	1430 – 1730	Media Law	A revolution in the right of publicity	Wicklow Meeting Room 2, Level 2	77
Tuesday	0800 – 0930		Open committee business meeting and breakfast	Marquee, CCD	85
Tuesday	0930 – 1100	International Franchising	Know-how, trade secrets and trade dress protection	Ecocem Room, Level 2	85
Wednesday	1430 – 1730	Closely Held and Growing Business Enterprises/Young Lawyers	Get your IP house in order – the what, why, and how – advising entrepreneurs and closely held businesses in setting up an IP strategy	Conference Room 3, Level 1	107
Wednesday	2000		Intellectual Property and Entertainment Law Committee dinner	Wilde – The Restaurant	142
Thursday	1430 – 1730	Litigation	Follow the money – monetary compensation in intellectual property cases	Conference Room 4, Level 1	123
Friday	0930 – 1230		How to slice the cake – licensing and distribution agreements	Ecocem Room, Level 2	127–128
<b>Media Law</b>					
Monday	1430 – 1730	Intellectual Property and Entertainment Law	A revolution in the right of publicity	Wicklow Meeting Room 2, Level 2	77
Tuesday	1930	Communications Law/Space Law/Technology Law	Committees on Communications Law, Media Law, Space Law and Technology Law joint dinner	The Morrison Hotel	141
Wednesday	1430 – 1730		Reputation in the internet age	Wicklow Hall 2A, Level 2	110
Thursday	1430 – 1730	Leisure Industries Section	BRICS and stones – social media pitfalls in hospitality	Conference Room 2, Level 1	121

Section/Committee		Co-presented with	Title	Location	Page
<b>Space Law</b>					
Tuesday	0930 – 1230	Art, Cultural Institutions and Heritage Law	Cornices, cupolas and copyrights: protection and infringement of architectural copyrights by remote sensing, media use, virtual worlds and construction changes	Liffey Meeting Room 5, Level 1	87
Tuesday	1930	Communications Law/ Media Law/Technology Law	Committees on Communications Law, Media Law, Space Law and Technology Law joint dinner	The Morrison Hotel	141
<b>Technology Law</b>					
Monday	0930 – 1230	Insurance	Insuring liabilities in cyberspace (the screams can be heard): cloud computing and social media	Conference Room 6, Level 3	72
Monday	1430 – 1730	Art, Cultural Institutions and Heritage Law/ International Sales	Fakes' anatomy: a complete guide to avoiding fakes, half fakes and not original works (or, in case, to getting your money back)	Wicklow Meeting Room 5, Level 2	78–79
Monday	1430 – 1730	Leisure Industries	The global 'gamification' of online gambling	Wicklow Meeting Room 3, Level 2	81–82
Tuesday	0930 – 1230	Product Law and Advertising	From cookies to astroturfing: what goes on behind the web	Wicklow Meeting Room 5, Level 2	88
Tuesday	0930 – 1230	Latin American Regional Forum	Apples to applications – attracting technology to emerging markets	Conference Room 3, Level 1	85–86
Tuesday	1430 – 1730	Product Law and Advertising	The use of social media in advertising	Conference Room 5, Level 1	96
Tuesday	1930	Communications/Media Law/Space Law	Committees on Communications Law, Media Law, Space Law and Technology Law joint dinner	The Morrison Hotel	141
Wednesday	1430 – 1730	Environment, Health and Safety Law	Nanotechnology – the next environmental regulatory frontier	Conference Room 5, Level 1	108–109
Thursday	0930 – 1230	Employment and Industrial Relations Law/ Discrimination Law	Getting personal: the tension between social media and work	Liffey Meeting Room 3, Level 1	116
Thursday	1430 – 1730		Smart grids and smart metering: governance and technology issues	Wicklow Meeting Room 2, Level 2	125
Friday	0930 – 1230	Law Firm Management	Cloud computing for lawyers	Wicklow Meeting Room 1, Level 2	126–127
<b>INTERNATIONAL SALES, FRANCHISING AND PRODUCT LAW SECTION</b>					
Monday	0930 – 1230		'Moderated speed-dating' – roundtable interactive discussions (with coffee and pastries) on the latest developments and 'hot topics' relevant to international sales, franchising and product law	Wicklow Hall 2A, Level 2	72–73
Thursday	2000		International Sales, Franchising and Product Law Section dinner	Town Bar and Grill	143
<b>International Franchising</b>					
Monday	1430 – 1600		Remedies for breach of international franchising agreements	Liffey Meeting Room 1, Level 1	43
Monday	1630 – 1730		Key issues in international master franchise and area developer relationships	Liffey Meeting Room 1, Level 1	82–85

Section/Committee		Co-presented with	Title	Location	Page
Monday	2000		International Franchising Committee dinner	O'Connells	141
Tuesday	0930 – 1100	Intellectual Property and Entertainment Law	Know-how, trade secrets and trade dress protection	Ecocem Room, Level 2	85
Tuesday	1130 – 1230		News from around the world	Ecocem Room, Level 2	91
<b>International Sales</b>					
Monday	1430 – 1730	Art, Cultural Institutions and Heritage Law/ Technology Law	Fakes' anatomy: a complete guide to avoiding fakes, half fakes and not original works (or, in case, to getting your money back)	Wicklow Meeting Room 5, Level 2	78–79
Tuesday	0930 – 1230	Asia Pacific Regional Forum	'Buying' big things – acquiring and financing complex capital equipment and other moveable physical assets	Liffey Meeting Room 2, Level 1	86
Wednesday	0930 – 1230	Business Crime	UN and EC sanctions – a due process wilderness?	Wicklow Meeting Room 1, Level 2	105
Wednesday	1430 – 1730	Healthcare and Life Sciences Law/Product Law and Advertising	Selling regulated products across borders: discussions and case studies on the sale of booze, drugs and other regulated products	Liffey Meeting Room 3, Level 1	110–113
Wednesday	1730 – 1830		Open committee business meeting	Liffey Meeting Room 3, Level 1	114
Thursday	0930 – 1230	Arbitration/Latin American Regional Forum/North American Regional Forum/ Trade and Customs Law	North American collaboration – what's next for the three amigos?	Liffey Hall 2, Level 1	117–118
Friday	0930 – 1230	Arbitration/Litigation	A battle of perspectives: transactional lawyers v litigators for international sales and related commercial transactions	Liffey Hall 2, Level 1	126
<b>Product Law and Advertising</b>					
Tuesday	0930 – 1230	Technology Law	From cookies to astroturfing: what goes on behind the web	Wicklow Meeting Room 5, Level 2	88
Tuesday	0930 – 1230	Consumer Litigation	The alpha consumer	Wicklow Meeting Room 3, Level 2	90
Tuesday	1430 – 1730	Technology Law	The use of social media in advertising	Conference Room 5, Level 1	96
Wednesday	0800 – 0930		Open committee business meeting and breakfast	Liffey Meeting Room 4, Level 1	99
Wednesday	1430 – 1730	International Sales/ Healthcare and Life Sciences Law	Selling regulated products across borders: discussions and case studies on the sale of booze, drugs and other regulated products	Liffey Meeting Room 3, Level 1	110–113
<b>LAW AND INDIVIDUAL RIGHTS SECTION</b>					
<b>Family Law</b>					
Monday	0930 – 1230	Closely Held and Growing Business Enterprises	Breaking up is hard to do: the private entrepreneur in their mid-life crisis	Wicklow Meeting Room 2, Level 2	70
Tuesday	0930 – 1230	Individual Tax and Private Client	Family disputes involving trusts: whatever can go wrong will go wrong	Conference Room 5, Level 1	87–88
Wednesday	0800 – 0930		Open committee business meeting and breakfast	Foyer, Level 5	99

Section/Committee		Co-presented with	Title	Location	Page
Thursday	0930 – 1230	Judges' Forum/Litigation	Kidding around? Children's rights and legal representation	Conference Room 4, Level 1	117
Thursday	1430 – 1730	Human Rights Law/ Individual Tax and Private Client/Healthcare and Life Sciences Law	Who gets the ice cream? Ethical, medical, succession and family law considerations of frozen genetic material on the death or divorce of the donor	Wicklow Meeting Room 1, Level 2	125–126
<b>Healthcare and Life Sciences Law</b>					
Tuesday	1430 – 1730	Negligence and Damages	A doctor's nightmare: protection from medical malpractice suits	Wicklow Meeting Room 3, Level 2	92
Wednesday	1430 – 1730	International Sales/Product Law and Advertising	Selling regulated products across borders: discussions and case studies on the sale of booze, drugs and other regulated products	Liffey Meeting Room 3, Level 1	110–113
Thursday	1430 – 1730	Family Law/Human Rights Law/Individual Tax and Private Client	Who gets the ice cream? Ethical, medical, succession and family law considerations of frozen genetic material on the death or divorce of the donor	Wicklow Meeting Room 1, Level 2	125–126
Thursday	1730 – 1830		Open committee business meeting	Wicklow Meeting Room 1, Level 2	126
<b>Human Rights Law</b>					
Tuesday	0930 – 1230	Indigenous Peoples	The dispossessed: an examination of groups on the edge of society, their rights, legal challenges, successes and failures	Liffey Meeting Room 4, Level 1	90–91
Wednesday	1430 – 1730		Public and private use of human rights: how can advocacy of human rights best be achieved in both spheres?	Wicklow Meeting Room 3, Level 2	109–110
Thursday	1430 – 1730	Family Law/Individual Tax and Private Client/ Healthcare and Life Sciences Law	Who gets the ice cream? Ethical, medical, succession and family law considerations of frozen genetic material on the death or divorce of the donor	Wicklow Meeting Room 1, Level 2	125–126
<b>Indigenous Peoples</b>					
Monday	0930 – 1230	Corporate Social Responsibility/SEERIL	Towards an IBA Best Practices Guide for setting up a large project: lessons from the Santiago Protocol	Wicklow Hall 1, Level 2	75
Tuesday	0930 – 1230	Human Rights Law	The dispossessed: an examination of groups on the edge of society, their rights, legal challenges, successes and failures	Liffey Meeting Room 4, Level 1	90–91
<b>LEISURE INDUSTRIES SECTION</b>					
Monday	1430 – 1730	Technology Law	The global 'gamification' of online gambling	Wicklow Meeting Room 3, Level 2	81–82
Wednesday	0930 – 1230	Criminal Law	Athletic and catwalk criminals: an in-depth look at crime in the fashion and sports industries	Ecocem Room, Level 2	100
Thursday	1430 – 1730	Media Law	BRICS and stones – social media pitfalls in hospitality	Conference Room 2, Level 1	121
Thursday	1930	Young Lawyers	Leisure Industries Section and Young Lawyers' Committee joint dinner and entertainment	Old Jameson Distillery	143

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<b>MARITIME AND AVIATION LAW SECTION</b>				
<b>Aviation Law</b>				
Monday	0930 – 1230	Aircraft leasing – the Irish scene and global jurisdictional issues	Liffey Meeting Room 1, Level 1	69–70
Tuesday	0930 – 1230	Airport capacity and the modern infrastructure challenges	Wicklow Meeting Room 4, Level 2	85
Wednesday	2030	Aviation Law Committee dinner	Cliff Town House	142
Thursday	0930 – 1230	Consumer rights in the modern aviation industry	Liffey Meeting Room 1, Level 1	115
<b>Maritime and Transport Law</b>				
Monday	1430 – 1730	Sanctions effects on shipping and marine insurance	Ecocem Room, Level 2	81
Tuesday	0945	Insurance	Committees on Insurance and Maritime and Transport Law joint excursion and lunch <b>SOLD OUT</b>	Naval gazing and the Irish countryside 141
Wednesday	1430 – 1730	Port regulations and infrastructure/logistics	Liffey Meeting Room 1, Level 1	109
Thursday	0930 – 1230	Financial and insolvency issues in shipping and shipbuilding	Liffey Meeting Room 2, Level 1	116
Thursday	1430 – 1730	Insurance	Clear and present danger – the coverage of security risks on a global scale	Liffey Meeting Room 3, Level 1 122
Thursday	2000	Maritime and Transport Law Committee dinner	The Banking Hall	143
<b>Land Transport Subcommittee</b>				
Wednesday	0930 – 1230	Collection remedies in intermodal transportation	Wicklow Meeting Room 5, Level 2	100–101
<b>PUBLIC LAW SECTION</b>				
Monday	0930 – 1230	Beyond the tipping point: is mankind populating itself into extinction?	Wicklow Meeting Room 3, Level 2	70
<b>REAL ESTATE SECTION</b>				
Monday	0930 – 1230	VAT – valuation, accounting, tax: three pillars of real estate investment	Wicklow Meeting Room 5, Level 2	75–76
Tuesday	1430 – 1730	Structuring complex and real estate transactions: the fix for the BRIC(K)S and the sticks	Conference Room 3, Level 1	95
Tuesday	2000	Real Estate Section dinner	Ely Wine Bar	141
Wednesday	1430 – 1730	Real Estate property tour		110
<b>TAXATION SECTION</b>				
Tuesday	2000	Taxation Section dinner	The Banking Hall	142
Wednesday	0930 – 1230	Taxing the company, taxing the individual – where to domicile your HQ, your executives and the owner? International corporate tax structures for wealthy families from BRICS countries	Wicklow Hall 1, Level 2	104

Section/Committee	Co-presented with	Title	Location	Page	
<b>Individual Tax and Private Client</b>					
Monday	1245	Individual Tax and Private Client Committee lunch	Wilde – The Restaurant	141	
Tuesday	0930 – 1230	Family Law	Family disputes involving trusts: whatever can go wrong will go wrong	Conference Room 5, Level 1	87
Tuesday	1430 – 1730	Immigration and Nationality Law	Mobility, tax and passports: implications of crossing the border	Liffey Meeting Room 3, Level 1	94
Wednesday	1430 – 1730		How to go the extra mile: the lawyer's guide to handling private clients	Conference Room 6, Level 3	108
Thursday	0930 – 1230		EU principles that might save your private clients	Wicklow Meeting Room 5, Level 2	115–116
Thursday	1430 – 1730	Family Law/Human Rights Law/Healthcare and Life Sciences Law	Who gets the ice cream? Ethical, medical, succession and family law considerations of frozen genetic material on the death or divorce of the donor	Wicklow Meeting Room 1, Level 2	125–126
<b>Taxes</b>					
Monday	0830 – 0930		National rapporteurs breakfast and meeting	Foyer, Level 5	69
Monday	0930 – 1230		Taxation of IP transactions in the context of group reorganisations	Conference Room 3, Level 1	74–75
Monday	1430 – 1730		The limits of tax planning	Liffey Meeting Room 2, Level 1	82
Tuesday	0930 – 1230	Mining Law	Taxation on mining activities	Conference Room 1, Level 1	90
Tuesday	1430 – 1730		Beneficial ownership v abuse and treaty overrides	Liffey Hall 1, Level 1	93
Wednesday	1430 – 1730	Banking Law	Taxes on financial transactions	Wicklow Hall 2B, Level 2	113
Thursday	0930 – 1100		Tax reps, warranties and indemnities: effects and related disputes	Conference Room 3, Level 1	114
Thursday	1100 – 1230		Tax leverage: the tax treatment of debt in the wake of the financial crisis	Conference Room 3, Level 1	120
Thursday	1230 – 1430		New members lunch and open committee business meeting	Foyer, Floor 5	121
Thursday	1430 – 1730		Investment funds: information obligations (FATCA), tax treaty entitlements and related issues	Wicklow Hall 1, Level 2	124
Friday	0930 – 1230		Tax audits in a cross-border environment	Conference Room 2, Level 1	128
<b>PUBLIC AND PROFESSIONAL INTEREST DIVISION</b>					
Wednesday	1130 – 1215		General meeting	Liffey Meeting Room 4, Level 1	65
Thursday	0930 – 1230	Pro Bono and Access to Justice	PPID SHOWCASE: Lawyers against poverty	Liffey Hall 1, Level 1	57
Thursday	1230 – 1430		Public and Professional Interest Division lunch	Marquee, CCD	138
<b>Academic and Professional Development</b>					
Wednesday	0930 – 1230	Law Firm Management	Partners' careers	Conference Room 5, Level 1	103
Thursday	0800 – 0930		Open committee business meeting and breakfast	Foyer, Level 5	114

Section/Committee		Co-presented with	Title	Location	Page
Thursday	0930 – 1230	Senior Lawyers/ Young Lawyers/The Hague Institute for the Internationalisation of Law (HiIL)	Where will the new law jobs be? Legal trends and practical strategies to consider in developing the next generation of lawyers	Wicklow Meeting Room 4, Level 2	119
Friday	0930 – 1230	Bar Issues Commission/ Professional Ethics	Does legal education need to give higher priority to teaching ethics and professional judgment? If so, what can be the role for professional bodies and regulatory agencies in promoting such change?	Conference Room 3, Level 1	127
<b>Anti-Corruption</b>					
Tuesday	1430 – 1730		2012 global update on anti-corruption legislation and enforcement	Ecocem Room, Level 2	92
Tuesday	2000	Criminal Law Section	Anti-Corruption Committee and Criminal Law Section joint dinner <b>SOLD OUT</b>	Town Bar and Grill	141
Wednesday	0930 – 1230		Fair and equitable treatment: the issue of corruption in international investment arbitrations	Liffey Meeting Room 2, Level 1	101
Wednesday	1430 – 1730		The role of financial institutions in the fight against corruption – can we bank on them?	Ecocem Room, Level 2	113
Thursday	1430 – 1730	Criminal Law Section	Battle of the Titans: international finance meets the criminal law – a mock trial in the Dublin Four Courts before three senior Irish judges	Four Courts, Dublin	121
<b>Bar Issues Commission</b>					
Monday	1430 – 1730	Criminal Law	Navigating the criminal law minefield: a cautionary tale for defence lawyers and lawyers representing corporations	Conference Room 1, Level 1	81
Wednesday	0930 – 1230		BIC SHOWCASE: Public perception of lawyers  <i>French and Spanish translation will be available</i>	Conference Room 1, Level 1	57
Wednesday	1430 – 1730		Bar Issues:  What are legal services?  Stepping into the deep end: policy and regulatory responses to alternative business structures for legal practice  <i>French and Spanish translation will be available</i>	Conference Room 1, Level 1	106– 107
Thursday	0730 – 0930		BIC open forum and open policy committee breakfast meeting	Marquee, CCD	114
Thursday	0930 – 1230		Minimum legal training requirements  <i>French and Spanish translation will be available</i>	Conference Room 1, Level 1	117
Thursday	2000		Bar Issues Commission dinner	La Stampa	143
Friday	0930 – 1230	Academic and Professional Development/Professional Ethics	Does legal education need to give higher priority to teaching ethics and professional judgment? If so, what can be the role for professional bodies and regulatory agencies in promoting such change?	Conference Room 3, Level 1	127



Section/Committee		Co-presented with	Title	Location	Page
Friday	1230 – 1430		Bar Executives lunch meeting (by invitation)	Council Chamber, Law Society of Ireland	129
<b>Corporate Social Responsibility</b>					
Monday	0930 – 1230	Indigenous Peoples/SEERIL	Towards an IBA Best Practices Guide for setting up a large project: lessons from the Santiago Protocol	Wicklow Hall 1, Level 2	75
Wednesday	0930 – 1230	Banking Law	CSR, the financial industry and project financing	Conference Room 3, Level 1	101
Thursday	0930 – 1230	African Regional Forum	CSR in Africa – effective tool or convenient escape?	Ecocem Room, Level 2	115
<b>Forum for Barristers and Advocates</b>					
Monday	1430 – 1730	IBAHRI/Judges' Forum/Young Lawyers	When worlds collide: judicial independence and the democratic process	Liffey Meeting Room 3, Level 1	82
Tuesday	0930 – 1230	Judges' Forum/Litigation/Young Lawyers	Controlling discovery in commercial litigation	Conference Room 2, Level 1	87
Thursday	1430 – 1730	Asia Pacific Regional Forum/Judges' Forum/Young Lawyers	The dos and don'ts of trial work – an Asian, European and North American perspective	Conference Room 1, Level 1	125
<b>International Bar Association's Human Rights Institute</b>					
Monday	0930 – 1230		IBAHRI SHOWCASE: Peace after terror: rules or reconciliation?	Wicklow Hall 2B, Level 2	55
Monday	1430 – 1730	Forum for Barristers and Advocates/Judges' Forum/Young Lawyers	When worlds collide: judicial independence and the democratic process	Liffey Meeting Room 3, Level 1	82
Wednesday	0930 – 1230	Immigration and Nationality Law/LGBT Issues Subcommittee	The tie that binds: same-sex marriage, civil unions, or just friends? Why the difference matters	Liffey Meeting Room 1, Level 1	104
Wednesday	1430 – 1630		General meeting	Liffey Meeting Room 4, Level 1	65
<b>Judges' Forum</b>					
Monday	0930 – 1230	Insolvency Legislation and Legislative Reform and Harmonisation	<i>A bridge over troubled waters:</i> overcoming challenges to the restructuring of multinational corporate groups through new rules encouraging cross-border cooperation of judges, insolvency representatives and practitioners	Conference Room 5, Level 1	69
Monday	1430 – 1730	Forum for Barristers and Advocates/IBAHRI/Young Lawyers	When worlds collide: judicial independence and the democratic process	Liffey Meeting Room 3, Level 1	82
Tuesday	0930 – 1230	Forum for Barristers and Advocates/Litigation/Young Lawyers	Controlling discovery in commercial litigation	Conference Room 2, Level 1	87
Thursday	0930 – 1230	Family Law/Litigation	Kidding around? Children's rights and legal representation	Conference Room 4, Level 1	117
Thursday	1430 – 1730	Asia Pacific Regional Forum/Forum for Barristers and Advocates/Young Lawyers	The dos and don'ts of trial work – an Asian, European and North American perspective	Conference Room 1, Level 1	125
<b>Law Firm Management</b>					
Monday	0930 – 1230		Functional management: non-lawyer management of law firms – is it necessary for success in changing times?	Conference Room 2, Level 1	71

Section/Committee		Co-presented with	Title	Location	Page
Monday	1430 – 1730	Multidisciplinary Practices	Market demand – a key driver of the multidisciplinary approach to legal services	Liffey Hall 1, Level 1	80
Tuesday	0930 – 1230		Finance: profitability in changing times: getting more from less	Liffey Hall 1, Level 1	88
Tuesday	1430 – 1730	European Regional Forum/ Professional Ethics	Are lawyers' fees fair and reasonable in all the circumstances?	Conference Room 4, Level 1	92–93
Tuesday	2000		Law Firm Management Committee dinner <b>SOLD OUT</b>	The Royal Irish Yacht Club	141
Wednesday	0800 – 0930		Managing partners breakfast	Marquee, CCD	99
Wednesday	0930 – 1230		Governance: does the traditional partnership model still work in a fast-changing business environment?	Liffey Hall 1, Level 1	102
Wednesday	0930 – 1230	Academic and Professional Development	Partners' careers	Conference Room 5, Level 1	103
Wednesday	1430 – 1730		Leadership: leading change in law firms	Wicklow Hall 1, Level 2	108
Thursday	0830 – 1230		Law firm visits		114
Thursday	0930 – 1230	Regulation of Lawyers' Compliance	How do law firms monitor compliance with regulations?	Conference Room 2, Level 1	116
Thursday	0930 – 1230		Marketing: business development in a changing legal market	Wicklow Hall 1, Level 2	117
Thursday	1430 – 1730	Closely Held and Growing Business Enterprises	Have the urge to merge and purge? Lessons from law firm mergers	Wicklow Hall 2B, Level 2	123–124
Friday	0930 – 1230	Technology Law	Cloud computing for lawyers	Wicklow Meeting Room 1, Level 2	126–127
Friday	0930 – 1230		People: the changing market for legal talent	Conference Room 1, Level 1	128
Friday	1430 – 1730		Strategy: how must small law firms change in order to survive?	Wicklow Hall 1, Level 2	131
<b>Multidisciplinary Practices</b>					
Monday	1430 – 1730	Law Firm Management	Market demand – a key driver of the multidisciplinary approach to legal services	Liffey Hall 1, Level 1	80
<b>Pro Bono and Access to Justice</b>					
Thursday	0930 – 1230	Public and Professional Interest Division	PPID SHOWCASE: Lawyers against poverty	Liffey Hall 1, Level 1	57
<b>Professional Ethics</b>					
Monday	0930 – 1230	Anti-Money Laundering Legislation Implementation Working Group	Should professional ethics regulate money laundering by lawyers?	Liffey Meeting Room 5, Level 1	74
Tuesday	1430 – 1730	European Regional Forum/ Law Firm Management	Are lawyers' fees fair and reasonable in all the circumstances?	Conference Room 4, Level 1	92–93
Wednesday	0930 – 1230	Litigation	The truth, the whole truth and nothing but the truth – the obligations and responsibilities of lawyers when dealing with witnesses	Wicklow Hall 2B, Level 2	104–105
Wednesday	1230 – 1330		Open committee business meeting	Wicklow Hall 2B, Level 2	105

Section/Committee		Co-presented with	Title	Location	Page
Friday	0930 – 1230	Academic and Professional Development/Bar Issues Commission	Does legal education need to give higher priority to teaching ethics and professional judgment? If so, what can be the role for professional bodies and regulatory agencies in promoting such change?	Conference Room 3, Level 1	127
<b>Regulation of Lawyers' Compliance</b>					
Thursday	0930 – 1230	Law Firm Management	How do law firms monitor compliance with regulations?	Conference Room 2, Level 1	116
Thursday	1230 – 1330		Open committee business meeting	Conference Room 2, Level 1	121
<b>Anti-Money Laundering Legislation Implementation Working Group</b>					
Monday	0930 – 1230	Professional Ethics	Should professional ethics regulate money laundering by lawyers?	Liffey Meeting Room 5, Level 1	74
<b>Rule of Law Action Group</b>					
Friday	1000 – 1230		Is the rule of law relevant for the 21st century global community?	Auditorium, Level 3	67
Friday	1430 – 1700	Hague Institute for the Internationalisation of Law (Hiil)	The rule of law in 2030	Auditorium, Level 3	67
<b>Senior Lawyers</b>					
Thursday	0930– 1230	Academic and Professional Development/Young Lawyers/The Hague Institute for the Internationalisation of Law	Where will the new law jobs be? Legal trends and practical strategies to consider in developing the next generation of lawyers	Wicklow Meeting Room 4, Level 2	119–120
Thursday	1430 – 1730		Orderly stepping down – how can it be done? A different meaning for different types of law firms	Wicklow Meeting Room 3, Level 2	124–125
<b>War Crimes</b>					
Tuesday	1430 – 1730		Pillage: the corporate war crime?	Wicklow Meeting Room 2, Level 2	95
Thursday	0930 – 1230		The Extraordinary Chamber in Cambodia – has justice been done?	Wicklow Meeting Room 3, Level 2	119
<b>Women Lawyers' Interest Group</b>					
Monday	0930 – 1230		Women and Islam – challenges and opportunities	Wicklow Meeting Room 4, Level 2	76
Monday	1230 – 1430		Lunch	Marquee, CCD	138
Tuesday	0930 – 1230		How to be a persuasive role model – and not to lose your best talents	Wicklow Meeting Room 1, Level 2	89
<b>Young Lawyers</b>					
Monday	0930 – 1230		Young lawyers' introductory meeting	Conference Room 1, Level 1	76
Monday	1430 – 1730	Forum for Barristers and Advocates/BAHRI/Judges' Forum	When worlds collide: judicial independence and the democratic process	Liffey Meeting Room 3, Level 1	82
Tuesday	0930 – 1230	Forum for Barristers and Advocates/Judges' Forum/Litigation	Controlling discovery in commercial litigation	Conference Room 2, Level 1	87

Section/Committee		Co-presented with	Title	Location	Page
Tuesday	1430 – 1730	Water Law	Is water law a sexy career for young lawyers?	Wicklow Meeting Room 1, Level 2	94
Wednesday	1430 – 1730	Closely Held and Growing Business Enterprises/ Intellectual Property and Entertainment Law	Get your IP house in order – the what, why, and how – advising entrepreneurs and closely held businesses in setting up an IP strategy	Conference Room 3, Level 1	107
Thursday	0930 – 1230	Academic and Professional Development/Senior Lawyers/The Hague Institute for the Internationalisation of Law (HiIL)	Where will the new law jobs be? Legal trends and practical strategies to consider in developing the next generation of lawyers	Wicklow Meeting Room 4, Level 2	119–120
Thursday	1430 – 1730	Asia Pacific Regional Forum/Forum for Barristers and Advocates/Judges' Forum	The dos and don'ts of trial work – an Asian, European and North American perspective	Conference Room 1, Level 1	125
Thursday	1830	Young Lawyers' reception	The highlight of the reception will be the presentation of the prestigious IBA Young Lawyer of the Year Award in recognition of William Reece Smith Jr. <i>Sponsored by LexisNexis®</i>	Jameson Distillery	139
Thursday	1930	Leisure Industries	Leisure Industries Section and Young Lawyers' Committee joint dinner and entertainment	Old Jameson Distillery	143
Friday	0930 – 1230		The true meaning of success: what really makes you an outstanding lawyer?	Conference Room 6, Level 3	128–129

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- Show your support for rule of law and human rights around the world through the world body for your profession.
- Develop your knowledge and skills, interact with different cultures and make friendships that will last a lifetime.

To find out more about IBA membership please visit the IBA stand opposite registration in the exhibition hall, or contact the IBA Membership Department at [member@int-bar.org](mailto:member@int-bar.org).

## HINTS AND TIPS FOR NEWCOMERS

Attending an IBA conference is a unique experience and for those of you who are attending for the first time, the following guide will help you get the most out of your week!

- The conference programme comprises over 180 working sessions so do take time to study the range of sessions taking place during the conference so you can plan the best possible way to spend your time during the week. Check the committee schedule on pages 31 which will help you map out your time.
- Take the opportunity to step outside of your practice area and broaden your knowledge by checking out some of the sessions tackling the wider global issues affecting the profession as well as those of direct relevance to your practice area.
- You may find it beneficial to introduce yourself to the officers of committees you have an interest in, who will be more than happy to discuss any issues you may have about the IBA or the conference itself. Committee officers will be present at the Newcomers' Reception.
- Make sure you visit the Exhibition Area during the week where there will be numerous stands including the IBA stand, where you can learn how to gain the most from IBA membership, find out about current IBA work, products and conferences and familiarise yourself with the website.


## NEWCOMERS' RECEPTION

Make sure you attend the **Newcomers' Reception** taking place in the **Marquee, CCD at 1800 on Monday 1 October**. Come and enjoy a drink and mingle with fellow delegates and IBA committee officers in an informal setting. It is a great opportunity to step outside of your practice area and meet others from different backgrounds and cultures and find out more about the committees, constituents and fora that make up the IBA.

CONFERENCE THEME

# Dynamic ASIA

## New Opportunities & Challenges for Law & Business



IPBA 2013 SEOUL will provide a vibrant discussion forum for the future of the law & business in the Asia-Pacific region, together with various opportunities to network and strengthen the relationships among all participants.

### Offering Dynamic Programs

**Hear from CEOs** Discuss about the Asian business market and the future perspectives

**Hear from Managing Partners** Share the leading law firms' insightful views of the global legal market

**Learn Everything about East Asia** Host Committee Session focusing on the key legal issues of East Asia

**Business Round Table** New program for lawyers and business leaders to exchange ideas and discuss legal and business issues together

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#### Special Room Rate

The Host Committee is proud to offer excellent special room rates (about 50% discount from original room rate) to encourage participation and support towards participants' travel expense.

### Exciting K-Pop Dinner

The K-Pop Dinner will be the highlight of the IPBA 2013 SEOUL Conference, offering you the excellent range of cuisine, drinks and entertainment with Korean influence at its best. Special boy and/or girl bands will be invited to add excitement to the evening. Be prepared to be entertained, amused and fascinated with the dynamic music and performance.

Do Not Miss This Opportunity To Save about USD200 from Regular Registration of IPBA 2013 SEOUL.

## “Early Bird Registration”

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# SHOWCASE SESSIONS

## IBAHRI SHOWCASE

### Peace after terror: rules or reconciliation?

*Presented by the IBA Human Rights Institute.*

*Session Chair*

**Juan Méndez** *UN Special Rapporteur on Torture, Washington DC, USA*

This session will consider the various judicial and non-judicial measures implemented by different countries in order to redress the legacy of human rights violations in times of transition from conflict, including criminal prosecutions, truth and reconciliation commissions, reparation programmes and other formal and informal justice mechanisms.

*Keynote Speaker*

**Martin McGuinness** *Deputy First Minister of Northern Ireland, Belfast, Northern Ireland*

*Speakers*

**Justice Richard Goldstone** *Past Justice of the South African Constitutional Court and Former Prosecutor for the ICTR and ICTY, Morningside, South Africa; Co-Chair, Rule of Law Action Group*

**Michael Mansfield QC** *Took Chambers, London, England*

**Ian White** *Glencree Centre for Reconciliation, Enniskerry, Ireland*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

MONDAY 0930 – 1230  
WICKLOW HALL 2B, LEVEL 2

## LPD SHOWCASE

### The euro area crisis – thinking the unthinkable

*Presented by the Legal Practice Division and European Regional Forum.*

*Session Co-Chairs*

**Hendrik Haag** *Hengeler Mueller, Frankfurt, Germany; Council Member, Legal Practice Division*

**Wolfgang Münchau** *Associate Editor, The Financial Times, Brussels, Belgium*

The crises in the euro area have exposed the European and national legal system to issues which have never been encountered before. This session will focus on such issues, with particular focus on the legal consequences of some possible scenarios which until recently were not widely discussed or analysed, for example new euro area sovereign bonds, countries leaving the euro, the break-up of the euro area. The speakers are leading regulators, financiers and lawyers with an insight into the difficult discussions looking for solutions to the euro area crises.

*Speakers*

**Christoph Hammerl** *Group Legal, Linde AG, Munich, Germany*

**Juan Carlos Machuca** *Uría Menéndez, London, England*

**Antonis Simigdalas** *ex-CEO of Olympic Air Group, Athens, Greece*

*With contributions from other leading experts.*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

TUESDAY 0930 – 1230  
WICKLOW HALL 1, LEVEL 2

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## BIC SHOWCASE

### Public perception of lawyers

*Presented by the Bar Issues Commission.*

*Session Co-Chairs*

**James M Klotz** *Miller Thomson, Toronto, Ontario, Canada; Chair, Bar Issues Commission; Council Member, Public and Professional Interest Division*

**Claudio Visco** *Macchi di Cellere Gangemi, Rome, Italy; Officer, Bar Issues Commission*

Public opinion surveys support the view that 'nobody likes a lawyer until they need one'. However, those surveys also show that most believe that their own lawyer is the exception. The contradiction between this negative perception of lawyers generally with the positive consumer satisfaction that clients report, will be the subject of this session. Where should the legal profession focus its energies to effectively counter these negative stereotypes, or are attempts to do so ultimately futile?

*Speakers*

**Elisabeth Davies** *Legal Services Consumer Panel, London, England*

**James McCourt** *Law Society of Ireland, Dublin, Ireland*

**Supo Shashore** *Ajumogobia & Okeke Barristers & Solicitors, Lagos, Nigeria*

**James R Silkenat** *Sullivan & Worcester, New York, USA*

**Mark Stephens** *Finers Stephens Innocent, London, England; Council Member, IBA Human Rights Institute; Vice-Chair, Art, Cultural Institutions and Heritage Law Committee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

WEDNESDAY 0930 – 1230  
CONFERENCE ROOM 1, LEVEL 1

## PPID SHOWCASE

### Lawyers against poverty

*Presented by the Public and Professional Interest Division and the Pro Bono and Access to Justice Committee.*

**Session highlighted as part of the President's focus for the IBA Task Force on 'Challenges for the Legal Profession post Global Financial Crisis'.**

Poverty lies at the root of the world's worst problems – hunger, conflict, poor health, low life expectancy, deprivation of justice and more. Almost half the individuals in the world live every day on less than the price of a cup of coffee. As lawyers, we champion access to justice, the protection of human rights and the rule of law. But, without tackling poverty, we're often attempting to address symptoms and not the root cause. Why then, as lawyers, do we spend so little time thinking about and acting to alleviate poverty? Why have we not been more visible at the forefront of the battle against poverty? What do we need to do to remedy this?

In this session, with the assistance of a small number of renowned keynote speakers, we shall be investigating the causes of poverty and identifying what we, as lawyers, can do to facilitate change. Our focus will cover a wide range of issues, ranging from the implementation of austerity measures and the impact of trade and aid policies, land expropriation, commodities speculation and natural resource exploitation, to financial and fiscal issues such as anti-corruption, the impact of tax havens and tax avoidance and the need generally for a more enlightened approach to the role and responsibilities of the financial services industry in global society.

The session will begin with one or two relatively short keynote addresses, after which a moderator will provide opportunities for the audience, which will contain representatives of relevant IBA committees and the local and international NGO community, to join the debate. Further contributions from the keynote speakers will be introduced as the session progresses. The proceedings will be brought to a close with a summary, which will include suggestions for further action, which the IBA will then expand upon, publicise and pursue.

The session will be videoed and subsequently made available on the IBA's International Pro Bono website.

**The IBA Pro Bono and Access to Justice Committee 2012 Annual Pro Bono Award will be presented at this session.**

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*Moderator*

**Joss Saunders** *Oxfam, Oxford, England*

*Speakers*

**Sr Stanislaus Kennedy** *The Sanctuary, Dublin, Ireland*

**Thomas Pogge** *Yale University, New Haven, Connecticut, USA*

**Muhammad Yunus** *Yunus Centre, Dhaka, Bangladesh*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest official coffee/tea station to this session is in The Forum on Ground Level.**

THURSDAY 0930 – 1230  
LIFFEY HALL 1, LEVEL 1

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## An interview with Patricia O'Brien, Under-Secretary-General for Legal Affairs and the Legal Counsel at the United Nations

*Moderator*

**Todd Benjamin** *Award-winning former CNN news anchor*

Ms O'Brien will share her experiences and insights concerning global affairs and international law from her perspective as Under-Secretary-General and UN Legal Counsel.

Coming directly from the opening of the UN General Assembly, this promises to be a very interesting interview, followed by Q&A.

**MONDAY 1300 – 1400  
AUDITORIUM, LEVEL 3**

## Hosted breakfast by the Association of Danish Law Firms and the Danish Bar and Law Society

Awards and ratings: advertisement, reliable research information, or pure profit for the rating agency? How influential are law firm awards and ratings in securing new business? Is this information a reliable indicator of performance or just good marketing techniques? How do the rating agencies pick which firms to rate and what information to collect?

*Speakers*

**Alexander Boyes** *The Legal 500 Series, London, England*

**Hendrik Haag** *Hengeler Muller, Frankfurt am Main, Germany;  
Council Member, Legal Practice Division*

**Søren Jenstrup** *Danish Bar & Law Society, Copenhagen, Denmark;  
Member, Bar Issues Commission Policy Committee*

**Marlene Winther Plas** *Association of Danish Law Firms,  
Copenhagen, Denmark*

**Philip Wood** *Allen & Overy, London, England*

**TUESDAY 0800 – 0930  
MARQUEE, CCD**

## An interview with Juan E Méndez, UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

*Moderator*

**Todd Benjamin** *Award-winning former CNN news anchor*

Juan E Méndez, UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, has dedicated his legal career to the defence of human rights and has a long and distinguished record of advocacy throughout the Americas. He is a Visiting Professor of Law at the American University – Washington

College of Law, and an adviser on crime prevention to the Prosecutor, International Criminal Court. Until May 2009 he was the President of the International Center for Transitional Justice (ICTJ) and in the summer of 2009 he was a Scholar-in-Residence at the Ford Foundation in New York. Concurrent with his duties at ICTJ, the Honourable Kofi Annan named Mr Méndez his Special Adviser on the Prevention of Genocide, a task he performed from 2004 to 2007. For 15 years, he worked with Human Rights Watch, concentrating his efforts on human rights issues in the western hemisphere. In 1994, he became general counsel of Human Rights Watch, with worldwide duties in support of the organisation's mission, including responsibility for litigation and standard setting activities.

A national of Argentina, Mr Méndez was himself a victim of torture and administrative detention during the Argentinian 'dirty war'. As a result of his involvement in representing political prisoners, he was detained by the Argentinian military dictatorship for over a year, during which time he was adopted as a 'Prisoner of Conscience' by Amnesty International. In a conversation regarding this treatment, Mr Méndez recently told the IBA that 'it doesn't go away and, at some point, you don't want it to go away because you want it to be a source of commitment to working on human rights'.

This has been true for Mr Méndez, who continues to fight against violations of human rights, calling for a victim-centred perspective in efforts to combat torture and greater progress in institutionalising basic principles and guidelines to provide minimum standards for victims. He is a leading voice in the international community against the use of wrongfully obtained evidence by states, insisting that evidence compromised by the use of torture should not be deemed an acceptable tool to gain information and that each state has a duty to cooperate in the eradication of such practices. These arguments are particularly relevant to allegations of involvement in torture during the 'war on terror' and Mr Méndez has called for an open inquiry in the UK, recently saying that 'I've seen from my work around the world that the way to deal with the cancer of torture is to fully root it out with a wide-ranging, independent and fully public inquiry'.

**TUESDAY 1300 – 1400  
AUDITORIUM, LEVEL 3**

## Tour of Four Courts and Criminal Courts of Justice in Dublin



The Courts Service will organise a tour of the Four Courts and Criminal Courts of Justice in Dublin, which will provide some insight into their history, the legal system and day-to-day operations.

**FULLY BOOKED**

**TUESDAY 1600 – 1800  
FOUR COURTS, SECURITY GATE  
INNS QUAY, DUBLIN 7**

## Hosted breakfast by the Japan Federation of Bar Associations

### Access to justice and roles of lawyers in post-disaster crisis

The JFBA will present a session examining how the legal profession can respond and usefully assist in the wake and aftermath of natural or associated disasters such as earthquakes, tsunami and nuclear accidents. This session will host panellists from countries who will speak on their experiences in responding to major catastrophes.

#### Moderator

**Kimitoshi Yabuki** *Yabuki Law Office, Tokyo, Japan; Council Member, IBA Council; Officer, BIC International Trade in Legal Services Committee*

#### Speakers

**Anurag Bana** *International Bar Association, London, England*  
**Laurel G Bellows** *The Bellows Law Group, Chicago, Illinois, USA*  
**Tomoaki Ikenaga** *Anderson Mori & Tomotsune, Tokyo, Japan*  
**Yuji Onuki** *Nishimura & Asahi, Tokyo, Japan*

WEDNESDAY 0800 – 0930  
MARQUEE, CCD

## Developing your practice

Pippa Blakemore, BSc, PGCE, of The PEP Partnership, will be leading a fully participative and interactive session on ways in which you can develop your practice.

### Win more work – turn contacts into clients: Pippa's COPACABANA approach to international networking

Pippa's session will give you relevant practical tips and ideas on how to grow your practice and how to:

- network successfully;
- build relationships internationally;
- make the most of any event you attend without feeling 'pushy' or uncomfortable;
- introduce yourself to other people and remember their names;
- extract yourself from boring people;
- follow-up with any people you meet in a personal way;
- develop and strengthen relationships with referrers and intermediaries;
- read other people's body language and control your own;
- find reasons to keep in touch in different ways;
- talk about fees without embarrassment;
- conduct sales meetings with confidence; and
- win new work.

*Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in The Forum on Ground Level.*

THURSDAY 1430 – 1730  
LIFFEY HALL 2, LEVEL 1

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## Memorial lecture: George Seward, Honorary Life President of the International Bar Association, delivered by Mary Robinson



George Chester Seward, the Honorary Life President of the International Bar Association and Name Partner of Seward & Kissel LLP, a New York City based law firm, passed away on 15 February 2012, at his home in Scarsdale, New York. He was 101.

George was heavily involved with the IBA, from its early days. He is considered by many to be the founder of the IBA in its current form.

George was originally invited to play a role by the President of the US Bar soon after the IBA was established. At that point, he was only able to sit on the board as a representative, due to the IBA's structure: only bar associations were able to join the IBA as members. In 1968, he proposed to the IBA that it should form a section for individual lawyers to join.

Despite initial reluctance from the bar associations, this proposal was successful, and the Section on Business Law (SBL, now the Legal Practice Division) was created, with their first official meeting held in Tokyo at the 13th Biennial Conference in 1970. George was the first President of the SBL from 1970–1974. It is widely recognised that George ensured the financial viability of the Association with the introduction of the SBL.

Due to the work he undertook with the IBA, Seward was elected Honorary Life President at the IBA's conference in New Delhi in 1982. A series of lectures in his honour was also initiated, the first undertaken by Prime Minister Rajiv Gandhi in New Delhi in 1988.

George was born on 4 August 1910 in Omaha, Nebraska. He graduated with a Bachelor of Arts from the University of Virginia in 1933, and with his LLB in 1936. On 12 December 1936, he married Carroll Frances McKay, and they had four children together: Gordon Day Seward, Patricia McKay Seward, Dr James Pickett Seward and Deborah Carroll Seward. In 1953, George joined Meyer, Kidder, Matz & Kissel, which later became Seward & Kissel. Though George celebrated his 100th birthday in 2010, he is said to have regularly graced the offices of Seward & Kissel with his presence, at an age when others would have long retired.

He is remembered with great fondness by all those at the IBA who knew him and worked alongside him.

This Memorial Lecture in honour of George Seward will be delivered by Mary Robinson. Mrs Robinson, the first woman President of Ireland and formerly the United Nations High Commissioner for Human Rights, has spent most of her life as a human rights advocate and is a world leader who puts her humanity very much at the forefront of her politics. Amongst her current commitments, she now chairs the Council of Women World Leaders and is President of the Mary Robinson Foundation – Climate Justice. The Foundation is a centre for thought leadership, education and advocacy on the struggle to secure global justice for those many victims of climate change.

FRIDAY 1300 – 1400  
AUDITORIUM, LEVEL 3



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## IBA FELLOWS 2012

### LL.M in International Legal Practice (LL.M)

Upon successful completion of the LL.M in International Legal Practice, participants earn the designation of IBA Fellow in International Legal Practice. This includes:

- Two years' free membership of the IBA
- One free Committee in each of the Legal Practice and the Public and Professional Interest Divisions as well as membership of a Regional Forum of their choice
- Waiver of Annual Conference registration to attend an IBA Annual Conference

We are delighted to announce that to date 14 participants have been awarded IBA Fellowships in 2012:

Nicoleta Bakalis *Cyprus*  
 Yu Ching Chee *Malaysia*  
 Jamie Esterkin *England*  
 Simone Goligorsky *England*  
 Nihaal Khanna *England*  
 Leanne Kok *Malaysia*  
 Jagjeestsing Nekitsing *England*  
 Hui-Ping Ong *England*  
 Darshit Patel *England*  
 Elizabeth Powers *England*  
 Reto Sutter *Switzerland*  
 Shi Wen Tan *Malaysia*  
 Thomas Underhill *England*  
 Alexander Wagg *England*

### International Practice Diploma Programme (IPDP)

Upon successful completion of five International Practice Diploma modules within seven years, participants earn the designation of IBA Fellow in International Legal Practice. This includes:

- Two years' free membership of the IBA
- One free Committee in each of the Legal Practice and the Public and Professional Interest Divisions as well as membership of a Regional Forum of their choice
- Waiver of Annual Conference registration to attend an IBA Annual Conference

We are delighted to announce that to date 13 participants have been awarded IBA Fellowships in 2012:

Ramunas Audzevicius *Lithuania*  
 Athanasia Braimi *Greece*  
 Shirley Chan *Hong Kong*  
 Azubuikwe Ezech *England*  
 Catherine Hill *USA*  
 Nagi Idris *England*  
 Judith Omoye Ijewere *Nigeria*  
 Oluwabukola Iji *Nigeria*  
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## SCHOLARSHIP PROGRAMME – DUBLIN 2012

The following conference scholarships have been awarded by the sections and committees of the Legal Practice Division to lawyers under the age of 35, enabling them to attend this conference.

### **Antitrust and Trade Law**

Stephen Dnes *Brussels, Belgium*

### **Corporate Law**

Federico Silva Duarte *Asunción, Paraguay*

### **Dispute Resolution**

Myfanwy Wood *Melbourne, Victoria, Australia*

### **Energy, Environment, Natural Resources and Infrastructure Law Section (SEERIL)**

Pedro De la Fuente *Buenos Aires, Argentina*

### **Human Resources**

Oluchukwu Maduka *Abuja, Nigeria*

### **Intellectual Property, Communications and Technology**

Sharon Bwanya *Harare, Zimbabwe*

### **International Sales, Franchising and Product Law**

Manshul Mittal *New Dehli, India*

### **Latin American Regional Forum, Jack Batievsky Scholarship**

Maria Victoria Vergara Gallo *Montevideo, Uruguay*

### **Law and Individual Rights**

Alma Udoyen *Abuja, Nigeria*

### **Maritime and Aviation Law**

Javier Fernandez *Santiago, Chile*

### **Public Law**

Hachem El Hussein *Beirut, Lebanon*

### **Real Estate**

Sushant Shetty *Mumbai, India*


### **Taxation Section**

#### **Individual Taxes and Private Client**

Leonardo Castro *São Paulo, Brazil*

#### **Taxes Committee**

Amelia O'Beirne *Dublin, Ireland*



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I am a regular reader of the Newsletters; they are very relevant and allow me to stay current with global developments, especially the copyright and internet law aspects in different jurisdictions. The quality is high and I appreciate the global reach of the Newsletters.



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Vice President EU Representative Office  
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### Arbitration

**United Kingdom** - contributed by Herbert Smith LLP

#### Court of Appeal rules on arbitrability of shareholders' claims

The extent to which parties may agree to submit intra-corporate disputes - in particular claims under company legislation - to arbitration has long been uncertain. The Court of Appeal recently ruled in favour of the arbitrability of a shareholder's unfair prejudice claim brought under Section 994 of the Companies Act 2006 and has provided important guidance on the arbitrability of corporate disputes more generally.

Author: **Matthew Weiniger**

(Read article <http://www.internationalawoffice.com/?i=7FTGT00>)



Matthew Weiniger

**USA** - contributed by DLA Piper US LLP

#### US court rejects arbitrator bias challenge during enforcement proceedings

The US Court of Appeals for the Second Circuit recently refused to vacate an arbitral award under the US Federal Arbitration Act where a party argued that an arbitrator had failed to disclose prior experience that rendered the arbitrator potentially biased. The decision clarifies the boundaries of arbitrator bias relating to undisclosed prior experience.

Authors: **JP Duffy, Kiran N Gore**

(Read article <http://www.internationalawoffice.com/?i=7FUZUJ0>)



JP Duffy

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### Recent updates

- Canada Specific performance requirement does not automatically preclude injunctive relief
- Germany Court rules on New York Convention's more-favourable right provision
- India Supreme Court rules on dragging non-parties to arbitration
- Spain Arbitration Law is amended: compulsory insurance policy introduced
- Switzerland Parties' right to be heard on costs
- USA US Supreme Court rules that class arbitration waivers are enforceable

### Deals

powered by

#### Colfax Corporation to acquire Charter International plc

Legal Advisors: **Shearman & Sterling LLP, Skadden Arps Slate Meagher & Flom LLP, Slaughter and May**

(Read full report <http://www.internationalawoffice.com/?i=7FUJ0CSP>)

#### Mizuho Corporate Bank Ltd to acquire stake in Bank for Foreign Trade of Vietnam

Legal Advisors: **Freshfields Bruckhaus Deringer LLP, Nagashima Ohno & Tsunamatsu, Shearman & Sterling LLP, YKVN Lawyers**

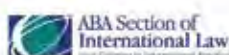
(Read full report <http://www.internationalawoffice.com/?i=7FVNDH0>)

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# GENERAL MEETINGS

## Public and Professional Interest Division General Meeting

All Division members are encouraged to attend this meeting and are invited to put to the officers and council members any questions they may have relevant to the work of the Division.

### Agenda

1. Report of the Chair
2. Election of Public and Professional Interest Division Officers (2013 – 2014)

Those nominated for positions are:

*Chair*

**Gabrielle Williamson** *Luther Rechtsanwalts-gesellschaft, Brussels and Düsseldorf, Germany*

*Vice-Chair*

**Stephen Macliver** *Sparke Helmore, Sydney, New South Wales, Australia*

*Secretary-Treasurer*

**Julia Onslow-Cole** *PWC Legal, London, England*

3. Election of Division Council (2013 – 2016)

Those standing for positions are as follows:

**Stephen Denyer** *Allen & Overy, London, England*

**John Heaps** *Eversheds, London, England*

**Jacqueline Leong** *Hong Kong Bar Association, Hong Kong SAR*  
**Alberto Navarro** *Navarro Castex Abogados, Buenos Aires, Argentina*

**Steven Richman** *Duane Morris, Cherry Hill, New Jersey, USA*

If you would like further information on any of the candidates listed please contact Jenny Clugston ([jenny.clugston@int-bar.org](mailto:jenny.clugston@int-bar.org)) at the IBA London Office.

4. Report on PPID and SPPI By-Laws
5. Any other business of which due notice has been given.

WEDNESDAY 1130 – 1215  
LIFFEY MEETING ROOM 4, LEVEL 1

## International Bar Association's Human Rights Institute (IBAHRI) General Meeting

IBAHRI members are encouraged to attend this meeting and are invited to put to the IBAHRI officers any questions and suggestions they may have relevant to the work of the Institute.

The meeting will receive reports of the activities of the IBAHRI in 2011/12 and its planned programme for 2013.

WEDNESDAY 1430 – 1630  
LIFFEY MEETING ROOM 4, LEVEL 1

## Legal Practice Division General Meeting

All Division members are encouraged to attend this meeting and are invited to put to the officers and council members any questions they may have relevant to the work of the Division.

### Agenda

1. Report of the Chair
2. Election of Legal Practice Division Officers (2013 – 2014)

Those nominated for positions are:

*Chair*

**Michael Greene** *A&L Goodbody, Dublin, Ireland*

*Vice-Chair*

**Almudena Arpón de Mendivil** *Gómez-Acebo & Pombo, Madrid, Spain*

*Secretary-Treasurer*

**Jaime Carey** *Carey y Cía, Santiago, Chile*

*Assistant Treasurer*

**Jon Grouf** *Duane Morris, New York, USA*

3. Election of Division Council (2013 – 2016)

Those standing for positions are as follows:

**Jeffrey Blount** *Fulbright & Jaworski, Hong Kong SAR*

**René Bösch** *Homburger, Zurich, Switzerland*

**Neil Campbell** *McMillan, Toronto, Ontario, Canada*

**Laura Christa** *Christa & Jackson, Los Angeles, California, USA*

**Jaime Herrera** *Posse Herrera & Ruiz, Bogotá, Colombia*

**Peter Leon** *Webber Wentzel, Johannesburg, South Africa*

**Gianmatteo Nunziante** *Nunziante Magrone, Rome, Italy*

**Vassily Rudomino** *Law Firm ALRUD, Moscow, Russian Federation*

**John Williamson-Noble** *Gilbert & Tobin, Sydney, New South Wales, Australia*

If you would like further information on any of the candidates listed please contact Ronnie Hart ([ronnie.hart@int-bar.org](mailto:ronnie.hart@int-bar.org)) at the IBA London Office.

4. Approval of LPD By-Laws in anticipation of IBA Council approval of Review Committee Recommendations
5. Any other business of which due notice has been given.

THURSDAY 0930 – 1015  
LIFFEY MEETING ROOM 5, LEVEL 1

## IBA Council Meeting and Election of Officers

The IBA Council is the governing body of the Association, having the general control of the affairs of the IBA and passing, as required, resolutions and guidelines for members. Those entitled to attend are the IBA officers, division officers, any Honorary Life President and Honorary Life Members of the Council, appointed representatives from Member Organisations and any co-opted members.

The election of the IBA Officers and BIC Officers will take place at this meeting.

THURSDAY 1430 – 1800  
AUDITORIUM, LEVEL 3

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# RULE OF LAW SYMPOSIUM

PRESENTED BY THE RULE OF LAW ACTION GROUP

FRIDAY 5 OCTOBER ALL DAY 1000 – 1700

AUDITORIUM, LEVEL 3

In Prague 2005, the IBA Council passed a Rule of Law Resolution. It was followed by a rule of law initiative in 2006. The Rule of Law Action Group has been given the responsibility to provoke, urge and assist the membership of the IBA in supporting and promoting the rule of law.

Since 2006, the final day of the annual IBA conferences has been dedicated to rule of law issues. Following successful rule of law symposia in Chicago, Singapore, Buenos Aires, Madrid, Vancouver and Dubai the final day of the conference in Dublin 2012 will also be devoted to the rule of law.

## Is the rule of law relevant for the 21st century global community?

*Session Co-Chairs*

**Justice Richard Goldstone** *Past Justice of the South African Constitutional Court and Former Prosecutor for the ICTR and ICTY, Morningside, South Africa; Co-Chair, Rule of Law Action Group; Honorary Life Member of Council and Association*

**Robert A Stein** *University of Minnesota Law School, Gray Plant Mooty, Minneapolis, Minnesota, USA; Co-Chair, Rule of Law Action Group; Council Member, Public and Professional Interest Division*

### Keynote address by Bernard Kouchner, Co-Founder, Médecins Sans Frontières, followed by a Q&A session.

Bernard Kouchner, French Minister of Foreign and European Affairs until November 2010, has played an important role in European politics for many decades. Having been a Minister in different French governments for a total of 18 years, he is an outspoken advocate for humanitarian causes.

A medical doctor by training, Bernard Kouchner is best known for being the co-founder and former President of the Nobel Peace Prize winning humanitarian organisation, Médecins Sans Frontières. Bernard Kouchner has played an important role in international humanitarian efforts for more than 20 years. As France's Minister of Health and Humanitarian affairs, he played a key role in persuading the UN General Assembly to accept 'the responsibility to protect' resolution. After devastating civil wars in the Balkans, Kouchner served as Special Representative to UN Secretary-General Kofi Annan in Kosovo.

Bernard Kouchner is the author of several books and is co-founder of the news magazines *L'Événement* and *Actuel*. He is the recipient of several human rights awards, including the Dag Hammarskjöld Prize and the Prix Europa.

1000 – 1100

Following the keynote address, and question and answer session, a panel of international commentators will join Bernard Kouchner to discuss whether the rule of law is relevant for the 21st century global community and respond to issues raised in the keynote address.

In recent years, the application of the rule of law has been extended to the global community. However, there are issues such as those relating to the absence of an international legislature or executive, and this wider application has both its supporters and opponents. The panel will discuss various aspects of this developing topic.

*Speakers*

**Hans Corell** *Former Under-Secretary-General for Legal Affairs and the Legal Counsel for the United Nations, Stockholm, Sweden; Co-Chair, World Organisations Committee*

**Bernard Kouchner** *Co-Founder, Médecins Sans Frontières, Paris, France*

**Barra McGroary** *Director of Public Prosecution for Northern Ireland, Belfast, Northern Ireland*

**James R Sikenat** *American Bar Association, New York, USA*

1100 – 1230

## The rule of law in 2030

The afternoon session of the Symposium will address 'The rule of law in 2030'. This session is presented in collaboration with the Hague Institute for the Internationalisation of Law (HiIL). HiIL has sought and received the views of leading experts in many fields from many countries concerning the international law issues that are likely to engage our world in 2030. An international panel of speakers will comment on their expectations and concerns about the rule of law in the coming years.

*Speakers*

**Michelle Goodwin** *University of Minnesota Law School, Minneapolis, Minnesota, USA*

**Rajas Kasbekar** *Little & Company, Mumbai, India*

**Mary Keane** *Law Society of Ireland, Dublin, Ireland*

**Sam Muller** *Hague Institute for the Internationalisation of Law (HiIL), The Hague, the Netherlands*

**Lucy Scott-Moncrieff** *Law Society of England and Wales, London, England*

**Paul Sreenan** *Senior Counsel, Member of the Bars of Ireland and England and Wales, Dublin, Ireland; Co-Chair, Forum for Barristers and Advocates*

1430 – 1700

AUDITORIUM, LEVEL 3

## PRESENTATION OF THE IBA HUMAN RIGHTS AWARD 2012

The IBA award for outstanding contribution by a legal practitioner to human rights recognises personal endeavour in the field of law which makes an outstanding contribution to the promotion, protection and advancement of human rights and the rule of law. The 2012 award will be presented to the winner at the Rule of Law Symposium. Previous winners include: Dr Iván Velásquez Gómez, Colombia, for his commitment to human rights and justice and his courage working on parliamentary transparency and organised crime (2011); Clive Stafford Smith, UK, for his commitment to death penalty justice in the US and his representation of clients and dedication to fighting against the use of torture and rendering prisoners to third-party rendition in Guantánamo Bay (2010); Femi Falana, Nigeria, presented with the award as recognition of his commitment to the legal profession and the promotion of human rights, and the significant impact in increasing access to justice and ending the culture of impunity in the West Africa region (2008); and Maria Inés Miranda Navarro, Spain, presented with the award for her dedication in promoting and protecting human rights in the disputed territories of Western Sahara (2006).

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- ❖ Aviation
- ❖ Competition Law

### KEY CONTACTS :

**Mr. Amitabh Chaturvedi, Managing Partner**  
**Ms. Sumita Chauhan, Senior Partner**  
**Mr. Utkarsh Tewari, Partner**

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### LITIGATION CHAMBER :

467, Lawyers' Chambers, High Court of Delhi,  
New Delhi – 110 003, India.  
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## MONDAY 0830 – 0930

### National rapporteurs breakfast and meeting

*Presented by the Taxes Committee.*

All national rapporteurs are invited to attend a breakfast meeting in order to meet each other, the Co-Chairs of their session and some of the Taxes Committee Officers.

FOYER, LEVEL 5

## MONDAY 0930 – 1100

### A rose by any other name: language discrimination in the workplace

*Presented by the Discrimination Law Committee*

This session will explore the challenges of managing a multilingual workplace, including the various approaches to regulating language and the possible discriminatory effects of language rules:

- What are some of the key language issues confronting employers in various jurisdictions and what are best practices for managing them?
- When are language rules permissible?
- Is language discrimination a proxy for national origin or ethnic discrimination?
- When do laws compel employers' communications be in a local language, making foreign-language communications illegal?
- Why can't a multinational implement an 'English-is-our-official-company-language' policy?
- Enforceability of documents that are not in the official language

#### *Moderators*

**Ronnie Neville** *Mason Hayes & Curran, Dublin, Ireland*

**Iván Suárez** *Bufete Suárez de Vivero, Barcelona, Spain; Vice-Chair, Discrimination Law Committee*

#### *Speakers*

**Juan Bonilla** *Cuatrecasas Gonçalves Pereira, Barcelona, Spain*

**Nick Elwell-Sutton** *Clyde & Co, London, England*

**Mathilde Houet-Weil** *Weil & Associés, Paris, France*

**Juan Carlos Pró-Rísquez** *Norton Rose, Caracas, Venezuela; Newsletter Editor, Employment and Industrial Relations Law Committee*

**John Sander** *Jackson Lewis, New York, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the foyer on Levels 2 and 3.**

ECOCEM ROOM, LEVEL 2

## MONDAY 0930 – 1230

### A bridge over troubled waters: overcoming challenges to the restructuring of multinational corporate groups through new rules encouraging cross-border cooperation of judges, insolvency representatives and practitioners

*Presented by the Insolvency Legislation and Legislative Reform and Harmonisation Subcommittee, a subcommittee of the Insolvency, Restructuring and Creditors' Rights Committee (SIRC), and the Judges' Forum.*

#### *Session Chair*

**Gregor Baer** *Baer Law, San Francisco, California, USA; Co-Chair, Insolvency Legislation Subcommittee*

The lack of global rules and standards governing international corporate group restructurings in cross-border insolvency proceedings has led to loss of enterprise value, costly competition between corporate group members' estates and creditors, and judicial/jurisdictional conflicts. Judges, insolvency administrators and leading practitioners on the 'front line' of legal reform efforts will explore measures to bring order and efficiency to the chaos of international corporate group restructurings. Through the use of a hypothetical multinational corporate group insolvency, the programme will examine the success, to date, of UNCITRAL's ground-breaking enterprise group legislative guide annex, and provide guidance for greater future cooperation through legal instruments, rules and standards around which consensus might be forged for the benefit of the insolvent entities, their employees and their creditors.

#### *Speakers*

**Hon Mr Justice Frank Clarke** *Supreme Court of Ireland, Dublin, Ireland*

**James Giddens** *Hughes Hubbard & Reed, New York, USA*

**Doug Smith** *Eugene F Collins Solicitors, Dublin, Ireland*

**Hon Elizabeth Stong** *US Bankruptcy Court, New York, USA*

**Andrea Tracanella** *Studio Tracanella, Milan, Italy*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 5, LEVEL 1

### Aircraft leasing – the Irish scene and global jurisdictional issues

*Presented by the Aviation Law Committee.*

#### *Session Chair*

**James Tussing** *Fulbright & Jaworski, New York, USA; Vice-Chair, Aviation Law Committee*

This session will address why Ireland is a hub of aircraft leasing, who are its competitors and the multitude of issues that arise in aircraft leasing transactions dealing with different jurisdictions around the world.

#### *Speakers*

**Catharine Ennis** *SMBC Aviation Capital, Dublin, Ireland*

**Catherine Kearns** *Orix Aviation Systems, Dublin, Ireland*

**Chris Quinn** *Matheson Ormsby Prentice, Dublin, Ireland*

**James Zembrzski** *International Lease Finance Corporation, Amsterdam, the Netherlands*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Liffey Meeting Room Corridor, Level 1. Tea and coffee will also be served, during these times, in The Forum on Ground Level.**

LIFFEY MEETING ROOM 1, LEVEL 1

### **Beyond the tipping point: is mankind populating itself into extinction?**

*Presented by the Public Law Committee.*

**Session highlighted as part of the President's focus for the IBA Task Force on 'Challenges for the Legal Profession post Global Financial Crisis'.**

*Session Chair*

**Bernard Bekink** *University of Pretoria, Pretoria, South Africa; Chair, Public Law Committee*

In October 2011, the international media reported that the world population has reached the seven billion mark. Notwithstanding this apparent 'achievement', the United Nations is further predicting that human population growth is set to continue and could even accelerate to reach the nine billion mark during the middle of the 21st century.

Although different formulae can be used to predict population growth, the fact remains indisputable that such growth will continue and that it will create various challenges and even possible conflicts. Issues of concern that have already been identified are food security, resource protection, housing, social security, health care, job creation, economic prosperity, energy generation, state security, sustainable development and environmental conservation. The aim of this session is to discuss and debate the above-mentioned public law issues and to identify proactive steps that governments should take to plan and address the issues in advance.

*Speakers*

**Christo Botha** *University of Pretoria, Pretoria, South Africa; Officer, Public Law Committee*

**Hachem El Hussein** *Abou Jaoude & Associates, Beirut, Lebanon*

**Tatiana Falcão** *IBFD, Rio de Janeiro, Brazil*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room Corridor on Level 2.**

WICKLOW MEETING ROOM 3, LEVEL 2

### **Breaking up is hard to do: the private entrepreneur in their mid-life crisis**

*Joint session with the Closely Held and Growing Business Enterprises Committee and the Family Law Committee.*

*Session Co-Chairs*

**Horacio Bernardes Neto** *Motta Fernandes Rocha Advogados, São Paulo, Brazil; Council Member, Public and Professional Interest Division; Vice-Chair, Bar Issues Commission*

**Gillian Rivers** *Collyer Bristow, London, England; Senior Vice-Chair, Family Law Committee*

The private entrepreneur in the midst of their mid-life crisis may put their privately or family owned business at risk. Questions of divorce, re-marriage, succession planning to the next generation and even death may arise in that context, all of which will impact on the private or family owned business. This joint session of the Closely Held and Growing Business Enterprises Committee with the Family Law Committee will assemble legal as well as business specialists from all over the globe to provide their insight into the topic. They will review the challenges and implications to this not uncommon situation, both

from a corporate as well as from a family law perspective.

*Speakers*

**Adrienne Cawley** *Law Library, Dublin, Ireland*

**Laura Devine** *Laura Devine Solicitors, London, England*

**Nicholas Hemens** *Haldanes, Hong Kong SAR*

**Martin Kovnats** *Aird & Berlis, Toronto, Ontario, Canada*

**Alberto Navarro** *Navarro Castex Abogados, Buenos Aires, Argentina; Council Member, Public and Professional Interest Division*

**Hideaki Roy Umetsu** *Mori Hamada & Matsumoto, Tokyo, Japan*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room Corridor on Level 2.**

WICKLOW MEETING ROOM 2, LEVEL 2

### **BRICS: trade and investment activities in 2012 and beyond**

*Presented by the IBA Regional Fora.*

*Session Co-Chairs*

**Jeffrey A Blount** *Fulbright & Jaworski, Hong Kong SAR; Co-Chair, Asia Pacific Regional Forum*

**Vassily Rudomino** *Law Firm ALRUD, Moscow, Russian Federation; Council Member, IBA Council*

**Eduardo Sanguinetti** *Sanguinetti Fodere Abogados, Montevideo, Uruguay; Co-Chair, Latin American Regional Forum*

**Ashwin Hirjee Trikamjee** *Garlicke & Bousefield, Umhlanga, South Africa; Chair, African Regional Forum*

The increasingly important role that the BRICS economies play in the global economy is an important trend affecting global legal practice. This panel will analyse current developments affecting trade and investment among the emerging economies of Brazil, Russia, India, China and South Africa. It will focus on developments and issues relating to trade and investment among the BRICS countries themselves, and between those countries and Europe, the United States and other developed markets. In addition to a discussion of relevant legal and regulatory matters, this panel will address cultural and practical issues encountered by practitioners in this area.

The session will be immediately followed by a book launch for the recently joint-published IBA/Kluwer Law title 'Competition Law in the BRICS Countries'

*Speakers*

**Antonio Corrêa Meyer** *Machado Meyer Sendacz e Opice Advogados, São Paulo, Brazil*

**Todd Crider** *Simpson Thacher & Bartlett, São Paulo, Brazil*

**Rukshad Davar** *Majmudar & Partners, Mumbai, India*

**Gareth Driver** *Werksmans Attorneys, Johannesburg, South Africa*

**Andrey Gorodissky** *Law Firm Andrey Gorodissky and Partners, Moscow, Russian Federation*

**Janet Hui** *Jun He Law Offices, Beijing, China*

**Abhijit Joshi** *AZB & Partners, Mumbai, India*

**Peter Leon** *Webber Wentzel, Johannesburg, South Africa*

**Donna Li** *AllBright Law Office, Shanghai, China*

**Vladislav Zabrodin** *Capital Legal Services, Moscow, Russian Federation*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Liffey Meeting Room Corridor, Level 1. Tea and coffee will also be served, during these times, in The Forum on Ground Level.**

LIFFEY MEETING ROOM 2, LEVEL 1

## Competition issues in regional and bilateral trade agreements

Presented by the Antitrust and Trade Law Section.

Session Co-Chairs

**Marcelo Calliari** *TozziniFreire, São Paulo, Brazil; Vice-Chair, Trade and Customs Law Committee*

**Daniel Swanson** *Gibson Dunn & Crutcher, Los Angeles, California, USA; Publications Officer, Antitrust Committee*

This panel will explore how regional and bilateral trade agreements have incorporated antitrust issues. Are they working or not?

Speakers

**Oliver Borgers** *McCarthy Tétrault, Toronto, Ontario, Canada*

**Lourdes Catrain** *Hogan Lovells International, Brussels, Belgium; Vice-Chair, Trade and Customs Law Committee*

**Frederic Jenny** *Essec Paris Business School, Paris, France*

**Youngjin Jung** *Kim & Chang, Seoul, South Korea*

**Andrew Matthews** *Minter Ellison Rudd Watts, Auckland, New Zealand*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 4, LEVEL 1

## Corporate governance standards: differences between stock exchanges and consequences for disclosure

Presented by the Capital Markets Forum.

Session Co-Chairs

**Katherine Ashton** *Debevoise & Plimpton, London, England; Website Officer, Capital Markets Forum*

**Rachel Eng** *WongPartnership, Singapore; Co-Chair, Capital Markets Forum*

The Capital Markets Forum will continue its disclosure project with a session looking into the various corporate governance standards set by stock exchanges around the world. The panel will discuss and compare significant differences. For example, why do some stock exchanges permit non-voting shares and others prohibit them? Do these different standards lead to disclosure issues?

Speakers

**David Byers** *McCann FitzGerald, Dublin, Ireland*

**Gavin Nesbitt** *Deacons, Hong Kong SAR*

**Rory Williams** *Treasury Holdings, Dublin, Ireland*

**Damien Zoubek** *Cravath Swaine & Moore, New York, USA; Treasurer, North American Regional Forum*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Liffey Meeting Room Corridor, Level 1. Tea and coffee will also be served, during these times, in The Forum on Ground Level.**

LIFFEY MEETING ROOM 3, LEVEL 1

## Criminal fraud and the global economic recession

Presented by the Business Crime Committee.

Session Co-Chairs

**Kenan Furlong** *A&L Goodbody, Dublin, Ireland*

**Mark Rochon** *Miller & Chevalier, Washington DC, USA; Senior Vice-Chair, Business Crime Committee*

This panel will analyse how criminal fraud impacts the global economy and in particular the role played by financial fraud in the failures of financial institutions. It will also consider the legal devices

being used both nationally and internationally to prevent such fraud. Panellists will include experienced criminal practitioners who have prosecuted and defended financial fraud cases and a leading forensic fraud accountant who is a former FBI agent.

Speakers

**Ilias Anagnostopoulos** *Anagnostopoulos Criminal Law & Litigation, Athens, Greece*

**Mark Gerber** *PriceWaterhouseCoopers, Philadelphia, Pennsylvania, USA*

**David Kirk** *Financial Services Authority, London, England*

**Artemisia Lorusso** *Tonucci & Partners, Rome, Italy*

**Brian Spiro** *BCL Burton Copeland, London, England; Senior Vice-Chair, Business Crime Committee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the foyer on Level 3.**

WICKLOW MEETING ROOM 1, LEVEL 2

## Functional management: non-lawyer management of law firms – is it necessary for success in changing times?

Presented by the Law Firm Management Committee.

Session Co-Chairs

**Michael Kutschera** *Binder Grösswang Rechtsanwälte GmbH, Vienna, Austria; Council Member, IBA Council; Member, Bar Issues Commission Policy Committee*

**Philip Rodney** *Burness, Glasgow, Scotland*

This session will discuss:

- What areas of functional management (such as HR, accounting, marketing) benefit most from a professional business manager?
- Where can we find the right people?
- Should most internal functional management be outsourced?
- What are the practical challenges of introducing 'outsiders' into law firms?

Speakers

**Antoine Henry de Frahan** *FrahanBlondé, Brussels, Belgium*

**Matthew Fuller** *Herbert Smith, London, England*

**Leopoldo Hernández Romano** *Kerma Partners México, Mexico City, Mexico*

**Moray McLaren** *Iberian Legal Group, Madrid, Spain*

**David O'Donnell** *Mason Hayes & Curran, Dublin, Ireland*

**Michael Simmons** *Finers Stephens Innocent, London, England*

**Oliver Triebold** *Schellenberg Wittmer, Zurich, Switzerland; Senior Vice-Chair, Corporate and M&A Law Committee*

**Paul Wilson** *Shakespeares, Birmingham, England*

**Laurie Young** *Laurie Young Consultancy Services, London, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 2, LEVEL 1

## IBAHRI SHOWCASE: Peace after terror: rules or reconciliation?

Presented by the IBA Human Rights Institute.

Session Chair

**Juan Méndez** *UN Special Rapporteur on Torture, Washington DC, USA*

This session will consider the various judicial and non-judicial measures implemented by different countries in order to redress the legacy of human rights violations in times of transition from conflict, including criminal prosecutions, truth and reconciliation commissions, reparation programmes and other formal and informal justice mechanisms.

*Keynote speaker*

**Martin McGuinness** *Deputy First Minister of Northern Ireland, Belfast, Northern Ireland*

*Speakers*

**Justice Richard Goldstone** *Past Justice of the South African Constitutional Court and Former Prosecutor for the ICTR and ICTY, Morningside, South Africa; Co-Chair, Rule of Law Action Group*  
**Michael Mansfield QC** *Tooks Chambers, London, England*  
**Ian White** *Glenree Centre for Reconciliation, Enniskerry, Ireland*

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WICKLOW HALL 2B, LEVEL 2

**Insuring liabilities in cyberspace (the screams can be heard): cloud computing and social media**

*Joint session with the Insurance Committee and the Technology Law Committee.*

*Moderators*

**Dolores Sancha** *Bartolome & Briones, Barcelona, Spain; Vice-Chair, Insurance Committee*  
**David Yates** *Al Tamimi & Company, Dubai, UAE; Chair, Corporate Information Governance Subcommittee*

Social media and cloud computing are rapidly growing phenomena in the corporate landscape and have started to redefine how enterprises conduct business, in particular marketing their image and distributing their products. These new technologies raise their own set of concerns, including issues relating to privacy and data protection. There has been much interest in the insurance industry regarding the liabilities potentially associated with the introduction of these technologies and the coverage of these risks. Moreover, from the perspective of a technology consumer, the insurance industry has been no exception to this technology trend. The insurance industry is also utilising these technologies to drive down costs and open new marketing channels.

This session explores the impact of social media and cloud computing upon the insurance industry from all perspectives. It commences with an overview of what are cloud computing and social media, and how they are employed in the corporate world, including by insurance companies. Part of this analysis involves identifying the legal and commercial risks associated with these technologies. Given the inherent global nature of these technologies, these risks frequently invoke significant cross-border issues. The session then explores different products developed by the insurance industry to cover such risks as well as to clarify coverage, terms and conditions and exclusions. Finally, the topic of claim management relating to these technologies will be examined.

*Speakers*

**Christian Bartsch** *Bird & Bird, London, England*  
**Andrew Messenger** *Corrs Chambers Westgarth, Sydney, New South Wales, Australia*  
**Peter Selvin** *Raines Feldman, Beverly Hills, California, USA*  
**Lee Van Blerkom** *White & Case, Washington DC, USA*  
**Sarah Walker** *Aon Risk Solutions, London, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the foyer on Level 3.**

CONFERENCE ROOM 6, LEVEL 3

**'Moderated speed-dating' – roundtable interactive discussions (with coffee and pastries) on the latest developments and 'hot topics' relevant to international sales, franchising and product law**

*Presented by the International Sales, Franchising and Product Law Section.*

*Session Co-Chairs*

**John Baer** *Greensfelder Hemker & Gale, Chicago, Illinois, USA; Chair, International Franchising Committee*  
**Christopher Blake** *Hahn Loeser & Parks, Cleveland, Ohio, USA; Chair, Supply Chain and Logistics Subcommittee*  
**Juan Pablo M Cardinal** *Richards Cardinal Tutzer Zabala & Zaefferer, Buenos Aires, Argentina; Chair, Product Law and Advertising Committee*  
**Marco Hero** *Tigges, Munich, Germany; Senior Vice-Chair, International Franchising Committee*  
**Sönke Lund** *Monereo Meyer & Marinel-lo Abogados, Barcelona, Spain; Vice-Chair, International Sales Committee*

No speeches or lectures! This session is a popular annual feature of the International Sales Committee, Franchising and Product Law Section which comprises three committees – the International Franchising Committee, the International Sales Committee and the Product Law and Advertising Committee – and it provides a networking opportunity for specialised practitioners to pick up new ideas, discuss them and disseminate developments to their table members before moving onto another hot topics table for more. This year's topics will include new international case law and developments in the context of old structures and time-tested sale mechanisms.

Topics will include:

- the European financial crisis and the consequences on distribution networks;
- factoring and leasing in international sales;
- aggregated product litigation;
- the new trend in international franchising – chances and risks;
- pre-contract agreements;
- apps, platforms and mobile devices – consequences for international franchise agreements;
- the use of social media in advertising;
- clouds – data protection and other issues for international distribution networks; and
- the increase of 'downstream' compliance requirements on suppliers in supply chain agreements – an analysis of model clauses

*Speakers*

**Fabio Bortolotti** *Buffa Bortolotti & Mathis, Turin, Italy*  
**Lukas Bühlmann** *Bühlmann Rechtsanwälte, Zurich, Switzerland; Senior Vice-Chair, Product Law and Advertising Committee*  
**Nicole Van Crombrughe** *LVP Law, Brussels, Belgium; Senior Vice-Chair, International Sales Committee*  
**John Doherty** *Manches, London, England; Website Officer, Product Law and Advertising Committee*  
**Gregory Fowler** *Shook Hardy & Bacon, Kansas City, Missouri, USA; Vice-Chair, Product Law and Advertising Committee*  
**Olivia Gast** *Gast & Menguy, Paris, France*  
**Rolf Geissler** *Kapp & Geissler, Stuttgart, Germany*  
**Duncan Grehan** *Duncan Grehan & Partners, Dublin, Ireland*  
**Dietmar Huemer** *Legis, Vienna, Austria; Vice-Chair, Government Procurement Subcommittee*  
**Dominic Hui** *Ribeiro Hui, Hong Kong SAR*  
**Jeanne Kelly** *Mason Hayes & Curran, Dublin, Ireland*  
**Michael Lintern-Smith** *Robertsons Solicitors, Hong Kong SAR*  
**Stathis Mihos** *Carrefour Marinopoulos, Athens, Greece*  
**Gavin Morley** *Chambers 9 South, Durban, South Africa; Publications Officer, Product Law and Advertising Committee*  
**Martin Schirmacher** *Engel & Völkers, Hamburg, Germany*  
**Doil Son** *Yulchon, Seoul, South Korea*



**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

WICKLOW HALL 2A, LEVEL 2

## Public M&A – selected topics

*Presented by the Corporate and M&A Law Committee.*

### Part one

*Session Co-Chairs*

**Craig Cleaver** *Slaughter & May, London, England; Secretary, Corporate and M&A Law Committee*

**Christian Herbst** *Schoenherr, Vienna, Austria; Vice-Chair, Corporate and M&A Law Committee*

Part one of this session will inter alia cover:

- mandatory offers;
- competing offers; and
- squeeze out.

The presentations of the panellists will cover differences of the regulations in Europe, the United States and India. The panellists will also discuss recent case law and practice.

*Speakers*

**Jacques Buhart** *McDermott Will & Emery, Paris, France; Honorary Life Member of Council and Association and LPD Councillor Emeritus*

**Zia Mody** *AZB & Partners, Mumbai, India*

**Andrew Nussbaum** *Wachtell Lipton Rosen & Katz, New York, USA*

**Joachim Rosengarten** *Hengeler Mueller, Frankfurt am Main, Germany*

### Part two

*Session Co-Chairs*

**Christian Hoedl** *Uriá Menéndez, Madrid, Spain; Treasurer, Corporate and M&A Law Committee*

**Alan Klein** *Simpson Thacher & Bartlett, New York, USA; Co-Chair, Corporate and M&A Law Committee*

Part two of this session will deal with issues related to:

- arrangement issues involving multijurisdictional tenders; and
- structuring a public company acquisition – depending on the jurisdiction, one may be able to select among tenders, mergers and schemes of arrangements.

*Speakers*

**Bryan Bourke** *William Fry, Dublin, Ireland*

**Rodrigo Ferreira** *Mattos Filho, Veiga Filho, Marrey Jr e Quiroga, São Paulo, Brazil*

**Malcolm Lombers** *Herbert Smith, London, England*

**Cyril Shroff** *Amarchand Mangaldas Suresh A Shroff & Co, Mumbai, India; Council Member, Legal Practice Division*

**Alexander Zharskiy** *ALRUD, Moscow, Russian Federation*

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LIFFEY HALL 1, LEVEL 1

## Round the tables – breakfast and a taste of hot topics in the Intellectual Property, Communications and Technology Section

*Presented by the Intellectual Property, Communications and Technology Section.*

*Sponsoring section committees: Art, Cultural Institutions and Heritage Law, Communications Law, Intellectual Property and Entertainment Law, Media Law, Space Law, and Technology Law.*

*Session Co-Chairs*

**William Bunker** *Knobbe Martens, Irvine, California, USA; Co-Chair, Intellectual Property and Entertainment Law Committee*

**Erik Valgaeren** *Stibbe, Brussels, Belgium; Co-Chair, Technology Law Committee*

This always very dynamic and well-attended session enables you to select from a menu of hot topics in the IP, communications, media and technology sectors and participate in roundtable discussions. The format is interactive and the topics are selected to ensure that they are of current interest and likely to stimulate a lively debate. Moderators on each table introduce the table topic and the participants do the rest. Background knowledge or experience within areas for discussion is not required. You will have the opportunity to discuss three or four topics at scheduled turnover times as the participants move around the tables to the next topic of their choosing. The opportunities for networking are almost endless!

Our menu will include tasters for some of the section's sessions later in the week, as well as 'late breaking' topics. The session topics in Dublin will include a premium selection of the latest developments in intellectual property law, internet law and mobile technologies (including cloud computing, social media and mobile marketplaces), technology contracting and dispute resolution, arts law and space tourism. Discussion is usually around the interface of law, business and technology, with a global focus.

Participants may volunteer to act as table topic 'rapporteur'. Rapporteurs will be invited to draw up a brief note on the issues discussed at their table and their combined notes will be published in our leading legal periodical 'Convergence'. In addition, a 'degustation' breakfast buffet will be hosted in the room so that no time is wasted for those who want to boost their energy levels prior to or during the session.

The session will provide you with a great opportunity to meet many other lawyers and to discuss topics of mutual interest with them – don't forget your business cards. We welcome new participants in these discussions. Through our 'tasters' for the section's sessions, we assist you in planning possible participation in these sessions and the social activities of the section's committees throughout the week in Dublin and beyond. We will also be soliciting your views about your areas of interest and other suggestions, to enable the section to programme future activities accordingly.

Topics will include:

### **Big Pharma v Generics in a changing patent landscape – an update**

*Co-Moderators*

**Albert Jacobs Jr** *Tannenbaum Helpert Syracuse & Hirschtritt, New York, USA; Vice-Chair, Intellectual Property and Entertainment Law Committee; Asia Pacific Forum Liaison, Intellectual Property and Entertainment Law Committee*

**Özge Atilgan Karakulak** *Mehmet Gün & Partners, Istanbul, Turkey*

### **Digital identity – new online business models**

*Co-Moderators*

**Daniela De Pasquale** *D&P – Legal Support for Ideas, Milan, Italy; Scholarship and Young Members Officer, Technology Law Committee*

**Lee Levine** *Levine Sullivan Koch & Schulz, Washington DC, USA*

### **Protecting trade secrets in tech transfer agreements and subsequent litigation**

*Co-Moderators*

**Gonzalo Ulloa** *Gómez-Acebo & Pombo Abogados, Madrid, Spain*

**Stefan Weidert** *Gleiss Lutz, Berlin, Germany; Outreach Enabling Technology Officer, Technology Law Committee; Website Officer, Technology Law Committee*

**Smart grids and smart metering – what's the count?**

Co-Moderators

**Björn Gustavsson** Advokatfirmen Vinge, Stockholm, Sweden; Associations and Committees Liaison Officer, Technology Law Committee**Chris Holder** Bird & Bird, London, England; Chair, Outsourcing and Shared Services Subcommittee**'How to' discussion on basic IP licensing**

Co-Moderators

**Clive Elliott** Shortland Chambers, Auckland, New Zealand**Thomas Garvin Esq** Thomas Garvin, Beverly Hills, California, USA**Social media on the workflow**

Co-Moderators

**Sidika Baysal** B&B Law Office, Istanbul, Turkey; Treasurer, European Regional Forum; Chair, Internet Business Subcommittee**Fabio Ferreira Kujawski** Barretto Ferreira Kujawski e Brancher (BKBG), São Paulo, Brazil; Membership Officer, Technology Law Committee**Futurology and integrity in communications – the boundaries of the law**

Co-Moderators

**Camilla Borba Lefevre** Machado Meyer, São Paulo, Brazil; Vice-Chair, Communications Law Committee; Regional Representative Latin America, Communications Law Committee**Diane Mullenex** Ichay & Mullenex Avocats, Paris, France; Senior Vice-Chair, Communications Law Committee**Writing your cloud computing contracts – where to start?**

Co-Moderators

**Jörgen Axelsson** Setterwalls Advokatbyrå, Stockholm, Sweden; Chair, Emerging Technologies Subcommittee**Annette Hogan** McCann Fitzgerald, Dublin, Ireland**Chicken Little was right: 'the sky is falling' – a discussion of space debris issues**

Co-Moderators

**Joanne Wheeler** CMS Cameron McKenna, London, England; Vice-Chair, Space Law Committee**Rachel Yates** Holland & Hart, Greenwood Village, Colorado, USA; Chair, Space Law Committee**Digitised art collections online: where are the copyright boundaries?**

Co-Moderators

**Alexandra Neri** Herbert Smith, Paris, France; Secretary, Intellectual Property and Entertainment Law Committee**Massimo Sterpi** Studio Legale Jacobacci & Associati, Rome, Italy; Chair, Art, Cultural Institutions and Heritage Law Committee**ISP and carrier liability for copyright infringement in the online arena: how much 'control' is too much?**

Co-Moderators

**Robert Balin** Davis Wright Tremaine, New York, USA; Publications Officer, Media Law Committee**Chris Jordan** Davies Collison Cave, Melbourne, Victoria, Australia; Treasurer, Intellectual Property and Entertainment Law Committee

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest official coffee/tea station to this session is in The Forum on Ground Level.**

LIFFEY HALL 2, LEVEL 1

**Should professional ethics regulate money laundering by lawyers?**

Joint session with the Anti-Money Laundering Legislation Implementation Working Group and the Professional Ethics Committee.

**Session highlighted as part of the President's focus for the IBA Task Force on 'Challenges for the Legal Profession post Global Financial Crisis'.**

Session Co-Chairs

**Nicole Bigby** Berwin Leighton, London, England; Senior Vice-Chair, Regulation of Lawyers' Compliance Committee**Stephen Revell** Freshfields Bruckhaus Deringer, Singapore; Chair, Regulation of Lawyers' Compliance Committee; Chair, Anti-Money Laundering Legislation Implementation Working Group

Lawyers all around the world are now subject to law and regulations which require them, in some cases subject to criminal penalty, to observe anti-money laundering procedures, including in particular client due diligence, before carrying out any advice and 'whistleblowing' to the authorities if they suspect a 'suspicious transaction'. These requirements are largely based on the '40 Recommendations' from the Financial Action Task Force (FATF). Lawyers in many jurisdictions have argued vociferously against the introduction of such laws and regulations and continue to do so even after such laws and regulations have been introduced.

Is the answer already within the professional ethics that apply to all lawyers? Notwithstanding several aspects of the '40 Recommendations' are at odds with some lawyers' views of their obligations to their clients, are the basic elements that far from the ethics we should uphold?

Academic 'ethicists' and practising lawyers will debate this issue and the differences in approach depending upon the ethical traditions within both common law and civil law jurisdictions.

Speakers

**Anne Birgitte Gammeljord** Council of Bars and Law Societies of Europe, Brussels, Belgium**Adrian Evans** Monash University, Melbourne, Victoria, Australia; Anti-Money Laundering Legislation Implementation Working Group Liaison Officer, Professional Ethics Committee**Eva Massa** Law Society of Ireland, Dublin, Ireland**Kevin Shepherd** Venable, Baltimore, Maryland, USA**Valentina Zoghbi** SJ Berwin, London, England

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Liffey Meeting Room Corridor, Level 1. Tea and coffee will also be served, during these times, in The Forum on Ground Level.**

LIFFEY MEETING ROOM 5, LEVEL 1

**Taxation of IP transactions in the context of group reorganisations**

Presented by the Taxes Committee.

Session Co-Chairs

**Wilhelm Haarmann** Haarmann Partnerschaftsgesellschaft, Frankfurt am Main, Germany**Dingfa 'David' Liu** Jun He Law Offices, Shanghai, China; Chair, Legal Opinions Subcommittee

With the introduction of aggressive R&D tax incentives by several jurisdictions around the world, it is not unusual to find IP owned by corporations resident in countries which do not serve properly the business objectives of a corporate group. Moving IP in a corporate group restructuring is something we see more and more often and it creates various challenges, including from a transfer pricing and VAT point of view. The panel will review some of the challenges involved

in cross-border IP transactions within a group and some of the solutions that have been developed.

#### Speakers

**Gowree Gokhale** *Nishith Desai Associates, Mumbai, India*  
**John Gulliver** *Mason Hayes & Curran, Dublin, Ireland*  
**Ramón López de Haro** *J&A Garrigues, Madrid, Spain*  
**Martin Nilsson** *Mannheimer Swartling, Stockholm, Sweden*  
**Ron Nobrega** *Fasken Martineau DuMoulin, Toronto, Ontario, Canada*  
**Eric Wang** *Sullivan & Cromwell, London, England*

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CONFERENCE ROOM 3, LEVEL 1

## The role of arbitration in banking and finance

*Joint session with the Dispute Resolution Section and the Financial Services Section.*

#### Session Co-Chairs

**Juan Fernández-Armesto** *Armesto & Asociados, Madrid, Spain*  
**Balz Patrik Gross** *Homburger, Zurich, Switzerland*

This session will discuss the benefits and efficacy of arbitration in banking and finance disputes and inter-bank disputes, as well as securities claims and recent investment awards dealing with debt rescheduling and bondholders' claims against sovereigns.

#### Keynote address

**Hon Mr Justice William Blair** *High Court of Justice, London, England*

**Jeffrey Golden** *London School of Economics, London, England*

**Philippe Sands** *University College London, London, England*

#### Speakers

**John Beechey** *ICC International Court of Arbitration, Paris, France*  
**Steven Friel** *Brown Rudnick, London, England*  
**Álvaro Galindo** *Dechert, Washington DC, USA*  
**Jean-Christoph Honlet** *Salans, Paris, France*  
**Peter Leaver QC** *One Essex Court, London, England*  
**Deborah Resch** *Clifford Chance, London, England*  
**Ignacio Torterola** *Foley Hoag, Washington DC, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the foyer on Level 3.**

AUDITORIUM, LEVEL 3

## Towards an IBA Best Practices Guide for setting up a large project: lessons from the Santiago Protocol

*Presented by the Energy, Environment, Natural Resources and Infrastructure Law Section (SEERIL), the Corporate Social Responsibility Committee and the Indigenous Peoples Committee.*

#### Session Chair

**Arent van Wassenaeer** *Allen & Overy, Amsterdam, the Netherlands; Chair, Section on Energy, Environment, Infrastructure and Natural Resources Law*

At the end of the SEERIL Biennial Conference, which was held in Santiago (Chile) from 22–25 April 2012, a document was produced, the Santiago Protocol. The Santiago Protocol refers in a number of places to issues with landowners and indigenous people, regardless of the type of project.

A large number of documents have been developed by various bodies, such as NGOs and industry organisations, to address rights arising out of such issues (ILO 169, UN Guiding Principles, Equator Principles,

UN Guiding Principles, the World Bank Indigenous Peoples Policy, the ICMM Good Practice Guide: Indigenous People and Mining, etc).

Obviously, issues arising from relations with indigenous peoples are often connected to 'colonial' pasts. When it comes to everyone's backyard, everyone is in the end 'indigenous', as was shown during the protests against Stuttgart's 21 Bahnhof project for instance.

Nowadays, no large infrastructure project, be it mining, power, oil and gas, transmission infra, roads, rail or industrial developments, can be done any more without a careful stakeholder requirement analysis, consultation, compensation, etc.

The IBA is perfectly placed to produce a guide to Best Practice when consulting with local stakeholders in the development of large projects. This could be an inventory of all other documents referred to above, perhaps clarified or enriched with the IBA's own recommendations, and should be a neutral document, not one-sided. It should be of help to all of those who are involved in the issues mentioned above.

This session will explore the need for such a document and develop the outline of what it should contain.

#### Speakers

**Ana Carolina Barretto Veirano** *Rio de Janeiro, Brazil; LPD Committee Guide Editor, Power Law Committee*

**Stéphane Brabant** *Herbert Smith, Paris, France; Vice-Chair, Corporate Social Responsibility Committee*

**Steven Cooper** *Ahlstrom Wright Oliver & Cooper, Sherwood Park, Alberta, Canada; Chair, Indigenous Peoples Committee*

**Andrew Erueti** *Amnesty International, London, England*

**Richard Farmer** *Fulbright & Jaworski, New York, USA; Council Member, Section on Energy, Environment, Natural Resources and Infrastructure Law*

**Shanta Martin** *Leigh Day & Co, London, England*

**Martijn Scheltema** *Pels Rijcken & Droogleevers Fortuijn, The Hague, the Netherlands; European Liaison Officer, Corporate Social Responsibility Committee*

**Andrew Stephenson** *Clayton Utz, Melbourne, Victoria, Australia; Co-Chair, Project Execution Subcommittee*

**Peter Stern** *Morrison & Foerster, San Francisco, California, USA; Vice-Chair, Corporate Social Responsibility Committee*

**Peter Taylor** *Rio Tinto, Sydney, New South Wales, Australia*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

WICKLOW HALL 1, LEVEL 2

## VAT – valuation, accounting, tax: three pillars of real estate investment

*Presented by the Real Estate Committee.*

#### Session Chair

**Boris Babić** *Babić & Partners, Zagreb, Croatia; Treasurer, Real Estate Committee*

Real estate investments are frequently complex ventures, in particular in a cross-border setting.

The panel of experts will address three pillars – valuation techniques, tax structuring and planning – as well as accounting implications.

What evaluation techniques are typically used? What is their importance both in regard to the decision-making process and as a tool for financing leverage? How can costs be mitigated via proper tax structuring and planning? What will our auditors say: 'creative but beyond "creative accounting"! These are just some of the topics of this interactive session. In addition, the role of lawyers as well as interaction between investors and multidisciplinary team of experts will be explored in each of these fundamental areas.

Speakers

**Jan Buechsenstein** *Credit Suisse, Zurich, Switzerland*  
**Michael Donohoe** *Colliers International, Dublin, Ireland*  
**Trevor Faure** *Ernst & Young Global Limited, London, England*  
**Cherie Ford** *PriceWaterhouseCoopers, Zagreb, Croatia*  
**Trudy Perié** *Loyens & Loeff, Amsterdam, the Netherlands*  
**Martin Phelan** *William Fry Tax Advisors, Dublin, Ireland*  
**Laine Skopina** *Borenus, Riga, Latvia; Women Lawyers' Interest Group Representative, Real Estate Committee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 5, LEVEL 2

**Women and Islam – challenges and opportunities**

*Presented by the Women Lawyers' Interest Group.*

Session Chair

**Anne-Marie Hutchinson** *Dawson Cornwell, London, England; Chair, Women Lawyers' Interest Group*

This session will deal with the impact Islam has on women in the legal profession. A panel of experts will deal on the matter in an interactive session that will explore challenges and opportunities surrounding the subject.

Speakers

**Carol Ajie** *C N Ajie & Co, Lagos, Nigeria*  
**Diana Hamade** *International Advocates and Legal Services, Dubai, UAE*  
**Sara Khoja** *Clyde & Co, Dubai, UAE*  
**Saeq Shajjan** *Shajjan & Associates, Kabul, Afghanistan*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 4, LEVEL 2

**Young lawyers' introductory meeting**

*Presented by the Young Lawyers' Committee.*

Session Chair

**Rouven Bodenheimer** *Lungerich Lenz Schuhmacher, Cologne, Germany; Chair, Young Lawyers' Committee*

A must-attend if this is your first IBA event!

IBA Annual Conferences can be rather overwhelming or even intimidating, particularly for those who are attending one for the first time. To help you find your way, the Young Lawyers' Committee traditionally hosts an introductory meeting for young lawyers, to which you are warmly invited.

Officers of the Young Lawyers' Committee will provide a general introduction to the IBA, guide you through the conference programme, share with you how to get the most out of the conference and inform you of social events particularly targeted at young lawyers. We are planning to address other topics of interest to newcomers as well.

Moreover, it has also become a much appreciated tradition for the Young Lawyers' Committee to invite Chairs from other IBA Committees to present their group and plans for the conference week. This has led to the perfect win-win situation in which young lawyers learn who to address when identifying their focus of interest, and in which committees from both the LPD and PPID are able to attract and recruit 'fresh blood'. Hence, make this session your priority check-in for the Monday morning. And by the way, don't worry if you can't make head nor tail of those abbreviations used

two sentences above – this will be only one of the thousand topics covered in this essential nutshell to the IBA!

Speakers

**Marc Baltus** *Heuking Kühn Lüer Wojtek, Düsseldorf, Germany; European Forum Liaison Officer, Young Lawyers' Committee*  
**Makoto Hirasawa** *Okuno & Partners, Tokyo, Japan; National Representatives Officer, Young Lawyers' Committee*  
**Heather Irvine** *Norton Rose, Sandton, South Africa; Vice-Chair, Young Lawyers' Committee*  
**Agustin Mayer** *Ferrere, Montevideo, Uruguay; Vice-Chair, Young Lawyers' Committee*  
**Garrett Miller** *Eugene F Collins, Dublin, Ireland; Secretary, Young Lawyers' Committee*  
**Catriona Watt** *Fox, London, England; Communications Officer, Young Lawyers' Committee*

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CONFERENCE ROOM 1, LEVEL 1

MONDAY 1100 – 1230

**Dignity and equality at work: the evolution of legally prohibited conduct**

*Presented by the Employment and Industrial Relations Law Committee*

This prestigious international panel will examine the international emergence of new forms of equality related laws and the evolution of the next wave of discrimination laws in the workplace. Topics will include complex, contemporary legal issues such as bullying, harassment, lookism, abuse of technology, family care, holiday, obesity, hair colour, bad language, stress, unemployment and other issues. The discussion will focus on;

- How are national laws evolving to create new forms of prohibited behaviour?
- What are the emerging trends of unlawful and unacceptable conduct?
- How are existing laws being interpreted to enforce new social norms?
- Best practices for multinational employers to safeguard equality and dignity in the workplace?

Moderators

**Johan Lubbe** *Little Mendelson, New York, USA; Vice-Chair, Employment and Industrial Relations Law Committee*  
**Peter Talibart** *Seyfarth Shaw, London, England; Membership Officer, Employment and Industrial Relations Law Committee*

Speakers

**Selvamalar Alagaratnam** *Skrine, Kuala Lumpur, Malaysia; Newsletter Editor, Employment and Industrial Relations Law Committee*  
**Karine Audouze** *Hoche Avocats, Paris, France*  
**Alexia Aurelio** *Aresco, Buenos Aires, Argentina*  
**Patrick Benaroché** *Stikeman Elliott, Montreal, Quebec, Canada*  
**Aoife Bradley** *LK Shields, Dublin, Ireland*  
**Burkard Göpfert** *Gleiss Lutz, Munich, Germany*  
**Rebecca Priestly** *Lloyds TSB, London, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the foyer on Levels 2 and 3.**

ECOCEM ROOM, LEVEL 2

## MONDAY 1300 – 1400

### An interview with Patricia O'Brien, Under-Secretary-General for Legal Affairs and the Legal Counsel at the United Nations

Moderator

Todd Benjamin *Award-winning former CNN news anchor*

Ms O'Brien will share her experiences and insights concerning global affairs and international law from her perspective as Under-Secretary-General and UN Legal Counsel.

Coming directly from the opening of the UN General Assembly, this promises to be a very interesting interview, followed by Q&A.

AUDITORIUM, LEVEL 3

## MONDAY 1430 – 1600

### Remedies for breach of international franchising agreements

Presented by the International Franchising Committee.

Session Chair

Pascal Hollander *Hanotiau & van den Berg, Brussels, Belgium; Membership Officer, International Franchising Committee*

This session will explore the remedies available to a party – franchisor or franchisee – faced with the non-performance by the other of its obligations: rescission, injunctions, specific performance, damages (whether liquidated or not), withdrawal of exclusivity or of other contractual advantages, termination, etc. It will also address the most effective way to enforce these remedies.

Moderator

Michael Brennan *DLA Piper, Chicago, Illinois, USA*

Speakers

Luciana Bassani *Dannemann Siemsen, Rio de Janeiro, Brazil*

Jae Hoon Kim *Lee & Ko, Seoul, South Korea*

Guido Morelli *CDR, Milan, Italy*

Mohamed Serry *Serry Law Office, Cairo, Egypt*

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LIFFEY MEETING ROOM 1, LEVEL 1

## MONDAY 1430 – 1730

### A revolution in the right of publicity

Joint session with the Intellectual Property and Entertainment Law Committee and the Media Law Committee.

Session Co-Chairs

Roxana Kahale *Kahale Abogados, Buenos Aires, Argentina; Vice-Chair, Media Law Committee; Council Member, Public and Professional Interest Division*

Claire Keeley *Corbis Corporation, Seattle, Washington, USA; Chair, Copyright and Entertainment Law Subcommittee*

Anthony Lupo *Arent Fox, Washington DC, USA; Vice-Chair, Copyright and Entertainment Law Subcommittee*

This session will look at the cutting edge developments in this new body of law, with a focus on how countries around the world treat the right of publicity for living individuals and deceased celebrities,

including limitations to those rights based on fair use and other defences. The session will cover, for example, what rights are necessary to use images and likenesses of sports figures in video games, whether athletes have any claims when their images appear in the re-airing of sporting events, and the legal implications surrounding the use of holograms of deceased celebrities in music concerts.

Speakers

David Cran *RPC, London, England*

Dave Green *Microsoft Corporation, Redmond, Washington, USA*

Claudia Schulz *Barbosa Müssnich & Aragão, Rio de Janeiro, Brazil*

Donald Remy *NCAA, Indianapolis, Indiana, USA*

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WICKLOW MEETING ROOM 2, LEVEL 2

### Competition issues in the BRICS countries

Presented by the Antitrust Committee.

Session Co-Chairs

Marc Reysen *O'Melveny & Myers, Brussels, Belgium; Secretary, Antitrust Committee*

Pieter Steyn *Werksmans Attorneys, Johannesburg, South Africa; Vice-Chair, Antitrust Committee*

In this panel, authorities and private practitioners from the BRICS countries will discuss the state of competition law in their respective jurisdictions and how close they are to international guidelines and best practices such as the ones suggested by the International Competition Network (ICN) and the Organisation for Economic Co-operation and Development (OECD).

This session is preceded by a book launch (1230 – 1300, Liffey Meeting Room 2, Level 1) for the recently joint-published IBA/Kluwer Law title 'Competition law in the BRICS Countries'

Speakers

Igor Artemiev *Russian Competition Authority, Moscow, Russian Federation*

Terry Calvani *Freshfields Bruckhaus Deringer, Washington DC, USA*

Robert Legh *Bowman Gilfillan, Johannesburg, South Africa*

Ana Paula Martinez *Levy & Salomão, São Paulo, Brazil*

Anand Pathak *P&A Law Offices, New Delhi, India*

Andrey Tsiganov *Federal Antimonopoly Service, Moscow, Russian Federation*

Ying Yang *Broad & Bright, Beijing, China*

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CONFERENCE ROOM 3, LEVEL 1

### Consultation: the way forward

Presented by the Mining Law Committee.

Session Co-Chairs

Florencia Heredia *Heredia Oneto Gaona Lede Pizzurno & Terrel, Buenos Aires, Argentina; Senior Vice-Chair, Mining Law Committee*

Luis Carlos Rodrigo *Rodrigo Elías & Medrano, Lima, Peru; Council Member, Section on Energy, Environment, Infrastructure and Natural Resources Law; Chair, Mining Law Committee*

The relationship between communities and companies intending to carry out projects is vital. Among the main mechanisms aimed at ensuring an adequate relation with the people surrounding a project, consultation probably is key. The evolution of consultation has been diverse in different parts of the world and involves general consultation rights and also what is known as 'Free, Prior and Informed Consent' (FPIC), which typically is a requirement when the

population located in the area of influence of a project is native or indigenous. The law and practice for consulting communities used around the globe has been created and regulated in different ways (treaties in Canada, ILO 169 in Latin America, etc) and this panel will discuss the successes and the failures of these different experiences.

*Speakers*

- Geert Aalbers *Control Risks, São Paulo, Brazil*
- Ken Haddow *Independent Mining Consultant, London, England*
- Kevin O’Callaghan *Fasken Martineau DuMoulin, Vancouver, British Columbia, Canada*
- Carlos Vilhena *Pinheiro Neto Advogados, Brasília, Brazil; Secretary, Mining Law Committee*

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LIFFEY MEETING ROOM 5, LEVEL 1

**Current legal developments**

*Presented by the Corporate and M&A Law Committee.*

*Session Co-Chairs*

- Guy Harles *Arendt & Medernach, Luxembourg; Chair, Current Legal Developments Subcommittee*
- Dr Hans-Jörg Ziegenhain *Hengeler Mueller, Munich, Germany; Vice-Chair, Current Legal Developments Subcommittee*

This session will review key developments in jurisdictions around the world which have relevance for lawyers globally.

*Speakers*

- Selin Beceni *Köksal Avukatlık Ortaklığı, Istanbul, Turkey*
- Elizabeth Bothwell *Arthur Cox, Dublin, Ireland*
- Ezra Davids *Bowman Gilfillan, Johannesburg, South Africa; Vice-Chair, African Regional Forum*
- Christina Fussi *De Berti Jaccchia Franchini Forlani, Milan, Italy*
- Philip Gelston *Cravath Swaine & Moore, New York, USA*
- David Glennie *Blake Cassels & Graydon, London, England*
- Pablo Iacobelli *Carey y Cía, Santiago, Chile; Senior Vice-Chair, Latin American Regional Forum*
- Peter King *Weil Gotshal & Manges, London, England*
- Yuto Matsumura *Mori Hamada & Matsumoto, Tokyo, Japan*
- Zia Modi *AZB & Partners, Mumbai, India*

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WICKLOW HALL 2A, LEVEL 2

**Enforcement of arbitration awards in Arab jurisdictions: a myth or reality?**

*Presented by the Arab Regional Forum.*

*Session Chair*

- Sadiq Jafar *Hadeef & Partners, Dubai, UAE; Co-Chair, Arab Regional Forum*

Arbitration Centres are expanding in the Arab world and some Arab countries are members of the New York Convention on Reciprocal Enforcement of Arbitral Awards (1958). However, many Arab countries do not enforce arbitral awards unless certain procedures and formalities are observed. Accordingly, what is the role of Arbitration Centres and how can legal practitioners work to enhance the process?

*Speakers*

- Omar Al Rasheed *Al Rasheed Law Office, Riyadh, Saudi Arabia*
- Omar Aljazy *Aljazy & Co Advocates and Legal Consultants, Amman, Jordan*

Judge Shamlan Al Sawalehi *Dubai International Financial Centre Courts, Dubai, UAE*

Karim Hafez *Hafez, Cairo, Egypt*

Mark Hoyle *SJ Berwin, Dubai, UAE*

Nasser Khasawneh *Khasawneh & Associates, Dubai, UAE*

Ziad Najm *Albert Najm & Ziad Najm Law Firm, Beirut, Lebanon*

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WICKLOW MEETING ROOM 4, LEVEL 2

**Experts and expertise in construction: The law relating to expert evidence on delay and disruption and a debate on the proposition: ‘It’s all smoke and mirrors: scheduling/programming experts are all imposters’**

*Presented by the International Construction Projects Committee.*

*Session Chair*

- Nerys Jefford QC *Keating Chambers, London, England*

This session will consider how different civil and common law jurisdictions approach proof of delay and disruption claims as a matter of law, the type of evidence commonly adduced from expert schedulers and programmers, and the weight and influence of that evidence.

A debate will follow on the motion that ‘Expert evidence on delay and disruption is no more than smoke and mirrors’.

*Speakers*

- Thabiso van den Bosch *Conway & Partners, Rotterdam, the Netherlands*
- Júlio César Bueno *Pinheiro Neto, São Paulo, Brazil; Co-Chair, Project Establishment Subcommittee; Website Officer, Latin American Regional Forum*
- Garry Crossley *Navigant, London, England*
- Frants Dalgaard-Knudsen *Plesner, Copenhagen, Denmark*
- Shona Frame *MacRoberts, Glasgow, Scotland*
- Andrew Ness *Jones Day, Washington DC, USA*

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CONFERENCE ROOM 4, LEVEL 1

**Fakes’ anatomy: a complete guide to avoiding fakes, half fakes and not original works (or, in case, to getting your money back)**

*Joint session with the Art, Cultural Institutions and Heritage Law Committee, the International Sales Committee and the Technology Law Committee.*

*Session Chairs*

- Pieter Ariëns Kappers *Boekel De Nerée, Amsterdam, the Netherlands; Vice-Chair, Art, Cultural Institutions and Heritage Law Committee*
- Massimo Sterpi *Studio Legale Jacobacci & Associati, Rome, Italy; Chair, Art, Cultural Institutions and Heritage Law Committee*

Buying art or antiquities may be an unhappy experience. There is so much fake and fraud around. There is an abundance of possible problems, for instance with authenticity, attribution, provenance and ownership, expert advice, artists’ estates, insurance and illicit trade. International sales and internet transactions pose new problems with regard to liability, applicable law and execution of judgments. ‘Original’ art, once bought at a reputable gallery or auction, may become a copy ‘in the manner of’ after expert reviews, such as happened in the *Rembrandt Project*, resulting in major loss of value.

But experts may be wrong too. What statute of limitations applies? New techniques may reveal defects unknown in the past. Who bears the risk: the collector or the dealer who sold that Greek vase that looked so original but was found to be heavily restored?

When does restoration destroy the originality of an artwork or artefact? The Art, Cultural Institutions and Heritage Law Committee has put together a panel of international experts from the art trade, insurance world, museums, collectors and private practice to investigate and report on these problems and to come with the latest news on the pending legal issues.

#### Speakers

**Giuseppe Calabi** *CBM & Partners Studio Legale, Milan, Italy*  
**Vincent Geerling** *ARCHEA Ancient Art, Amsterdam, the Netherlands*  
**Chris Marinello** *Art Loss Register, London, England*  
**Norman Palmer CBE QC** *3 Stone Buildings, London, England*  
**Peter Polak** *Fiebinger Polak Leon & Partners, Vienna, Austria*  
**Rieke Smakman** *Oostwaard Advocaten, Hilversum, the Netherlands*  
**Clive Thorne** *Reynolds Porter Chamberlain, London, England; Secretary-Treasurer, Technology Law Committee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 5, LEVEL 2

## Global warming and the environment – a challenge for lawyers in Africa?

*Presented by the African Regional Forum.*

#### Session Co-Chairs

**Chief Emeka Ngige SAN** *Emeka Ngige & Co, Lagos, Nigeria*  
**Chief Wole Olanipekun SAN** *Wole Olanipekun & Co, Lagos, Nigeria*  
**Olufunmi Oluyede** *TRLPLAW, Lagos, Nigeria; Vice-Chair, African Regional Forum*

Climate change (global warming) is the defining issue of our time. In pursuit of endless growth and material wealth, our contemporary world has lost sight of the essential values and principles that are essential for the well being of humanity, society and the planet upon which our existence totally depends.

The UN Intergovernmental Panel on Climate Change, in its Fourth Assessment Report, predicts that, by 2020, between 75 and 250 million Africans are likely to experience increased water stress caused by climate change. Large parts of the continent are likely to encounter temperature increases higher than global average increases. This, in turn, will have serious implications for agricultural production and access to food. Widespread poverty, forced migration and increased conflict are among the likely consequences.

This session will debate the challenges that African lawyers face vis-à-vis the various counter measures being introduced by governments to avoid these consequences, the rights of society in challenging commerce to effectively curb the use of coal as a future energy provider and other significant issues of concern.

#### Speakers

**Richard Ayodele Akintunde Esq** *Ayodele Akintunde & Co, Lagos, Nigeria*  
**Olanrewaju Fagbohun** *Nigerian Institute of Advanced Legal Studies, Lagos, Nigeria*  
**Edward W Fashole Luke II** *Luke & Associates, Gaborone, Botswana*  
**Hon Justice Olutoyin Taiwo** *High Court of Lagos State, Lagos, Nigeria*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

CONFERENCE ROOM 6, LEVEL 3

## Government regulation and intervention – recent developments and the impact on employee and labour relations

*Presented by the Employment and Industrial Relations Law Committee.*

#### Session Co-Chairs

**Erika Collins** *Paul Hastings, New York, USA; Secretary, Employment and Industrial Relations Law Committee*  
**Johan Lubbe** *Little Mendelson, New York, USA; Vice-Chair, Employment and Industrial Relations Law Committee*  
**Els de Wind** *Van Doorne, Amsterdam, the Netherlands; Co-Chair, Employment and Industrial Relations Law Committee*  
**Gerlind Wisskirchen** *CMS Hasche Sigle, Cologne, Germany; Co-Chair, Employment and Industrial Relations Law Committee*

This session will focus on the interplay between the regulatory framework in terms of employment and labour relations and competitiveness of a country and job creation. Speakers will be sharing their experience in having a workforce in highly regulated countries with high labour costs versus countries with liberal market economies.

#### 1430: Introduction and overview of session

#### 1435 – 1455: Introductory Keynote Speaker

**Annemarie Muntz** *President Eurociett and Board Member of Ciett, Director Group Public Affairs, Randstad Holding, Amsterdam, the Netherlands*

#### 1455 – 1605: Session 1: Government regulation and intervention – recent past experience

#### Speakers

**Mercedes Balado Bevilacqua** *Beretta Godoy, Buenos Aires, Argentina*  
**Bettina Bender** *CM Murray, London, England*  
**Guy Castegnaro** *Castegnaro, Luxembourg*  
**Joe Catanzariti** *Clayton Utz, Sydney, New South Wales, Australia*  
**Agnieszka Fedor** *WKB Wierciński Kwieciński Baehr, Warsaw, Poland*  
**Johan Olivier** *Brink Cohen Le Roux, Johannesburg, South Africa*  
**Christian Welz** *European Foundation for the Improvement of Living and Working Conditions, Dublin, Ireland*

#### 1605 – 1620: Tea/coffee break

#### 1620 – 1730: Session 2: State of global economy and current government intervention – prognosis and impact on employee and industrial relations

#### Speakers

**Shay Coady** *IMPACT Trade Union, Dublin, Ireland*  
**Luca Failla** *L&E Global, Milan, Italy*  
**Paul Glenfield** *Matheson Ormsby Prentice, Dublin, Ireland*  
**Jiang Junlu** *King & Wood Mallesons, Beijing, China*  
**Erin Kuzz** *Sherrard Kuzz, Toronto, Ontario, Canada*  
**Ínigo Sagardoy de Simón** *Sagardoy Abogados, Madrid, Spain*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 5, LEVEL 1

## 'Is the storm over?' – the evolving liabilities of financial institutions

Presented by the Financial Services Section.

Session Co-Chairs

**Benoît Feron** *NautaDutilh, Brussels, Belgium; SIRC Liaison Officer, Banking Law Committee*

**Liam Flynn** *Bank for International Settlements, Basel, Switzerland*

The global financial crisis and its aftermath have exposed weaknesses in the management of legal risks by financial institutions. Unforeseen liabilities have resulted and banks, insurers and securities firms have incurred significant time and expense in dealing with these. Going forward, financial firms must strengthen their legal risk and liability management practices, put in place new procedures and even consider avoiding areas of activity with high potential to lead to liability.

This panel will discuss the grounds on which financial firms have been subject to liability claims following the crisis. In some cases, claims have been made for negligent, or even fraudulent, structuring of CDO or CLO-type investment products. In others the sales practices adopted by financial firms when selling products to retail and wholesale investors have been attacked. Delinquent borrowers in collapsed property markets have more strenuously resisted banks' attempts to enforce their security and argued that the banks themselves are partially responsible for losses. After the collapse of Lehman Brothers, firms were exposed to unprecedented litigation under derivative contracts, which has exposed ambiguities in the market standard master agreements. Accounting errors and trading losses have led to an increase in investor claims under US and other securities laws.

The panel will review liability exposures that have occurred and consider how these new and increased liability exposures can be best managed by financial firms going forward. Insurance is an important risk and liability mitigation tool and the panel will discuss the notification and coverage issues. Firms risk management practices will also need to improve and the panel will look at developments in this area.

This panel will complement the joint Litigation/ Banking session – 'Class actions or mass actions – the experience of litigators and financial institutions', taking place on Thursday 4 October, which will analyse the litigation experience regarding these liability issues and the resulting lessons to be learned from the events of the last five years.

Speakers

**Roddy Bourke** *McCann FitzGerald, Dublin, Ireland*

**Christoph Graber** *Prager Dreyfuss, Zurich, Switzerland; Senior Vice-Chair, Insurance Committee*

**Thomas Mannsdorfer** *ANV Underwriting, Barcelona, Spain*

**Annette Nazareth** *Davis Polk and Wardwell, Washington DC, USA*

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WICKLOW HALL 2B, LEVEL 2

## Market demand – a key driver of the multidisciplinary approach to legal services

Joint session with the Law Firm Management Committee and the Multidisciplinary Practices Committee.

Session Co-Chairs

**Alain Chedal** *Landwell & Associés, Paris, France; Secretary, Multidisciplinary Practices Committee*

**Herman J Knott** *Luther, Cologne, Germany; Secretary, Law Firm Management Committee*

General counsel and their companies are more and more contemplating legal services within a multidisciplinary context and often require a one-stop shop.

The purpose of this session is to build a practical case where a client, the general counsel of a large group, requires assistance in view of a major group carve-out reorganisation. The bidding process will be built on an engagement letter, a document reflecting the various constraints in a selected number of countries.

The practical case is structured in order to solicit from the legal profession a comprehensive offer for services, which shall include:

- corporate services;
- valuation and financial services;
- social planning;
- tax planning; and
- implementation.

The session will be organised by a panel of IBA multi-practice representatives illustrating their respective countries' constraints and solutions in order to achieve a successful and competitive bid.

Speakers

**Nicolás Herrera** *Guyer & Regules, Montevideo, Uruguay*

**Linfei Liu** *Jun He Law Firm, Beijing, China*

**Paul Olney** *Slaughter & May, London, England*

**Michael Roch** *KermaPartners, London, England*

**Margaret Stack** *A&L Goodbody, Dublin, Ireland*

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LIFFEY HALL 1, LEVEL 1

## Mediator by day, arbitrator by night. So you want to be an international adjudicator?

Joint session with the Arbitration Committee and the Mediation Committee.

Session Co-Chairs

**Babak Barin** *Barin Avocats, Montreal, Quebec, Canada; Chair, Mediation Committee*

**Lawrence S Schaner** *Jenner & Block, Chicago, Illinois, USA; Vice-Chair, Arbitration Committee*

This session will consider hybrid dispute resolution clauses and their application from both common law and civil law perspectives. Can arbitrators change hat in the middle of proceedings and become mediators? Can they then revert to their initial role and carry on with proceedings if the matter is not settled? What about mediators? Can they agree to become arbitrators after having participated in the proceedings as mediator? Does international public policy play a role in all this? If so, what does it say?

Speakers

**Mark Appel** *International Centre for Dispute Resolution, Dublin, Ireland*

**Martin Bernet** *Schellenberg Wittmer, Zurich, Switzerland*

**John J Buckley Jr** *Williams & Connolly, Washington DC, USA*

**Teresa Cheng** *Des Voeux Chambers, Hong Kong SAR*

**Carole Malinvaud** *Gide Loyrette Nouel, Paris, France*

**Hiroyuki Tezuka** *Nishimura & Asahi, Tokyo, Japan*

**Gerhard Wegan** *Gleiss Lutz, Stuttgart, Germany*

**Alvin Yeo** *WongPartnership, Singapore; Vice-Chair, Arbitration Committee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in The Forum on Ground Level.**

LIFFEY HALL 2, LEVEL 1



## Navigating the criminal law minefield: a cautionary tale for defence lawyers and lawyers representing corporations

Joint session with the Bar Issues Commission and the Criminal Law Committee.

Session Co-Chairs

**Bruce Maloy** *Maloy Jenkins Parker, Atlanta, Georgia, USA*  
**Elizabeth Robertson** *K&L Gates, London, England*

This panel will discuss different scenarios of a white-collar defence lawyer becoming a criminal suspect and analyse actual cases where defence lawyers faced charges. The panel will offer practical advice on how to avoid criminal exposure and tackle the charges if indicted.

Speakers

**Mark Biros** *Proskauer, Washington DC, USA; Regional Representative North America, Criminal Law Committee*  
**Christine Braamskamp** *3 Raymond Buildings, London, England*  
**Robert Calo** *Lane Powell, Portland, Oregon, USA*  
**Ibtissem Lassoued** *Al Tamimi & Co, Dubai, UAE*  
**Artemisia Lorusso** *Tonucci & Partners, Rome, Italy*  
**Chowdhury Ataur Rahman Azad** *Azad & Associates, Sylhet, Bangladesh*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 1, LEVEL 1

## Sanctions effects on shipping and marine insurance

Presented by the Maritime and Transport Law Committee.

Session Chair

**Ricardo Rozas** *Jorquiera & Rozas Abogados, Santiago, Chile; Vice-Chair, Maritime and Transport Law Committee*

Recently we have witnessed different sanctions imposed by the international community on several countries. The session will deal with the current and future effects of those sanctions and leading global experts will give their views on what this means or could imply for the shipping industry, marine insurance and different maritime projects.

Speakers

**Enrique Garza** *Garza & Tello, Mexico City, Mexico*  
**Donald Kassilke** *Cozen O'Connor, Washington DC, USA*  
**Chris Mills** *Clyde & Co, Dubai, UAE*  
**Mike Salthouse** *North Insurance Limited, Newcastle-Upon-Tyne, England*  
**Tim Schommer** *Ince & Co, Hamburg, Germany*

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ECOCEM ROOM, LEVEL 2

## The employees you really, really want to bring into the country – corporate immigration challenges and frustrations!

Joint session with the Corporate Counsel Forum and the Immigration and Nationality Law Committee.

Session Co-Chairs

**Shalini Agarwal** *Clasis Law, New Delhi, India; Vice-Chair, Immigration and Nationality Law Committee*  
**Chris Ashworth** *Knight Vinke, Monaco; Officer, Corporate Counsel Forum*

This session will discuss the issues that arise when employees you want to recruit cannot be transferred to certain jurisdictions due to the intricacies of various immigration law and attendant restraints. Corporate counsel all over the world have a difficult task when dealing with international cross-border transactions and deals. There is often a misguided belief by many companies that immigration is purely a HR matter and often corporate counsel and their legal departments are not engaged early on in the process. Corporate immigration knowledge and due diligence can save time, cost and money for multinationals who need employees to transfer quickly into global markets. Along with considering corporate, regulatory and employment issues, corporate immigration issues addressed upfront can minimise delay and frustration; issues relating to secondment/deputations, who remains the legal employer, how and when to secure work permits, and what documentation is required must all be considered in good time. This interactive session will aim to answer many of these issues and provide a platform for corporate counsel to share best practice and highlight the key pitfalls that exist.

Speakers

**Stephanie Buchheim** *Lenz & Staehelin, Geneva, Switzerland*  
**Matthew Durham** *Clyde & Co, Shanghai, China*  
**James Hall** *NewNet Communication Technologies, Dubai, UAE*  
**Robert Loughran** *Foster Quan, Austin, Texas, USA*  
**Kenneth Odidika** *Sower & Messuaris, Lagos, Nigeria*  
**Bettina Offer** *Offer & Mastmann, Frankfurt am Main, Germany*  
**Akhil Prasad** *Fidelity Worldwide Investments, Mumbai, India*  
**Luc Vandamme** *Council of the European Union, Brussels, Belgium*

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CONFERENCE ROOM 2, LEVEL 1

## The global 'gamification' of online gambling

Joint session with the Leisure Industries Section and the Technology Law Committee.

Session Co-Chairs

**Trevor Nagel** *White & Case, Washington DC, USA*  
**Gabrielle Patrick** *iSeed, London, England; Vice-Chair, Electronic Entertainment and Online Gaming Subcommittee*

Gamification, and online gambling, are among the booming global phenomena of the past decade. Given the highly polarised reactions to gambling across different jurisdictions, yet the boost it can provide to governmental coffers in these trying economic times, few are surprised that online gambling has generated both political controversy and a plethora of cross-border regulatory and legal issues. This session initially explores these critical issues through the eyes of major online gambling companies. The second segment will be interactive and include a debate between an online gaming hacker and a representative of a gaming/gambling company. Hot topics to be discussed will include both the commercial and legal implications of:

- recent trends in online gambling - products, channels and geography;
- laws, enforcement and operators' duty;
- regulation internationally - the past and the future;
- is harmonisation of online gambling laws feasible in the EU?
- cross-border payments issues;
- compliance issues and cybersecurity;
- management of players' accounts and fraud;
- privacy expectations and regulation in a digital existence; and
- 'pathological' gambling and public policy issues.

Speakers

**Andrew Algeo** *Paddy Power, Dublin, Ireland*  
**Peter Cerccone** *Playtech, Tel Aviv, Israel*  
**Marcus Clinch** *Eiger Law, Taipei, Taiwan*  
**Mark Menthentis** *Metro PCS Wireless, Richardson, Texas, USA*

Diane Mullenex *Ichay & Mullenex Avocats, Paris, France; Senior Vice-Chair, Communications Law Committee*  
 Brendan O'Connor *Malice Afterthought, Madison, Wisconsin, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 3, LEVEL 2

### The limits of tax planning

*Presented by the Taxes Committee.*

*Session Co-Chairs*

Luis Ortiz Hidalgo *Basham Ringe & Correa, Mexico City, Mexico*  
 Guillermo Canalejo Lasarte *Uria Menéndez, Madrid, Spain*

Several tax administrations are adopting a wide interpretation of what constitutes tax evasion and more and more jurisdictions are now imposing aggressive tax planning (ATP) compulsory disclosure requirements with very hard consequences for the non-compliant. What is left to taxpayers in the context of international tax planning? This panel will review the ATP and the anti-avoidance rules applicable in different jurisdictions, and will review as well the recent success stories of taxpayers against attempts by tax authorities to challenge planning transactions in an international context.

*Speakers*

Roberto Duque Estrada *Xavier Bragança Avogados, Rio de Janeiro, Brazil*  
 Judith Harger *Wilkie Far & Gallagher, London, England*  
 Martin Phelan *William Fry, Dublin, Ireland*  
 Marion Sangen-Emden *Heuking Kühn Lüer Wojtek, Düsseldorf, Germany*  
 Shimon Takagi *White & Case, Tokyo, Japan*  
 John Woodruff *McDermott Will & Emery, Houston, Texas, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Liffey Meeting Room Corridor, Level 1. Tea and coffee will also be served, during these times, in The Forum on Ground Level.**

LIFFEY MEETING ROOM 2, LEVEL 1

### When the music stops: new developments in the liability of directors and officers in and after insolvency proceedings

*Presented by the Enforcement of Creditors' Rights Subcommittee, a subcommittee of the Insolvency, Restructuring and Creditors' Rights Section (SIRC).*

*Session Co-Chairs*

Ernst Giese *Giese & Partner, Prague, Czech Republic; Vice-Chair, Enforcement of Creditors' Rights Subcommittee*  
 Kirsten Schumann-Kleber *GÖRG, Berlin, Germany; Vice-Chair, Enforcement of Creditors' Rights Subcommittee*

The business plan was brilliant, but it didn't work. When a company fails, creditor recoveries come in well below expectations, and all shareholders are wiped out; directors and officers are very often the first target of angry creditors, shareholders and employees. What had been an issue of corporate liabilities becomes a personal attack.

This session will discuss the risk that insolvency or operating in the zone of insolvency places on directors and officers, and will analyse recent pronouncements and policy changes in this area in various jurisdictions. A distinguished panel of speakers will address recent trends in a difficult economic climate, recommend actions that directors and officers can take to minimise such risks, and propose possible protections to put in place (eg insurance and/or indemnity provisions and other by-law protections).

*Speakers*

John Barry *Willis, Dublin, Ireland*  
 Declan Black *Mason Hayes & Curran, Dublin, Ireland*  
 Katie Coleman *Hughes Hubbard, New York, USA*  
 Stefan Sax *Clifford Chance, Frankfurt am Main, Germany*  
 Daniel Spragg *Alvarez & Marsal, Philadelphia, Pennsylvania, USA*

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WICKLOW MEETING ROOM 1, LEVEL 2

### When worlds collide: judicial independence and the democratic process

*Joint session with the Forum for Barristers and Advocates, the Judges' Forum, the IBA Human Rights Institute and the Young Lawyers' Committee.*

*Session Co-Chairs*

Justice Michelle May *Family Court of Australia, Brisbane, Queensland, Australia; Chair, Judges' Forum*  
 Chief Justice Henrik Rothe *The Danish Maritime and Commercial High Court, Copenhagen, Denmark; Senior Vice-Chair, Judges' Forum*

What should be the response of the judiciary and the organised bar when politicians threaten to use democratic processes such as elections, recalls, impeachments, or compelled appearance before legislative investigations to intimidate judges and limit judicial independence? On the other hand, should not judges in a democracy be accountable to the people for their actions? If so, what should be the terms and conditions of that accountability?

*Speakers*

Chief Justice Susan Denham *Supreme Court of Ireland, Dublin, Ireland*  
 Judge Gerard Hogan *High Court of Ireland, Dublin, Ireland*  
 The Hon Michael Kirby *Former Judge of the High Court of Australia, Sydney, New South Wales, Australia; Council Member, IBAHRI*  
 Judge Ann Power-Forde *European Court of Human Rights, Strasbourg, France*  
 Marsha Ternus *Former Chief Justice of the Iowa Supreme Court, Grimes, Iowa, USA*

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LIFFEY MEETING ROOM 3, LEVEL 1

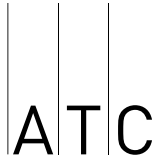
## MONDAY 1630 – 1730

### Key issues in international master franchise and area developer relationships

*Presented by the International Franchising Committee.*

When franchisors enter new international markets they often seek out multi-unit master franchisees or area developers. The multi-unit franchisee is by definition a more sophisticated franchisee, with greater bargaining power and important knowledge of the local market. The 'balance of power' between the franchisor and multi-unit franchisee can affect both contract negotiations and dispute resolution. This session will cover issues that are key when advising the international multi-unit franchisee and franchisor on both the front and back-end of the relationship.

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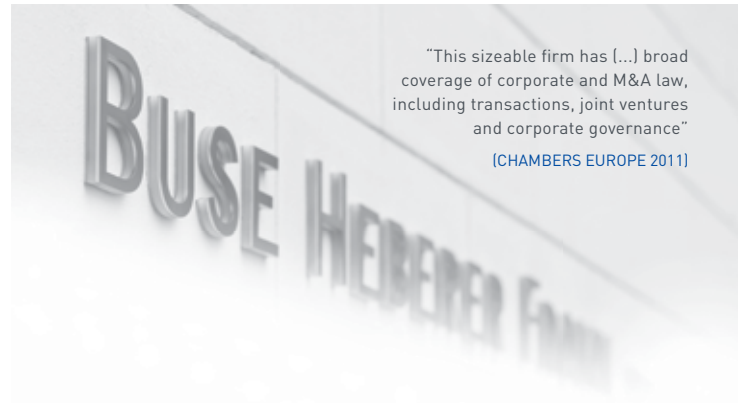
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*Moderator*

**Larry Weinberg** *Cassels Brock & Blackwell, Toronto, Ontario, Canada; Publications Officer, International Franchising Committee*

*Speakers*

**Ronald Gardner** *Dady & Gardner, Minneapolis, Minnesota, USA*

**Ann Hurwitz** *Baker Botts, Dallas, Texas, USA*

**Francesca Turitto** *Studio Legale Roma Lepri & Partners, Rome, Italy*

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LIFFEY MEETING ROOM 1, LEVEL 1

## TUESDAY 0800 – 0930

**Open committee business meeting and breakfast**

*Presented by the Intellectual Property and Entertainment Law Committee.*

An open meeting of the Intellectual Property and Entertainment Law Committee will be held to discuss matters of interest and future activities.

MARQUEE, CCD

## TUESDAY 0930 – 1100

**Know-how, trade secrets and trade dress protection**

*Joint session with the Intellectual Property and Entertainment Law Committee and the International Franchising Committee.*

*Session Co-Chairs*

**Gustavo Alcocer** *Olivares & Cía, Mexico City, Mexico; Senior Vice-Chair, Intellectual Property and Entertainment Law Committee*

**Rocío Belda de Mergelina** *Garrigues, Madrid, Spain; Secretary and Newsletter Editor, International Franchising Committee*

A critical component of all franchise systems is the franchisor's know-how and trade secrets, and in some systems also its trade dress. This programme will address various ways in which the franchisor can protect those critical elements of its system. A panel of experts will examine the key aspects of such protection under intellectual property law, unfair competition laws, contract law and franchising regulations.

*Speakers*

**Gregor Bühler** *Homburger, Zurich, Switzerland; Vice-Chair, Intellectual Property and International Treaties Subcommittee*

**David Jacoby** *Schiff Hardin & Waite, New York, USA; Secretary, Leisure Industries Section*

**Eduardo Turkienicz** *Felsberg, São Paulo, Brazil*

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ECOCEM ROOM, LEVEL 2

## TUESDAY 0930 – 1230

**Airport capacity and the modern infrastructure challenges**

*Presented by the Aviation Law Committee.*

*Session Co-Chairs*

**Roberto Hernández** *COMAD, Mexico City, Mexico; Latin America Regional Officer, Anti-Corruption Committee*

**Carlos Sierra Navarro** *Abogados Sierra y Vázquez, Mexico City, Mexico; Newsletter Editor and Treasurer, Aviation Law Committee*

This session will address the challenge facing improved airport capacity while coping with size, location, environmental, financing and other restrictions that shape modern airport construction and development projects. Discussion will be made of modern forms of financing of airport infrastructure and the legal framework that supports large-scale airport projects under joint public and private ventures. The panel will address how efficient legal and financing structures can result in more efficient and cost effective facilities that reduce operating costs for airlines and passengers alike.

*Speakers*

**Júlio César Bueno** *Pinheiro Neto, São Paulo, Brazil; Co-Chair, Project Establishment Subcommittee; Website Officer, Latin American Regional Forum*

**Marco Dalla Vedova** *Dalla Vedova Studio Legale, Rome, Italy*

**Joachim Frick** *Baker & McKenzie, Zurich, Switzerland*

**Sumeet Kachwaha** *Kachwaha & Partners, New Delhi, India; Vice-Chair, Project Execution Subcommittee*

**Andrew Petry** *Addleshaw Goddard, London, England*

**Manuel Quinche** *Brigard & Urrutia, Bogotá, Colombia*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 4, LEVEL 2

**Apples to applications – attracting technology to emerging markets**

*Joint session with the Latin American Regional Forum and the Technology Law Committee.*

*Session Co-Chairs*

**David Gutiérrez** *BLP Abogados, San José, Costa Rica; Secretary, Latin American Regional Forum*

**Bart L P van Reeken** *De Brauw Blackstone Westbroek, Amsterdam, the Netherlands; Co-Chair, Technology Law Committee*

Technology companies are investing in Latin American and other emerging economies. This session provides insight into what makes them invest where, and how lawyers can facilitate them in making their investments and setting up operations. During the first half of the session, business speakers from, inter alia, Intel and HP will expand on the factors influencing investment decisions and in particular on the influence of laws to attract foreign investments and the role of lawyers. In short: 'Everything you always wanted to know about attracting foreign technology investors.' During the second half of this session, we will have a guided discussion about the challenges of and best practices in localising Anglo-Saxon standard terms and contracts to national laws. How to translate legal concepts from one legal background to another and explain it across cultures; an excellent opportunity to share with and learn from your peers.

*Speakers*

**Brendan Cannon** *Intel Ireland, Leixlip, Ireland*

**Margaret H Kavalari** *SNR Denton, Washington DC, USA*

**Patricia Menéndez-Cambó** *Greenberg Traurig, New York, USA*

**Juan Manuel Mercant** *Guyer & Regules, Montevideo, Uruguay*

**Felipe R Ortega** *Hewlett-Packard, Roseville, California, USA*

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CONFERENCE ROOM 3, LEVEL 1

## **Biodiversity preservation in the face of global industrialisation**

*Presented by the Environment, Health and Safety Law Committee.*

*Session Co-Chairs*

**David Estrin** *Gowling Lafleur Henderson, Toronto, Ontario, Canada; Senior Vice-Chair, Environment, Health and Safety Law Committee*  
**Michelle Ouellette** *Best Best & Krieger, Riverside, California, USA; Treasurer, Environment, Health and Safety Law Committee*

Growth in population and industrialisation inevitably collide to take their toll on the world's flora and fauna. Increasingly, both industrialised and developing societies are focusing on the need to preserve biodiversity in the face of these increasing pressures. This panel will explore the problems associated with addressing biodiversity with a particular focus on endangered species protection and the various regulatory regimes throughout the world seeking to protect biodiversity.

*Speakers*

**Alison Fanagan** *A&L Goodbody, Dublin, Ireland*  
**Chief Justice Brian Preston** *Land and Environment Court of New South Wales, Sydney, New South Wales, Australia*  
**Dr Debra Roberts** *Ethekwini Municipality, Durban, South Africa*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Liffey Meeting Room Corridor, Level 1. Tea and coffee will also be served, during these times, in The Forum on Ground Level.**

LIFFEY MEETING ROOM 1, LEVEL 1

## **'Buying' big things – acquiring and financing complex capital equipment and other moveable physical assets**

*Presented by the Asia Pacific Regional Forum and the International Sales Committee.*

*Session Co-Chairs*

**Dalton Albrecht** *Miller Thomson, Toronto, Ontario, Canada; Chair, Financial and Tax Aspects of International Sales Subcommittee*  
**Carlos Valls** *Iuris Valls Abogados, Barcelona, Spain; Treasurer, International Sales Committee*

The acquisition of large capital goods/equipment is a complex task and may require an assembly of components from different countries and different supply chains and different legal expertise. The management of risks, financing arrangements and taking of security interests, and the subsequent enforcement of obligations, cross-border warranties as well as maintenance and servicing add to the complexity.

This session will be divided into two parts. The first part will discuss the acquisition of large capital equipment from the perspective of a general counsel from a multinational corporation and then subject experts dealing with different methods of acquisition, such as leasing versus financing versus conditional sales, how to take security on the equipment on a cross-border basis, as well as the Income Tax/VAT/Customs issues arising from the different forms of acquisition.

The second part will involve a discussion of what happens when things go wrong. Product liability will be discussed from a cross-border perspective, the advantages and disadvantages of arbitration versus litigation in terms of enforcement will be debated, cross-border insolvency issues will be reviewed, and the unique issues involved in repossession or in rem control of large capital equipment

such as vessels, aircraft or plants will be explored. The speakers will not present individually in a lecture format as the discussion will be interactive in each session, involving the topics in that session based on a series of questions from the Session Chair. The audience will be invited to participate in these interactive discussions.

*Speakers*

**Caroline Berube** *HJM Asia Law & Co, Guangdong, China; Chair, Licensing Intellectual Property and International Treaties Subcommittee; Vice-Chair, Asia Pacific Regional Forum*  
**Cynthia Fischer** *Schnader Harrison Segal & Lewis, New York, USA; Vice-Chair, Financial and Tax Aspects of International Sales Subcommittee*  
**Rory Kirrane** *Mason Hayes & Curran, Dublin, Ireland*  
**James Kroger** *Caterpillar SARL, Geneva, Switzerland*  
**Walter Lion** *McLaughlin & Stern, New York, USA; Chair, Commodities and Derivatives Subcommittee*  
**Andreas McConnell** *Philip Lee Solicitors, Dublin, Ireland*  
**Barbara Helene Steindl** *Brauneis Klausner Prändl Rechtsanwälte, Vienna, Austria; Special Projects Officer, International Sales Committee*  
**Kelly Vouvousiras** *Thomas Cooper, Singapore; Secretary, Maritime and Transport Law Committee*  
**Gordon Warnke** *Linklaters, New York, USA; Corporate Counsel Forum Liaison Officer, Taxes Committee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Liffey Meeting Room Corridor, Level 1. Tea and coffee will also be served, during these times, in The Forum on Ground Level.**

LIFFEY MEETING ROOM 2, LEVEL 1

## **Choices of jurisdiction, venue and governing law in construction contracts**

*Presented by the International Construction Projects Committee.*

*Session Co-Chairs*

**Virginie Colaiuta** *Pinsent Masons, London, England; Vice-Chair, Dispute Resolution Subcommittee*  
**Tony Marshall** *Hogan Lovells International, London, England; Co-Chair, Project Establishment Subcommittee*

This session will consider the implications of conflict of law rules and jurisdictional issues in international construction disputes. In particular, it will deal with how the outcome of disputes can be affected by civil law and common law conflict of law rules where a governing law applicable to the merits of the dispute has not been designated by the parties.

This session will also cover potential issues as to the appropriate jurisdiction for resolution of disputes where none is specified in the contract.

*Speakers*

**Guido Carducci** *Carducci Arbitration & Legal, Paris, France*  
**Donald Charrett** *Melbourne TEC Chambers, Melbourne, Victoria, Australia*  
**Manoj Singh** *Singh & Associates, New Delhi, India*  
**Timothy Triplett** *Black & Veatch, Overland Park, Kansas, USA*  
**Carlos Umaña Trujillo** *Brigard & Urrutia Abogados, Bogotá, Colombia*  
**Nathalie Voser** *Schellenberg Wittmer, Zurich, Switzerland*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

WICKLOW HALL 2B, LEVEL 2

## Controlling discovery in commercial litigation

Joint session with the Forum for Barristers and Advocates, the Judges' Forum, the Litigation Committee and the Young Lawyers' Committee.

Session Chair

**Paul Sreenan SC** *Bar Council of Ireland, Dublin, Ireland; Co-Chair, Forum for Barristers and Advocates*

Discovery in commercial litigation can become a quagmire. Enormous volumes of documents are routinely discovered. Meanwhile the time taken to resolve disputes is prolonged. The advent of email has refocused attention on the cost and volume of discovery. This session will identify the purpose of discovery and consider methods employed in different jurisdictions to streamline discovery and the alternatives to documentary discovery. It will be addressed by leading barristers, advocates, trial lawyers and judges.

Speakers

**Antonio Bravo** *Eversheds, Madrid, Spain; Co-Chair, Litigation Committee*

**Honourable Justice Frank Clarke** *The Supreme Court, Dublin, Ireland*

**Simon Collins** *Ernst & Young, Dublin, Ireland*

**Paul Gallagher SC** *Former Attorney General of Ireland, Dublin, Ireland*

**Adam S Goodman** *Heenan Blaikie, Toronto, Ontario, Canada;*

*Events Officer, Young Lawyers' Committee*

**Patrick J McGroder** *International Academy of Trial Lawyers,*

*Phoenix, Arizona, USA*

**Michael Todd QC** *Bar Council of England and Wales, London, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 2, LEVEL 1

## Cornices, cupolas and copyrights: protection and infringement of architectural copyrights by remote sensing, media use, virtual worlds and construction changes

Joint session with the Art, Cultural Institutions and Heritage Law Committee and the Space Law Committee.

Session Chair

**Souichirou Kozuka** *Gakushuin University, Tokyo, Japan; Website Officer, Space Law Committee*

This session will examine the validity of architectural design copyrights, and the potential infringement by remote sensing imagery, incidental or deliberate use in media and social media, and by construction variance, remodelling or demolition. The architect of a striking new building has copyrighted its design. To the architect's distress, the design is now being copied and modified. Images from space are widely distributed; print and online media capture and replicate the image in film, virtual worlds, and other incidental uses. During construction and renovation, the design has been modified. In this session, our mock architect will prosecute a copyright infringement case against these industries. Participants will hear the evidence and arguments and act as jurors to decide the fate of the architect's claims.

Speakers

**Helen Conlan** *Bird & Bird, London, England*

**Jean-Frédéric Gaultier** *Olswang, Paris, France; Senior Vice-Chair, Media Law Committee*

**Roberto Hernández García** *COMAD, Mexico City, Mexico; Latin America Regional Officer, Anti-Corruption Committee*

**Mark Methenitis** *MetroPCS Wireless, Richardson, Texas, USA*

**Peter Polak** *Fiebinger Polak Leon & Partners, Vienna, Austria*

**Massimo Sterpi** *Jacobacci & Associati, Rome, Italy; Chair, Art, Cultural Institutions and Heritage Law Committee*

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LIFFEY MEETING ROOM 5, LEVEL 1

## Current issues for UCITS funds

Presented by the Investment Funds Committee.

This session will discuss:

- Are Kils working?
- New investment strategies for UCITS funds – is UCITS III still appropriate?
- Are UCITS IV efficiency measures making a difference?
  - Mergers
  - Notifications
- UCITS V – and changing roles and responsibilities of UCITS Depositories
- UCITS VI
- Practical legal issues for UCITS in Hong Kong – the industry experience in Asia

Keynote Speaker

**Martin Moloney** *Central Bank of Ireland, Dublin, Ireland*

Moderator

**Sarah Cunniff** *Arthur Cox, Dublin, Ireland*

Speakers

**Tim Cornick** *Macfarlanes, London, England*

**Alwyn Li** *Deacons, Hong Kong SAR*

**Seán Páircéir** *Brown Brothers Harriman, Dublin, Ireland*

**Marc Seimetz** *Dechert, Luxembourg*

**Philip Warland** *Fidelity Worldwide Investment, London, England*

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LIFFEY MEETING ROOM 3, LEVEL 1

## Family disputes involving trusts: whatever can go wrong will go wrong

Joint session with the Family Law Committee and the Individual Tax and Private Client Committee.

Session Co-Chairs

**Helen Darling** *Macfarlanes, London, England; Chair, Individual Tax and Private Client Committee*

**Joshua Rubenstein** *Katten Muchin Rosenman, New York, USA; Committee Liaison Officer, Family Law Committee*

Trust litigation is a thriving business. This session will consider the reasons why there are an increasing number of disputes involving trusts and other asset holding vehicles. This session will also discuss the considerations a settlor might take into account to seek to ensure that their intentions in setting up a structure hold good for the future, whether the structure be for asset protection, succession planning or for some other purpose.

Speakers

**Marcus Dearle** *Withers, Hong Kong SAR*

**Ceris Gardner** *Maurice Turner Gardner, London, England*

**Roland Krause** *Freie Universität, Berlin, Germany; Membership*

*Officer, Family Law Committee*

**Paraic Madigan** *Matheson Ormsby Prentice, Dublin, Ireland*

**Jeremy Wessels** *Mourant Ozannes, St Peter Port, Guernsey*

*Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.*

CONFERENCE ROOM 5, LEVEL 1

## Finance: profitability in changing times: getting more from less

*Presented by the Law Firm Management Committee.*

*Session Co-Chairs*

**Rolandas Valiunas** *LAWIN, Vilnius, Lithuania*

**Chris Van Olmen** *Van Olmen & Wynant, Brussels, Belgium; Senior Vice-Chair, Employment and Industrial Relations Law Committee*

This session will discuss:

- The decline of the billable hour: what does it mean for a new understanding of profitability?
- Some law firms sustained sharp drops in fee revenue but increased profits. How did they do it without cutting into their service delivery capabilities?
- Increasing popularity of AFA: opportunity to earn the fortune and balance with legal ethics.
- How can quality assurance initiatives increase profitability by increasing productivity of fee earners with little or no additional operating costs?

*Speakers*

**Richard Burcher** *Validatum, Tauranga, New Zealand*

**David Hackett** *Eugene F Collins, Dublin, Ireland*

**Mark Ross** *Integreon, London, England*

**Eric Staal** *Venturis Partners, London, England*

**Tarja Wist** *Waselius Wist, Helsinki, Finland*

*Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in The Forum on Ground Level.*

LIFFEY HALL 1, LEVEL 1

## From cookies to astroturfing: what goes on behind the web

*Joint session with the Technology Law Committee and the Product Law and Advertising Committee.*

*Session Co-Chairs*

**Daniela De Pasquale** *D&P – Legal Support for Ideas, Milan, Italy; Scholarship and Young Members Officer, Technology Law Committee*

**Clara-Ann Gordon** *Pestalozzi, Zurich, Switzerland; Vice-Chair, Technology Law Committee*

This session will look at the legal implications for cookies and other profiling and web monitoring techniques in view of the massive use the marketing, communication and advertising industry is making of such technology. The discussion will also take into consideration the increasing manipulation of the information on the web due to the technologies used to measure and build up web reputation of people and companies and the growth of 'Flogs' (fake blogs), BOTS (software simulating false identities on the web) and 'Astroturfing' (fake movements of opinions sponsored by marketing agencies). The session will provide lawyers in all fields of practice, both in-house and outside counsel, with practical guidance, examples (including technical demonstrations of monitoring techniques in the web) and case law in the digital business environment. In particular, the following issues will be discussed:

- Representatives of the industry will witness how marketing techniques are evolving in this field and what software applications are used in this context.
- Data protection and privacy issues will be reviewed under both the EU regulators and industry perspective.

- Self-regulation rules on consent will be illustrated by a leading industry association.
- How does the legal framework apply to astroturfing? Freedom of opinion stops where unfair practices and misleading advertising starts.

The most up-to-date case law from various jurisdictions will be presented.

*Speakers*

**Maureen Daly** *Beauchamps, Dublin, Ireland*

**Matteo Flora** *The Fool, Milan, Italy*

**Billy Hawkes** *Data Protection Commissioner, Portarlington, Ireland*

**John Lynch** *Law Office of John J Lynch, New York, USA*

**Robert McDonagh** *Mason Hayes & Curran, Dublin, Ireland*

**Daragh O'Brien** *IDMA Regulatory Affairs Team, Dublin, Ireland*

*Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.*

WICKLOW MEETING ROOM 5, LEVEL 2

## Global mobility solutions for HR managers: pitfalls and best practices

*Joint session with the Employment and Industrial Relations Law Committee and the Immigration and Nationality Law Committee.*

*Session Co-Chairs*

**Marianne Granhøj** *Kromann Reumert, Copenhagen, Denmark;*

*Website Officer, Employment and Industrial Relations Law Committee*

**Gunther Mävers** *Mütze Korsch Rechtsanwalts-gesellschaft, Cologne, Germany; Vice-Chair, Immigration and Nationality Law Committee*

By way of active debate between panellists and the floor, combined with workshops among the participants, this session will explore the various aspects of assigning personnel abroad that should be considered from a HR perspective. In particular, we will focus on labour and immigration law aspects, but also take into consideration the practical approaches available for smooth global mobility solutions, eg cultural training, reintegration health insurance etc. Moreover, participants will be asked to participate in a survey during the session to work out the top ten dos and don'ts together with the panel in order to compare the results with a questionnaire that we will request from companies before. Finally, there will of course, be room to bring forward and discuss other issues that may arise during the lively discussion we hope to have.

*Speakers*

**Shalini Agarwal** *ALMT Legal, London, England; Vice-Chair, Immigration and Nationality Law Committee*

**Isabel Bueno** *Mattos Filho Veiga Filho Marrey Jr e Quiroga, São Paulo, Brazil*

**Melanie Crowley** *Mason Hayes & Curran, Dublin, Ireland*

**Rebecca Ford** *Al Tamimi, Abu Dhabi, UAE*

**Alfredo Kupfer Dominguez** *Sanchez Devanny, Mexico City, Mexico*

**Julia Onslow-Cole** *PriceWaterhouseCoopers Legal, London,*

*England; Council Member, Public and Professional Interest Division;*

*Vice-Chair, IBA Global Employment Institute*

**Michael Royal** *Fisher & Philips, Dallas, Texas, USA*

**Corrado Scivoletto** *Simonetti Persico Scivoletto, Rome, Italy;*

*Newsletter Editor, Immigration and Nationality Law Committee*

*Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.*

CONFERENCE ROOM 4, LEVEL 1



## How to be a persuasive role model – and not to lose your best talents

Presented by the Women Lawyers' Interest Group.

Session Co-Chairs

**Charandeep Kaur** *Trilegal, New Delhi, India; Communications Officer, Women Lawyers' Interest Group*

**Maria Wolleh** *Mannheimer Swartling, Berlin, Germany; Senior Vice-Chair, Women Lawyers' Interest Group*

Many successful (male and female) legal professionals are very devoted to coaching and mentoring their best (male and female) talents. Nevertheless, there is an increasing trend of younger colleagues saying to their mentors, 'I do not want to become like you', that eventually leave. This interactive session will discuss the reasons for this challenge and which strategies could be successful to tackle them in order to be a persuasive role model – and if there are specific strategies that female mentors should follow when coaching female talents.

Speakers

**Cecilia Mairal** *Marval O'Farrell & Mairal, Buenos Aires, Argentina; Membership Officer, Securities Law Committee*

**Patricia Menéndez-Cambó** *Greenberg Traurig, Miami, Florida, USA*  
**Rebecca Normand-Hochman** *Talent Management Consulting, London, England*

**Suzanne Rab** *King & Spalding, London, England*

**Lucy Scott-Moncrieff** *The Law Society, London, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 1, LEVEL 2

## Investment arbitration

Presented by the Arbitration Committee.

Session Co-Chairs

**Stephen Jagusch** *London, England; Chair, Investment Treaty Arbitration Subcommittee*

**Margrete Stevens** *King & Spalding, Washington DC, USA*

This panel will discuss the most recent challenges to the system of investment arbitration, including the recent work by UNCITRAL on transparency as well as the criticism raised by states and practitioners of the current system of investor-state arbitration. It will consider current trends to envisage what the future will hold for investment protection.

Speakers

**Gabriela Alvarez-Avila** *Curtis Mallet-Prevost Colt & Mosle, Mexico City, Mexico*

**Nigel Blackaby** *Freshfields Bruckhaus Deringer, Washington DC, USA*

**James Crawford** *University of Cambridge, Cambridge, England*

**Donald Donovan** *Debevoise & Plimpton, New York, USA*

**Eloise Obadia** *ICSID, Washington DC, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the foyer on Level 3.**

AUDITORIUM, LEVEL 3

## LPD SHOWCASE: The euro area crisis – thinking the unthinkable

Presented by the Legal Practice Division and the European Regional Forum.

Session Co-Chairs

**Hendrik Haag** *Hengeler Mueller, Frankfurt, Germany; Council Member, Legal Practice Division*

**Wolfgang Münchau** *Associate Editor, The Financial Times, Brussels, Belgium*

The crises in the euro area have exposed the European and national legal system to issues which have never been encountered before. This session will focus on such issues, with particular focus on the legal consequences of some possible scenarios which until recently were not widely discussed or analysed, for example new euro area sovereign bonds, countries leaving the euro, the break-up of the euro area. The speakers are leading regulators, financiers and lawyers with an insight into the difficult discussions looking for solutions to the euro area crises.

Speakers

**Christoph Hammerl** *Group Legal, Linde AG, Munich, Germany*

**Juan Carlos Machuca** *Uriá Menéndez, London, England*

**Antonis Simigdalas** *ex-CEO of Olympic Air Group, Athens, Greece*

With contributions from other leading experts.

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

WICKLOW HALL 1, LEVEL 2

## Private antitrust actions

Joint session with the Antitrust Committee and the Litigation Committee.

Session Co-Chairs

**David Brown** *Stikeman Elliott, Vancouver, British Columbia, Canada; Young Litigators Forum Co-Chair, Litigation Committee*

**Janet McDavid** *Hogan Lovells US, Washington DC, USA; Vice-Chair, Antitrust Committee*

This panel will discuss new trends in civil antitrust actions in several jurisdictions, including efforts to expand private litigation in Europe, issues concerning discovery/disclosure, confidentiality of leniency applications in the US and Europe, which jurisdictions are emerging as forums of choice for litigation and why, passing-on, class actions/collective redress, and punitive damages.

Speakers

**Gerald Fitzgerald** *Irish Competition Authority, Dublin, Ireland*

**Richard Parker** *O'Melveny & Myers, Washington DC, USA*

**John Pheasant** *Hogan Lovells International, London, England*

**Marcin Radwan-Rohrenscheff** *Rohrenscheff, Warsaw, Poland*

**Stephen Susman** *Susman Godfrey, New York, USA*

**Professor Philippa Watson** *Essex Court Chambers, London, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

WICKLOW HALL 2A, LEVEL 2

## Private equity

Presented by the Corporate and M&A Law Committee.

Session Co-Chairs

**Vanessa Blackmore** *Sullivan & Cromwell, London, England; Chair, Private Equity Subcommittee*

**David Eich** *Kirkland & Ellis, Hong Kong SAR; Vice-Chair, Private Equity Subcommittee*

This session will look at recent trends in private equity, focusing on developments in the previous year.

Speakers

**Davide d'Angelo** *Pedersoli, Milan, Italy*

**Ben Gaffikin** *McCann FitzGerald, Dublin, Ireland*

**Vijay Sambamurthi** *Lexygen, Bangalore, India*

**Alexander Zharskiy** *ALRUD, Moscow, Russian Federation*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in The Forum on Ground Level.**

LIFFEY HALL 2, LEVEL 1

## Small v big power generation plants: pros and cons

*Presented by the Power Law Committee.*

*Session Chair*

**Michelle de Rijke** *Bird & Bird, The Hague, the Netherlands; Senior Vice-Chair, Power Law Committee*

How can small generation facilities solve small communities' needs? Are there benefits (for communities) on building small v big power plants? Is it possible to develop 'human scale' power projects of hundreds or thousands of MWs? These and other questions and topics will be addressed in this interesting panel which comes right on time to discuss what appears to be a new trend in many places where people would like to avoid gigantic projects. Is it at all possible considering the world growth and needs?

*Speakers*

**Marc Baltus** *Heuking Kühn Lüer & Wojtek, Düsseldorf, Germany; European Forum Liaison Officer, Young Lawyers' Committee*

**Guido Declercq** *GDF Suez, Paris, France*

**Pedro García** *Morales & Besa, Santiago, Chile*

**Wolfram Rehbock** *Arzinger, Kiev, Ukraine*

**Javier Rodríguez Galli** *Bruchou Fernández Madero & Lombardi, Buenos Aires, Argentina*

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WICKLOW MEETING ROOM 2, LEVEL 2

## Taxation on mining activities

*Joint session with the Mining Law Committee and the Taxes Committee.*

*Session Co-Chairs*

**Patricia Núñez** *Núñez Muñoz & Cia, Santiago, Chile; Secretary, Section on Energy, Environment, Infrastructure and Natural Resources Law (SEERIL)*

**Sonia Velasco Menal** *Cuatrecasas Gonçalves Pereira, Barcelona, Spain; Senior Vice-Chair, Taxes Committee*

Taxation on natural resources is changing. Most countries are increasing their royalties, creating windfall taxes or export taxes. This panel will analyse the current situation on the commodities markets, the different approaches that are being developed worldwide to increase government revenue from mining and how companies are facing these changes. Lastly, the panel will comment on how mining deals are being structured taking into the account the current environment.

*Speakers*

**Juan Carlos Garanton** *Torres Plaz & Araujo, Caracas, Venezuela*

**Jean Louis Geyr** *Vale, Geneva, Switzerland*

**Alan Keep** *Bowman Gilfillan, Johannesburg, South Africa*

**Phil Newman** *Cru Strategies, London, England*

**Elinore Richardson** *Wolf Theiss, Vienna, Austria*

**William Thompson** *Minter Ellison, Brisbane, Queensland, Australia*

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CONFERENCE ROOM 1, LEVEL 1

## The alpha consumer

*Joint session with the Consumer Litigation Committee and the Product Law and Advertising Committee.*

*Session Co-Chairs*

**Oscar N Johnson Jr** *Higgs & Johnson, Nassau, Bahamas*

**Neerav Merchant** *Majmudar & Partners, Mumbai, India*

Alpha consumers are the real market testers of all new products and they have the money to buy and demand a superior product/service. The alpha consumer has been described as: 'The first to know, the first to try, the first to buy'.

The legal implications involved with servicing this type of consumer will be discussed by the players in the main consumer industries.

*Speakers*

**Giles Chappell** *United Nations, Geneva, Switzerland*

**Mariano De Estrada** *Bulló Tassi Estebenet Lopera Torassa Abogados, Buenos Aires, Argentina*

**Jeanne Kelly** *Mason Hayes & Curran, Dublin, Ireland*

**Keith Oliver** *Peters & Peters Solicitors, London, England*

**Margaret Tofalides** *Manches, London, England*

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WICKLOW MEETING ROOM 3, LEVEL 2

## The dispossessed: an examination of groups on the edge of society, their rights, legal challenges, successes and failures

*Presented by the Human Rights Law Committee and the Indigenous Peoples Committee.*

**Session highlighted as part of the President's focus for the IBA Task Force on 'Challenges for the Legal Profession post Global Financial Crisis'.**

In every society, there are those who live on the fringes. Sometimes those populations are made up of local indigenous peoples. Sometimes they represent a more recent population. What they have in common is that they are often excluded from the rights, privileges and even the protections of the greater society within which they live. This session will explore what the law and lawyers can and have done to afford these groups those rights, privileges and protections that have either never been granted to them, have been removed, or have never become law in action. Our speakers will come from both indigenous groups and from those considered newcomers in order to provide the perspective of both. Speakers will also include lawyers working with these dispossessed groups to discuss their current status in law and advances that have been made in the law of representative countries. We will examine models of success and models of failure. We will explore how lawyers practising in many areas of law have been instrumental and can be instrumental in effecting change for the benefit not only of the dispossessed, but also of society in general.

From Canada, we will have a speaker who will share the tremendous success that aboriginal populations in that country have had in taking back what is theirs and turning the general concept of land and treaty rights into economic success. A member of a very successful First Nation from Canada will speak about the benefits not only to his own aboriginal group but to Canada as a whole by taking people off the welfare rolls and putting them into the pilot seat, executive boardroom and in classrooms. From Ireland, we will hear from lawyers working with the Travellers to try to better their lot and from a well-regarded Traveller leader himself. From the South American perspective, we will explore how the Inter-American Court of Human Rights has dealt with granting rights to indigenous peoples 'on the fringes', and what perils a different way of life nonetheless unfolds in countries with social or even armed conflicts. This will allow us to draw conclusions on how borderline communities access rights and more particularly, on the relevance of a fixed address, as a synonym of absorption within the majority, to fully benefit from rights.

*Moderator*

**Steven Cooper** *Ahlstrom Wright Oliver & Cooper, Sherwood Park, Alberta, Canada; Chair, Indigenous Peoples Committee*

**Speakers**

**Susan Fay** *Irish Traveller Movement, Dublin, Ireland*

**David Joyce** *The Law Library, Dublin, Ireland*

**Victor Rodriguez-Rescia** *International expert and consultant on human rights, San José, Costa Rica*

**Garth Wallbridge** *Yellowknife, Northwest Territories, Canada*

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LIFFEY MEETING ROOM 4, LEVEL 1

## TUESDAY 1130 – 1230

### News from around the world

*Presented by the International Franchising Committee.*

This session is the traditional round-up of the latest development in franchising and related matters from jurisdictions around the world. The focus will be on franchising in Ireland and Africa plus country updates from audience members.

**Moderator**

**John Baer** *Greensfelder Hemker & Gale, Chicago, Illinois, USA; Chair, International Franchising Committee*

**Speakers**

**Imelda Reynolds** *Beauchamps Solicitors, Dublin, Ireland*

**Kendal Tyre** *Nixon Peabody, Washington DC, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the foyer on Levels 2 and 3.**

ECOCEM ROOM, LEVEL 2

## TUESDAY 1230 – 1430

### Open committee business meeting and lunch

*Presented by the IBA Global Employment Institute.*

An open meeting of the IBA Global Employment Institute will be held to discuss matters of interest and future activities.

FOYER, LEVEL 5

## TUESDAY 1300 – 1400

### An interview with Juan E Méndez, UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

**Moderator**

**Todd Benjamin** *Award-winning former CNN news anchor*

Juan E Méndez, UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, has dedicated his legal career to the defence of human rights and has a long and distinguished record of advocacy throughout the Americas. He is a Visiting Professor of Law at the American University – Washington College of Law, and an adviser on crime prevention to the Prosecutor, International Criminal Court. Until May 2009 he was the President of the International Center for Transition Justice (ICTJ) and in the summer of 2009 he was a

Scholar-in-Residence at the Ford Foundation in New York. Concurrent with his duties at ICTJ, the Honourable Kofi Annan named Mr Méndez his Special Adviser on the Prevention of Genocide, a task he performed from 2004 to 2007. For 15 years, he worked with Human Rights Watch, concentrating his efforts on human rights issues in the western hemisphere. In 1994, he became general counsel of Human Rights Watch, with worldwide duties in support of the organisation's mission, including responsibility for litigation and standard setting activities.

A national of Argentina, Mr Méndez was himself a victim of torture and administrative detention during the Argentinian 'dirty war'. As a result of his involvement in representing political prisoners, he was detained by the Argentinian military dictatorship for over a year, during which time he was adopted as a 'Prisoner of Conscience' by Amnesty International. In a conversation regarding this treatment, Mr Méndez recently told the IBA that 'it doesn't go away and, at some point, you don't want it to go away because you want it to be a source of commitment to working on human rights'.

This has been true for Mr Méndez, who continues to fight against violations of human rights, calling for a victim-centred perspective in efforts to combat torture and greater progress in institutionalising basic principles and guidelines to provide minimum standards for victims. He is a leading voice in the international community against the use of wrongfully obtained evidence by states, insisting that evidence compromised by the use of torture should not be deemed an acceptable tool to gain information and that each state has a duty to cooperate in the eradication of such practices. These arguments are particularly relevant to allegations of involvement in torture during the 'war on terror' and Mr Méndez has called for an open inquiry in the UK, recently saying that 'I've seen from my work around the world that the way to deal with the cancer of torture is to fully root it out with a wide-ranging, independent and fully public inquiry'.

AUDITORIUM, LEVEL 3

## TUESDAY 1430 – 1600

### Open committee business meeting

*Presented by the Latin American Regional Forum.*

An open meeting of the Latin American Regional Forum will be held to discuss matters of interest and future activities.

WICKLOW MEETING ROOM 4, LEVEL 2

## TUESDAY 1430 – 1730

### The rights of the disabled in private employment and the legal profession: new international challenges for employers and employees

*Presented by the Discrimination Law Committee and the Disability Rights Working Group*

Companies and employers who fail to provide opportunities to disabled workers are not only opening themselves to legal challenges – they are also depriving themselves of the talents of a large segment of the population. However, employment laws aimed at preventing discrimination against, and providing accommodations in favor of, disabled workers, have proceeded in various jurisdictions on tracks that are not altogether parallel. While all may have made progress in increasing the focus of the challenges facing disabled workers, to a greater or lesser extent, they vary widely in their effectiveness.

The legal profession is not immune to the challenges faced by disabled workers. Lawyers with disabilities often struggle to find work and acceptance. Law firms, with their traditional models of staffing, and often concerned by outmoded notions of acceptability and the

perceptions of clients, may find themselves facing these questions for the first time. While the challenge may be greater in smaller firms without sophisticated human resources support, even larger firms, as well as large corporate law departments, often must overcome longstanding prejudices and undergo an education process.

This unique program brings together substantive experts in disability law from varied jurisdictions, including the Middle East, along with disabled employment attorneys, who will discuss the specific challenges they have observed both as practitioners as well as individuals. Additionally, we will have the perspective of a major international employer, who will describe how large multinationals are working toward providing opportunities for disabled workers across jurisdictions.

#### Moderator

**Philip Berkowitz** *Little Mendelson, New York, USA; Newsletter Editor, Discrimination Law Committee*

#### Speakers

**Cherie Booth, QC** *Matrix Chambers London, England; Senior Vice-Chair, Discrimination Law Committee*

**Timon Grau** *Freshfields Bruckhaus Deringer, Frankfurt am Main, Germany*

**Sinead Kane** *The Kane Ability, Cork, Ireland*

**Abdulla Luqman** *Luqman Legal, Sana'a, Republic of Yemen*

**Frances Phillips Taft** *GE Oil & Gas, Florence, Italy*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 5, LEVEL 2

## 2012 global update on anti-corruption legislation and enforcement

*Presented by the Anti-Corruption Committee.*

**Session highlighted as part of the President's focus for the IBA Task Force on 'Challenges for the Legal Profession post Global Financial Crisis'.**

#### Session Co-Chairs

**Nicola Bonucci** *Organisation for Economic Co-operation and Development (OECD), Paris, France; Co-Chair, Anti-Corruption Committee*

**Tim Dickinson** *Paul Hastings Janofsky & Walker, Washington DC, USA; Co-Chair, Anti-Corruption Committee*

Representatives from each region will provide an overview on legislative developments and any new case law relating to bribery and corruption offences.

#### Speakers

**Leah Ambler** *Organisation for Economic Co-operation and Development (OECD), Paris, France; Secretary and International Organisations Liaison Officer, Anti-Corruption Committee*

**Nick Benwell** *Simmons & Simmons, London, England; Senior Vice-Chair, Anti-Corruption Committee*

**Edward H Davis Jr** *Astigarraga Davis, Miami, Florida, USA; Chair, Asset Recovery Subcommittee*

**Hamidul Haq** *Rajah & Tann, Singapore; Asia Pacific Regional Officer, Anti-Corruption Committee*

**Roberto Hernández** *COMAD, Mexico City, Mexico; Latin America Regional Officer, Anti-Corruption Committee*

**Marianne Klausberger** *Ethical Risk Appetite, Darmstadt, Germany; Europe Regional Officer, Anti-Corruption Committee*

**Babajide Ogundipe** *Sofunde Osakwe Ogundipe & Belgore, Lagos, Nigeria; Africa Regional Officer, Anti-Corruption Committee*

**Leopoldo Pagotto** *Zingales & Pagotto Advogados, São Paulo, Brazil; Communications Officer, Anti-Corruption Committee*

**James Tillen** *Miller & Chevalier Chartered, Washington DC, USA; North America Regional Officer, Anti-Corruption Committee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the foyer on Levels 2 and 3.**

ECOCEM ROOM, LEVEL 2

## A doctor's nightmare: protection from medical malpractice suits

*Joint session with the Healthcare and Life Sciences Law Committee and the Negligence and Damages Committee.*

#### Session Co-Chairs

**Neil Kirby** *Werksmans Inc, Sandton, South Africa; Chair, Healthcare and Life Sciences Law Committee*

**Juan Eduardo Palma Cruzat** *Palma Abogados, Santiago, Chile; Vice-Chair, Negligence and Damages Committee*

### How to protect the medics from legal proceedings

This session will be a comparison from countries around the globe as to how legal systems protect the medical profession from lawsuits, whether such protection works and whether such protection is in the long-term interests of the population.

#### Speakers

**Yusuf Ali SAN** *Yusuf O Ali & Co: Ghalib Chambers, Ilorin, Nigeria; Newsletter Editor, Negligence and Damages Committee*

**Paul Emerson** *Lamb Chambers, London, England; Chair, Negligence and Damages Committee*

**Scott W Pearl Esq** *Platzer Luca & Pearl, New York, USA*

**Aneel Sager** *Shaukat Khanum Memorial Cancer Hospital and Research Centre, Lahore, Pakistan*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 3, LEVEL 2

## Are lawyers' fees fair and reasonable in all the circumstances?

*Joint session with the European Regional Forum, the Law Firm Management Committee and the Professional Ethics Committee.*

#### Session Co-Chairs

**John Corcoran** *Russell Kennedy, Melbourne, Victoria, Australia; Co-Chair, Professional Ethics Committee*

**Ori Wiener** *Møller PSF Group, Cambridge, England*

Research suggests that clients complain more about lawyers' fees than about any other aspect of their relationship.

In this session a panel of expert practitioners will consider various billing methods, the difficulties often created by poor communication and misunderstanding between lawyers and the clients, whether time billing puts pressure on individual lawyers to behave unethically, and if excessive adversarialism risks depriving litigants of access to justice.

The session will also discuss:

- how a balance can best be achieved between adequate remuneration for the lawyer and fairness for the client;
- how to avoid complaints of overcharging;
- if the 'billable hour' is dead and, if so, if this is a good thing; and
- if excessive adversarialism risks depriving litigants of access to justice.

#### Speakers

**Armen Khachatryan** *Asters, Kiev, Ukraine*

**John S Pierce** *Barger & Wolen, San Francisco, California, USA*

**Victoria Rees** *Nova Scotia Barristers' Society, Halifax, Nova Scotia, Canada; Chair, Code of Ethics Working Group*

**Stephen Revell** *Freshfields Bruckhaus Deringer, Singapore; Chair, Regulation of Lawyers' Compliance Committee*

**Steven M Richman** *Duane Morris, Cherry Hill, New Jersey, USA; Co-Chair, International Sales Committee; Vice-Chair, Professional Ethics Committee*

**Carolina Zang** *Zang Bergel & Viñes, Buenos Aires, Argentina; Young Lawyers Liaison Officer, Latin American Regional Forum*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 4, LEVEL 1

## Beneficial ownership v abuse and treaty overrides

*Presented by the Taxes Committee.*

*Session Co-Chairs*

**Friedrich Hey** *Debevoise & Plimpton, Frankfurt am Main, Germany*

**Akil Hirani** *Majmudar & Partners, Mumbai, India; Vice-Chair, Asia-Pacific Regional Forum*

Beneficial ownership is always at the top of the tax lawyer's mind when designing international structures. The Organisation for Economic Co-operation and Development (OECD) is paying special attention to this concept, leading to the re-draft of the comments on Articles 10, 11 and 12 of the Model Treaty. This panel will discuss beneficial ownership issues in general, and will address anti-abuse provisions being enacted in more and more jurisdictions and their interaction with EU Directives. The panel will include a participant from the OECD.

*Speakers*

**Soo Jeong Ahn** *Yulchon, Seoul, South Korea*

**Maxim Alekseyev** *ALRUD, Moscow, Russian Federation*

**Gareth Amdor** *SJ Berwin, London, England*

**Hanisha Amesur** *Nishith Desai, Mumbai, India*

**Antonio Barba** *Cuatrecasas Gonçalves Pereira, Madrid, Spain*

**Edward Barret** *Organisation for Economic Co-operation and Development (OECD), Paris, France*

**Valerio Cirimbilla** *Di Tanno, Rome, Italy*

**Ayzo van Eysinga** *Stibbe, Luxembourg*

**Alex Fischer** *Carey y Cia, Santiago, Chile; Young Lawyers Liaison Officer, Taxes Committee*

**Margriet Lukkien** *Loyens & Loeff, Amsterdam, the Netherlands*

**Randy Morphy** *Borden Ladner Gervais, Vancouver, British Columbia, Canada*

**Daniel de la Parra Huerta** *Chevez Ruiz Zamarripa y Cia, Mexico City, Mexico*

**Sebastian Paulitsch** *LeitnerLeitner, Linz, Austria*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in The Forum on Ground Level.**

LIFFEY HALL 1, LEVEL 1

## Catching the golden goose – overcoming corporate and jurisdictional barriers to recover assets

*Joint session with the Insolvency, Restructuring and Creditors' Rights Section (SIRC) and the Litigation Committee.*

*Session Co-Chairs*

**Judith Elkin** *Haynes and Boone, New York, USA; Co-Chair, Insolvency, Restructuring and Creditors' Rights Section (SIRC)*

**Liam Kennedy** *A&L Goodbody, Dublin, Ireland; Senior Vice-Chair, Litigation Committee*

Collapsed international investments have been common in recent years. This session will explore the challenges facing banks, liquidators and other claimants seeking to recover such losses. This session will consider the challenges posed by the need to look

behind the contracting parties in order to impose personal liability on directors or to pursue related companies, and the difficulties in pursuing assets in other jurisdictions.

*Speakers*

**Christel Dumont** *OPF Partners, Luxembourg*

**Mike Hales** *Minter Ellison, Perth, Western Australia, Australia; Senior Vice-Chair, Litigation Committee*

**Bartosz Piechota** *Röhrenschef, Warsaw, Poland*

**Mara Senn** *Arnold and Porter, Washington DC, USA*

**Feodor Vyacheslavov** *ALRUD, Moscow, Russian Federation*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

WICKLOW HALL 2A, LEVEL 2

## Company financing: access to capital markets for family-owned businesses

*Presented by the Closely Held and Growing Business Enterprises Committee.*

*Session Co-Chairs*

**Andrés Cerisola** *Ferrere, Montevideo, Uruguay; Vice-Chair, Closely Held and Growing Business Enterprises Committee*

**Hermann Knott** *Luther, Cologne, Germany; Secretary, Law Firm Management Committee*

This panel covers the peculiarities affecting family-controlled businesses that prepare themselves for an equity or debt public offering – be it in the context of raising growth capital or seeking an exit for family members and/or financial investors. We will analyse when an IPO is a sensible option for a family-controlled company, what homework and structural adjustments a family-controlled company must do on the road to the public markets, what is a reasonable timeline, which legal and contractual framework should be employed and which agents must participate to make the desired outcome possible. This panel also tackles a parallel analysis for the option of bond offerings as a means to raise growth capital. Finally, the panel explores, also from the perspective of family-controlled companies, why the public markets are sometimes not a reasonable or viable alternative for either raising growth capital or exiting an investment.

*Speakers*

**Leo Casey** *IBI Corporate Finance, Dublin, Ireland*

**Myra Garrett** *William Fry, Dublin, Ireland*

**Akil Hirani** *Majmudar, Mumbai, India; Vice-Chair, Asia Pacific Regional Forum*

**José Antônio Miguel Neto** *Miguel Neto Advogados, São Paulo, Brazil*

**Francesca Odell** *Cleary Gottlieb Steel & Hamilton, New York, USA*

**Neil Vickers** *SNR Denton, London, England*

**Pablo Viñals Blake** *Marval O'Farrell & Mairal, Buenos Aires, Argentina*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 2, LEVEL 1

## Counsel conduct

*Presented by the Arbitration Committee.*

*Session Co-Chairs*

**Julie Bédard** *Skadden Arps Slate Meagher & Flom, New York, USA; Secretary, Arbitration Committee*

**Doug Jones** *Clayton Utz, Sydney, New South Wales, Australia*

International arbitration often involves counsel from very different legal backgrounds. Do their different expectations and practices about key issues in the case – such as obligations of candour to the tribunal or witness preparation – threaten the equality or integrity of

the proceeding, and if so, can and should anything be done about it? The Arbitration Committee has been studying these issues of counsel conduct and at this session will further explore these issues and report on the progress of its work.

#### Speakers

**Essam Al Tamimi** *Al Tamimi & Company, Dubai, UAE*  
**Chantal-Aimee Doerries** *Atkin Chambers, London, England*  
**Jinzhou Tao** *Dechert, Beijing, China*  
**Fernando Mantilla** *Serrano Shearman & Sterling, Paris, France*  
**Ken Reisenfeld** *Patton Boggs, Washington DC, USA; Officer, BIC International Trade in Legal Services Committee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the foyer on Level 3.**

AUDITORIUM, LEVEL 3

### Fixing the securities offering process: lessons from recent offerings

Joint session with the Capital Markets Forum and the Securities Law Committee.

#### Session Chair

**Derk Lemstra** *Stibbe, Amsterdam, the Netherlands; Co-Chair, Securities Law Committee*

An increasing number of public offerings of equity securities fail, both IPOs and follow-on offerings. They are either stopped or, if concluded, leave dissatisfied investors. In part this is due to the state of the markets but that is not the full story. This panel looks at other possible causes. Is the process too cumbersome or otherwise flawed? Does the process provide the required information to investors? Do investors expect too much?

The panel is composed of experienced securities lawyers, bankers and representatives of other market participants.

#### Speakers

**Rachel Eng** *Wong Partnership, Singapore; Co-Chair, Capital Markets Forum*  
**David Mercado** *Cravath Swain & Moore, London, England*  
**Olivier Saba** *Bredin Prat, Paris, France; Chair, Mergers and Acquisitions Subcommittee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the foyer on Level 3.**

CONFERENCE ROOM 6, LEVEL 3

### Gorilla or guerrilla – managing related party and conflict of interest transactions

Presented by the Corporate and M&A Law Committee.

#### Session Co-Chairs

**Samuel Nolen** *Richards Layton & Finger, Wilmington, Delaware, USA; Senior Vice-Chair, Corporate and M&A Law Committee*  
**Oliver Triebold** *Schellenberg Wittmer, Zurich, Switzerland; Senior Vice-Chair; Corporate and M&A Law Committee*

This session will consider issues presented by related party transactions and conflict of interest transactions, including those involving controlling shareholders, financial advisers and management. The panel will discuss where such conflicts may arise, how they can be addressed in light of evolving case law and judicial review standards, and mechanisms such as board committees and special approval requirements to mitigate risk to shareholder interests.

#### Speakers

**Felix Ehrat** *Novartis International, Basel, Switzerland*  
**Mark Greene** *Cravath Swaine & Moore, New York, USA*  
**Paul Heffernan** *McCann FitzGerald, Dublin, Ireland*  
**Claire Kennedy** *Bennett Jones, Toronto, Ontario, Canada*  
**Chief Justice Myron Steele** *Supreme Court of Delaware, Dover, Delaware, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in The Forum on Ground Level.**

LIFFEY HALL 2, LEVEL 1

### Is water law a sexy career for young lawyers?

Joint session with the Water Law Committee and the Young Lawyers' Committee.

#### Session Co-Chairs

**John Crothers** *Gide Loyrette Nouel, Paris, France; Treasurer, Water Law Committee*  
**Eric Garner** *Best Best & Krieger, Riverside, California, USA; Council Member, Section on Energy, Environment, Natural Resources and Infrastructure Law*  
**Richard Happ** *Luther, Hamburg, Germany*

This session is designed to provide information and advice to young lawyers considering a career in water law. Experienced practitioners in various water-related fields will describe how they got into the area, what they do today and where they see the practice going in the next decades.

#### Speakers

**Nicola Dunleavy** *Matheson Ormsby Prentice, Dublin, Ireland*  
**Kevin Feeney** *A&L Goodbody, Dublin, Ireland*  
**Olivier Mandil** *Veolia Environnement, Paris, France*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 1, LEVEL 2

### Mobility, tax and passports: implications of crossing the border

Joint session with the Immigration and Nationality Law Committee and the Individual Tax and Private Client Committee.

#### Session Co-Chairs

**Jelle Kroes** *Kroes Advocaten, Amsterdam, the Netherlands; Secretary, Immigration and Nationality Law Committee*  
**Niklas Schmidt** *Wolf Theiss, Vienna, Austria; Website Officer, Individual Tax and Private Client Committee*

This session is about understanding the impact of tax and immigration regulations on the life of the global citizen. In an interactive session with the audience, the panellists will dissect a hypothetical case of an individual who has assets in many countries, and several passports/visas. Where is the individual taxed and for which income or assets? Does obtaining a long-term visa or the nationality of another country have tax consequences? The issues of tax and immigration can be closely interconnected. Taking up residence or nationality of a country may have decisive tax implications, and on the other hand the desire to enjoy the tax benefits from a certain jurisdiction may falter on immigration issues. This session ideally should teach tax specialists a few tricks from the immigration trade, and ensure that immigration experts consider some crucial tax law elements when designing immigration strategies for clients.

#### Speakers

**Maxim Alekseyev** *ALRUD, Moscow, Russian Federation*  
**Anna-Stefaniya Chepik** *PriceWaterhouseCoopers, Moscow, Russian Federation*

Deborah Davy *Gibney Anthony & Flaherty, San Francisco, California, USA*

Caroline Devlin *Arthur Cox, Dublin, Ireland*

Urs Haegi *Vischer, Zurich, Switzerland*

Natalie Peter *Staiger Schwald & Partner, Zurich, Switzerland*

Suzanne Reisman *Law Offices of Suzanne M Reisman, London, England*

Adrian Twomey *Gallenalliance, Dublin, Ireland*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Liffey Meeting Room Corridor, Level 1. Tea and coffee will also be served, during these times, in The Forum on Ground Level.**

LIFFEY MEETING ROOM 3, LEVEL 1

## Pillage: the corporate war crime?

*Presented by the War Crimes Committee.*

**Session highlighted as part of the President's focus for the IBA Task Force on 'Challenges for the Legal Profession post Global Financial Crisis'.**

*Session Chair*

Stuart Alford *Chambers of Francis Oldham QC, London, England; Chair, War Crimes Committee*

The plundering of natural resources in countries in the midst of war and unrest is of growing concern to those seeking justice out of conflict.

Whether it is multinational corporations seeking to maintain a valuable supply of materials, warlords financing their private armies, or other states seeking a source of essential resources, their role in causing, perpetuating or profiting from conflicts has been attracting greater international interest.

There is growing belief that the war crime of pillage may be a route to justice in these situations.

This session will explore the background to this crime, who may be the subject of investigation for the offence, and which courts are likely to see any prosecutions.

*Speakers*

Linda Malone *William and Mary Law School, Williamsburg, Virginia, USA*

Rupert Skilbeck *Open Society Justice Initiative, New York, USA*

Jamie Williamson *International Committee of the Red Cross, Geneva, Switzerland*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 2, LEVEL 2

## Settlement v leniency

*Joint session with the Antitrust Committee and the Business Crime Committee.*

*Session Co-Chairs*

Philippe Rinciaux *Orrick, Paris, France; Working Group Coordinator, Antitrust Committee*

Richard Sallybanks *BCL Burton Copeland, London, England*

The session will aim at analysing the impact of settlement proceedings on the decision to apply for leniency and the possibility for a company to settle a case when it has also applied for leniency. It will focus on the consequences of leniency and/or settlement for criminal enforcement and will consider, among other issues, the extent to which leniency covers criminal enforcement and whether settlement with the competition authorities can increase or reduce the risk of criminal enforcement.

*Speakers*

Yong Seok Ahn *Lee & Ko, Seoul, South Korea; Newsletter Editor, Antitrust Committee*

Jean-Francois Bellis *Van Bael & Bellis, Brussels, Belgium*

Ayman Guirguis *Corrs Chambers Westgarth, Sydney, New South Wales, Australia*

David Harrison *Berwin Leighton Paisner, London, England*

David McFadden *Irish Competition Authority, Dublin, Ireland*

Mark Rosman *Wilson Sonsini Goodrich & Rosati, Washington DC, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

WICKLOW HALL 1, LEVEL 2

## Structuring complex and real estate transactions: the fix for the BRIC(K)S and the sticks

*Presented by the Real Estate Committee.*

*Session Co-Chairs*

Rossana Fernandes Duarte *Siqueira Castro Advogados, São Paulo, Brazil; Membership Officer, Real Estate Committee*

Luis Moreno *Haynes & Boone, Mexico City, Mexico; Council Member, Legal Practice Division*

The recent economic turmoil in Europe has prompted investors in all asset classes to take a more risk-averse approach. How has the impact of the financial international crisis reflected on the real estate market, and how is that impact expected to reflect on the market in the future? Which areas were mostly affected? Has such a situation had a negative impact on land prices? Is the demand for real estate assets expected to decrease?

From Ireland to the BRICS countries, the real story of the real estate market is far more nuanced. Positive indicators can be found in all real estate sectors, and transactions are undoubtedly becoming more and more complex.

Share your challenges and learn from other experts from the real estate industry with experience in structuring complex real estate transactions at this highly interactive panel.

*Speakers*

Raphael Chantelot *Lefèvre Pelletier, Paris, France*

Michael Lunjevich *Hadef & Partners, Dubai, UAE*

Carolina Moura Foz *Andrade Pannunzio Ricardo Foz Hypolito & Gabbai, São Paulo, Brazil*

Jim Murphy *McCann FitzGerald, Dublin, Ireland*

Nikolaus Pitkowitz *Graf & Pitkowitz Rechtsanwälte, Vienna, Austria; Secretary, Real Estate Committee*

Cíntia Vannucci Vaz Guimarães *Tozzini Freire Advogados, São Paulo, Brazil*

John Vogel *Patton Boggs, Washington DC, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 3, LEVEL 1

## The 'Double Irish' and its progeny – IP and technology holding companies

*Presented by the Intellectual Property, Communications and Technology Section.*

*Session Co-Chairs*

Harry Rubin *Ropes & Gray, New York, USA*

Steven Wildfeuer *Reed Elsevier, Miamisburg, Ohio, USA; Website Officer, Intellectual Property and Entertainment Law Committee*

This session will examine the intellectual property, tax, corporate, technology and business rationales and mechanics for implementing

and structuring remote holding IP vehicles. The increasing popularity of the ‘double Irish’, ‘single Irish’ and similar remote IP holding companies has been driven by complex interrelated objectives. These include monetisation of IP assets, tax planning, liability insulation and IP portfolio management. This section-wide session draws on the expertise of members of the Intellectual Property and Technology Committees. It will also involve the tax, corporate counsel and corporate sections and will explore a full menu of issues. The session will feature roundtable discussions and a case study. The following panels are envisioned:

- tax planning (speakers from Ireland, Luxembourg and the Netherlands on tax issues);
- IP considerations for large and small portfolios (IP Section speakers);
- technology contracting, cross licensing and service issues (Technology Section speakers); and
- IP assets securitisation and monetisation (Corporate Section speakers).

#### Speakers

**Peter Bolger** *Mason Hayes & Curran, Dublin, Ireland*  
**David Cullen** *William Fry, Dublin, Ireland*  
**Joe Duffy** *Matheson Ormsby Prentice, Dublin, Ireland*  
**Ailish Finnerty** *Arthur Cox, New York, USA*  
**Ellisa Habbart** *Delaware Counsel Group, Wilmington, Delaware, USA; Corporate Governance Monitor, Corporate and M&A Law Committee*  
**Rob Havenga** *Houthoff Buruma, Amsterdam, the Netherlands*  
**Yuval Horn** *Horn & Co, Tel Aviv, Israel; Vice-Chair, Life Sciences Subcommittee*  
**Martin Kovnats** *Aird & Berlis, Toronto, Ontario, Canada*  
**Nadine Maier** *Viñas Lachenal & Le Fort, Geneva, Switzerland*  
**Lorenzo Olgiati** *Schellenberg Wittmer, Zurich, Switzerland*  
**Bonella Ramsay** *DLA Piper, London, England*  
**Cheryl V Reicin** *Tory's, New York, USA*  
**Christophe Ronse** *Altius, Brussels, Belgium*  
**Jean Schaffner** *Allen & Overy, Luxembourg*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

WICKLOW HALL 2B, LEVEL 2

### The project from hell – an Irish tale: construction turnarounds and workouts – experiences from construction booms and busts in Ireland and elsewhere

*Presented by the International Construction Projects Committee.*

#### Session Chair

**Rory Kirrane** *Mason Hayes & Curran, Dublin, Ireland*

This session will address the issues involved in salvaging value from construction projects in markets deeply affected by boom and bust in their real estate sector.

Topics to be addressed include: termination of contracts for insolvency/default; funder step-in/security interests; bond calls and insurance issues; the complexity of completing part-built structures; and the role of duress creditors, subcontractors and consultants.

#### Speakers

**Ross Altman** *Dykema Gossett, Chicago, Illinois, USA*  
**Rupert Choat** *CMS Cameron McKenna, London, England*  
**Alfonso Iglesia** *Cuatrecasas Gonçalves Pereira, Madrid, Spain*  
**Damien Keogh** *Matheson Ormsby Prentice, Dublin, Ireland*  
**Mark Lane** *Pinsent Masons, London, England*  
**Tuomas Lehtinen** *Castren & Snellman, Helsinki, Finland*  
**Niav O'Higgins** *Arthur Cox, Dublin, Ireland*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 1, LEVEL 1

### The use of social media in advertising

*Joint session with the Product Law and Advertising Committee and the Technology Law Committee.*

#### Session Co-Chairs

**Lukas Bühlmann** *Bühlmann Rechtsanwälte, Zurich, Switzerland; Senior Vice-Chair, Product Law and Advertising Committee*  
**Martin Schirmbacher** *Härting Rechtsanwälte, Berlin, Germany; Chair, Intrusive Technologies Subcommittee*

The use of social media tools in advertising is increasing gradually. This session will look into the various legal issues and challenges confronted by advertisers such as hidden advertising, data protection, reputational risks, unfair competition aspects, extraterritorial jurisdiction, etc.

This session is planned as a half-day joint session together with the Technology Law Committee, which will organise another half-day joint session on social media in advertising but focusing more on the technical aspects. The two sessions should complement each other and will be organised jointly by the two committees.

#### Speakers

**Luc Delany** *Facebook, London, England*  
**John Doherty** *Manches, London, England; Website Officer, Product Law and Advertising Committee*  
**Chung Nian Lam** *WongPartnership, Singapore; Regional Representative Asia, Communications Law Committee*  
**Philip Nolan** *Mason Hayes & Curran, Dublin, Ireland*  
**Michael Novicoff** *Liner Grode Stein Yankelevitz Sunshine Regenstreif & Taylor, Los Angeles, California, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 5, LEVEL 1

### The WTO Agreement on Technical Barriers to Trade – defining the tools for regulation

*Presented by the Trade and Customs Law Committee.*

#### Session Chair

**Christopher Kent** *Cassidy Levy Kent, Ottawa, Ontario, Canada; Vice-Chair, Trade and Customs Law Committee*

This session will review this year's trilogy of landmark World Trade Organization (WTO) Appellate Body decisions on Technical Barriers to Trade (TBT) Agreement disciplines and the impact of these decisions on present and future regulatory measures in areas such as the environment and public health and safety. This 'roundtable format' panel will focus on applying the new Appellate Body jurisprudence to specific examples of regulatory measures (eg the EU Biofuels Directive, the EU Airline Emission Controls Directive, US measures to preserve wildlife in international waters) and on discussing and debating the implications to regulators and regulated parties.

#### Speakers

**James Bacchus** *Greenberg Traurig, Washington DC, USA*  
**Matthew Kronby** *Bennett Jones, Toronto, Ontario, Canada*  
**Jung-ui Sul** *Sidley Austin, Brussels, Belgium*

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LIFFEY MEETING ROOM 2, LEVEL 1



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## Unconventional hydrocarbons: exploration, production and transportation

Presented by the Environment, Health and Safety Law Committee and the Oil and Gas Law Committee.

Session Co-Chairs

**Brian Bradshaw** *Morgan Lewis & Bockius, Houston, Texas, USA; Senior Vice-Chair, Oil and Gas Law Committee*

**Ian Sampson** *Shepstone & Wylie, Durban, South Africa; Vice-Chair, Environment, Health and Safety Law Committee*

The need for energy has led the oil and gas industry to look for new 'unconventional' resources. These resources constitute new opportunities but also present new challenges. They comprise not only the exploitation of oil sands, in particular in Canada and Venezuela, but also more recently shale gas and shale oil which could be found in countries like the United States, Argentina, Poland and France. Periodically, these new resources are brought to the attention of the general public in many countries. In particular the technique of hydraulic fracturing of underground formations, also known as 'fracking', has been the subject of debate due to its possible environmental impact. The panel will present a global perspective on the process, the technology, the various regulatory regimes and legal instruments for the exploration, production and transportation of these unconventional hydrocarbons.

Speakers

**Andrew Haynes** *BP Legal, London, England*

**Michael King** *Latham & Watkins, Houston, Texas, USA*

**Giovanni Loss** *Mattos Filho Veiga Filho Marrey Jr e Quiroga, Rio de Janeiro, Brazil*

**Glen McLeod** *Glen McLeod Consulting, Perth, Western Australia, Australia; Vice-Chair, Environment, Health and Safety Law Committee*

**James Pardo** *McDermott Will & Emery, New York, USA*

**Stefan Ricketts** *Enquest, London, England*

**Jeremy Sheldon** *Stephenson Harwood, London, England; Secretary-Treasurer, Power Law Committee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Liffey Meeting Room Corridor, Level 1. Tea and coffee will also be served, during these times, in The Forum on Ground Level.**

LIFFEY MEETING ROOM 1, LEVEL 1

WEDNESDAY 0800 – 0930

## Managing partners breakfast

Presented by the Law Firm Management Committee.

Session Chair

**Ronaldo C Veirano** *Veirano Advogados, Rio de Janeiro, Brazil; Co-Chair, Law Firm Management Committee*

If you are a managing partner or have some other leadership or management role in your firm, or if you are simply interested in the management of law firms and the lessons that might be learned from the events of the past year, this breakfast will give you the opportunity to exchange views and share experiences in an informal atmosphere. You will meet fellow practitioners performing similar roles, get to know the officers of the Law Firm Management Committee, and learn more about the work of the Committee.

Speakers

**Peter Martyr** *Norton Rose, London, England*

**Zia Mody** *AZB & Partners, Mumbai, India*

**Pierre Raoul-Duval** *Gide Loyrette Nouel, Paris, France*

MARQUEE, CCD

## Open committee business meeting and breakfast

Presented by the Arbitration Committee.

In 2011, the Arbitration Committee launched two major projects.

First, the Committee launched a project to review and update the IBA Guidelines on Conflicts of Interest. The Guidelines are already well established in the arbitration community and have become a common reference point for parties, arbitrators, courts and institutions in dealing with issues of arbitrator conflicts. However, eight years have now passed since they were introduced. It is therefore time to take a look at them and consider whether they should be clarified or improved. The guiding principle for this exercise will be to limit any possible changes to the minimum necessary in order to address new issues or to correct imperfections. This effort is led by the Chair of the Committee's standing Conflicts of Interest Subcommittee, David Arias, and the co-chairs of the revision Task Force, Bernard Hanotiau and Pierre Bienvenu. David, Pierre and Bernard will be present at this breakfast to present an overview of the Guidelines revision process.

Second, after our 2010 survey, the Arbitration Committee Counsel Conduct Task Force has been entrusted to prepare draft Guidelines on counsel conduct in international arbitration.

The goal of the Task Force is to consider whether guidelines could efficiently address enduring issues that arise frequently in international arbitration, such as standards governing counsel's preparation of a witness, the duty of candor and the powers of the arbitrators to exclude counsel from all or part of the arbitral proceedings. Julie Bedard, the Chair of the Counsel Conduct Task Force, will be present to update the participants on this effort.

SPENCER DOCK UNITS, MAYOR STREET

## Open committee business meeting and breakfast

Presented by the Family Law Committee.

An open meeting of the Family Law Committee will be held to discuss matters of interest and future activities.

FOYER, LEVEL 5

## Open committee business meeting and breakfast

Presented by the Product Law and Advertising Committee.

An open meeting of the Product Law and Advertising Committee will be held to discuss matters of interest and future activities.

LIFFEY MEETING ROOM 4, LEVEL 1

WEDNESDAY 0930 – 1130

## Report on the substantive project on direct access of insurance by third parties

Presented by the Insurance Committee.

Session Chair

**Hans Londonck Sluijk** *Houthoff Buruma, Amsterdam, the Netherlands; Membership Officer, Insurance Committee*

The panel will report on the substantive project of direct access of insurance by third parties.

Speakers

**Pelin Baysal** *Mehmet Gün & Partners, Istanbul, Turkey*

**Peter Etzbach** *Oppenhoff & Partner, Cologne, Germany*

**Martin Manzano** *Manzano, López Saavedra & Ramírez Calvo, Buenos Aires, Argentina*

**John Trotter** *London, England*

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LIFFEY MEETING ROOM 5, LEVEL 1

## WEDNESDAY 0930 – 1230

### **Athletic and catwalk criminals: an in-depth look at crime in the fashion and sports industries**

*Joint session with the Criminal Law Committee and the Leisure Industries Section.*

*Session Co-Chairs*

**Sabrina Fiorellino** *Cassels Brock, Toronto, Ontario, Canada;*

*Membership Officer, Leisure Industries Section*

**Saba Naqshbandi** *3 Raymond Buildings, London, England; Co-Chair, Criminal Law Committee*

Sports and fashion are two of the most widely participated-in leisure activities worldwide. The popularity of these pastimes has led to the development of two highly profitable industries. As is often the case, however, where profit is to be made, criminal activity lurks in the shadows.

This panel discussion, led by the session co-chairs Saba Naqshbandi and Sabrina Fiorellino, will focus on the interplay between criminal activities and the sports and fashion industries. There will be a particular focus on anti-counterfeiting legislation in the international fashion industry and on the impact that crime has had on the sports and fashion industries generally as well as the reactions that have resulted at national and international level.

*Speakers*

**Garrett Breen** *William Fry, Dublin, Ireland*

**Robert Brown** *Corker Binning, London, England*

**Mark Haslam** *BCL Burton Copeland, London, England*

**Javier Medin** *Alfaros Abogados, Buenos Aires, Argentina; Regional Representative South America, Leisure Industries Section*

**Judy Roth** *Schiff Hardin, New York, USA*

**Jeremy Summers** *Russell Jones & Walker, London, England*

*Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the foyer on Levels 2 and 3.*

EOCEM ROOM, LEVEL 2

### **BIC SHOWCASE: Public perception of lawyers**

*Presented by the Bar Issues Commission.*

**The Bar Issues Commission will have simultaneous translation for this session for French and Spanish speakers. Please collect a headset on arrival at the session. You may need to leave some form of security for the headset such as a credit card and a valid ID such as a passport.**

*Session Co-Chairs*

**James M Klotz** *Miller Thomson, Toronto, Ontario, Canada; Chair, Bar Issues Commission; Council Member, Public and Professional Interest Division*

**Claudio Visco** *Macchi di Cellere Gangemi, Rome, Italy; Officer, Bar Issues Commission*

Public opinion surveys support the view that ‘nobody likes a lawyer until they need one’. However, those surveys also show that most believe that their own lawyer is the exception. The contradiction

between this negative perception of lawyers generally with the positive consumer satisfaction that clients report, will be the subject of this session. Where should the legal profession focus its energies to effectively counter these negative stereotypes, or are attempts to do so ultimately futile?

*Speakers*

**Elisabeth Davies** *Legal Services Consumer Panel, London, England*

**James McCourt** *O’Mara Geraghty McCourt, Dublin, Ireland*

**Olasupo Shashore** *Ajumogobia & Okeke Barristers & Solicitors, Lagos, Nigeria*

**James R Silkenat** *Sullivan & Worcester, New York, USA*

**Mark Stephens** *Finers Stephens Innocent, London, England; Council Member, IBA Human Rights Institute; Vice-Chair, Art, Cultural Institutions and Heritage Law Committee*

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CONFERENCE ROOM 1, LEVEL 1

### **Challenges for alternative fund managers in an increasingly regulated environment**

*Presented by the Investment Funds Committee.*

This session will discuss:

- Alternative Investment Fund Managers Directive (AIFMD): Level 2 measures and timetable for implementation;
- scope of the AIFMD, and how it will fit in;
- practical challenges for fund structuring, including how the delegation model might work;
- the impact for hedge funds;
- Depositary issues – including the effect on prime brokerage relationships and delegation of custody;
- some of the challenges for an alternative fund manager;
  - the US experience
  - coping with different regulatory approaches;
- Third country issues under AIFMD and impact on choice of fund domiciles.

*Moderator*

**Kirstene Baillie** *Field Fisher Waterhouse, London, England; Co-Chair, Investment Funds Committee*

*Speakers*

**Andrew Bastow** *Winton Capital Management Limited, London, England*

**Stephanie Biggs** *Kirkland & Ellis International, London, England*

**Frédérique Lifrange** *Elvinger Hoss & Prussen, Luxembourg*

**Matt Siano** *Two Sigma Investments, New York, USA*

**John Siena** *BNY Mellon, London, England*

**Mark White** *McCann FitzGerald, Dublin, Ireland*

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LIFFEY MEETING ROOM 3, LEVEL 1

### **Collection remedies in intermodal transportation**

*Presented by the Land Transport Subcommittee, a subcommittee of the Maritime and Transport Law Committee.*

*Session Co-Chairs*

**Shelley Chapelski** *Bull Housser & Tupper, Vancouver, British Columbia, Canada; Chair, Land Transport Subcommittee*

**Claudio Perrella** *LS LexJus Sinacta, Bologna, Italy; Vice-Chair, Land Transport Subcommittee*

Based on a fact scenario, delegates will be asked to describe the means by which debts and damages may be recovered in their respective jurisdictions by the providers of services in the intermodal chain.

#### Speakers

**Adedoyin Afun Banwo & Ighodalo**, Lagos, Nigeria  
**Vivian Ang** Allen & Gledhill, Singapore; Vice-Chair, Maritime and Transport Law Committee  
**Caroline Bridge** Hill Dickinson, Manchester, England  
**Charley Donovan** Sheppard Mullin Richter & Hampton, San Francisco, California, USA  
**Aage Krogh** Iuno, Copenhagen, Denmark  
**Erik Muthow** Hadeff & Partners, Dubai, UAE  
**Marco Remiorz** Dabelstein & Passehl, Hamburg, Germany  
**Jos van der Meche** AKD Lawyers and Civil-Law Notaries, Rotterdam, the Netherlands

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 5, LEVEL 2

### Controversial shareholders' meeting

Presented by the Corporate and M&A Law Committee.

#### Session Co-Chairs

**Steven Cohen** Wachtell Lipton, New York, USA; Conference Coordinator, Corporate and M&A Law Committee  
**Paul White** A&L Goodbody, Dublin, Ireland

This session will discuss shareholder activism and the controversial shareholders meeting.

#### Speakers

**Francesco Gianni** Gianni Origoni Grippio Cappelli & Partners, Rome, Italy  
**Charles Martin** Macfarlanes, London, England  
**John Wilcox** Sodali, New York, USA  
**John Williamson-Noble** Gilbert & Tobin, Sydney, New South Wales, Australia

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LIFFEY HALL 2, LEVEL 1

### CSR, the financial industry and project financing

Joint session with the Banking Law Committee and the Corporate Social Responsibility Committee.

**Session highlighted as part of the President's focus for the IBA Task Force on 'Challenges for the Legal Profession post Global Financial Crisis'.**

#### Session Co-Chairs

**Michael Steen Jensen** Gorrissen Federspiel, Copenhagen, Denmark; Vice-Chair, Innovations in Financing Transactions Subcommittee  
**Ignacio Randle** Estudio Randle, Buenos Aires, Argentina; Latin America Liaison Officer, Corporate Social Responsibility Committee

CSR and environmental issues are becoming key political and social issues. At the same time, clean technologies are becoming better and more available, but may not always have the desired short-term return for investors. Constituencies are increasingly focusing on issues as diverse as job creation, community participation, infrastructure, cutting emissions, carbon capture and sequestration, and the like. They are also increasing their pressure on public and private financial institutions to take such items into account when financing projects. As such requests are sometimes difficult to balance in relation to one another, financial institutions find themselves having to take hard decisions. This session will address

the mentioned communities' requests, the role of CSR principles and how the financial industry and institutions may foster corporate actions to be aligned with the communities' needs.

#### Speakers

**Stéphane Brabant** Herbert Smith, Paris, France; Vice-Chair, Corporate Social Responsibility Committee  
**Ade Ipaye** Attorney General and Commissioner of Justice, Lagos, Nigeria  
**Liisa Jauri** Nordea Group, Helsinki, Finland  
**Patricio Leyton** FerredaNehme, Santiago, Chile

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CONFERENCE ROOM 3, LEVEL 1

### Evolution post the 'Not-In-My-Back-Yard' (NIMBY) trend: communities and interest groups v new power plants and transmission corridors

Presented by the Power Law Committee.

#### Session Chair

**Vivek Bakshi** Fraser Milner Casgrain, Toronto, Ontario, Canada; Publications Officer, Power Law Committee

The panel will address the issue of how the development of new power projects and transmission corridors has been accommodating a new reality: more empowered, conscious and demanding communities. The panel will show how companies and governments have been dealing with this new environment and the mechanisms being used to satisfy public demands.

#### Speakers

**Robert Lane** CMS Cameron McKenna, London, England  
**Juan Francisco Mackenna** Carey y Cia, Santiago, Chile; Chair, Power Law Committee  
**Claus-Peter Martens** ROLEMA, Berlin, Germany; Council Member, Energy, Environment, Natural Resources and Infrastructure Law Section  
**Andrew Smith** Clayton Utz, Brisbane, Queensland, Australia  
**Carlos Alberto Solé III** DLA Piper, Houston, Texas, USA

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 4, LEVEL 2

### Fair and equitable treatment: the issue of corruption in international investment arbitrations

Presented by the Anti-Corruption Committee.

**Session highlighted as part of the President's focus for the IBA Task Force on 'Challenges for the Legal Profession post Global Financial Crisis'.**

#### Session Chair

**Nicola Bonucci** Organisation for Economic Co-operation and Development (OECD), Paris, France; Co-Chair, Anti-Corruption Committee

Evidence of corruption in investor-state arbitrations, such as bribery by foreign investors of public officials in the host country, poses significant challenges for international investment tribunals. This panel will draw on case studies to discuss this issue, and how it can be better addressed by tribunals, investors and states.

Speakers

**Louis Christophe** *Delanoy Bredin Pratt, Honoré, France*  
**James Crawford** *University of Cambridge, Cambridge, England*  
**Vladimir Khvalei** *Baker & McKenzie, Moscow, Russian Federation*  
**Khawar Qureshi QC** *6 New Square, London, England*  
**Brigitte Stern** *University of Paris, Paris, France*

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LIFFEY MEETING ROOM 2, LEVEL 1

**Futurology in communication – where invention and law combine**

*Presented by the Communications Law Committee.*

Session Co-Chairs

**Jukka Pekka Joensuu** *PriceWaterhouseCoopers, Helsinki, Finland; Conference Coordinator, Communications Law Committee*  
**Chung Nian Lam** *WongPartnership, Singapore; Regional Representative Asia General, Communications Law Committee*

An analysis of the services, networks and devices of the future.

Smart devices, ubiquitous computing, the internet-of-things, social media, augmented reality, next generation broadband networks and cloud-based applications are just some of the technologies which are changing the way we interact and communicate with each other. As we embrace these and other emerging technologies of the future, how should the law adapt with this new world order and innovations looking ahead?

This session will provide insights into the legal challenges posed by these new paradigms in communication, consider how the law has responded to these issues thus far, and how looking into the future the law may need to further evolve to deal with new applications and services.

Topics to be discussed include:

- How are regulators and service providers addressing the explosive growth of traffic in this new paradigm? How can networks meet the demand of increasing bandwidth? Who will run these networks?
- In the face of new infrastructure roll-outs such as the EU's Connecting Europe initiative, how will today's telecommunications operators need to respond?
- What will the next phase of cloud computing be and how will this affect different service providers? (Cisco and leading service providers will discuss these issues together with service innovators.)
- How are application providers evolving their offerings? As applications come to rely on captive front ends and closed networks, what does this mean for future growth of the internet? How much control should end users retain and how should interoperability be ensured?

Introduction to Keynote Speaker

**Chris Watson** *CMS Cameron McKenna, London, England; Co-Chair, Communications Law Committee*

Keynote Speaker

**Roy Vella** *Vella Ventures Ltd, London, England*

Session Moderators

**Violetta Kunze** *Djingov Gouginski Kyutchukov & Velichkov, Sofia, Bulgaria; Secretary, Communications Law Committee*  
**Daniel Preiskel** *Preiskel & Co, London, England; Vice-Chair, Communications Law Committee*

Speakers

**Emmanuelle Bortoli** *ATOS, Paris, France*  
**Damian Collins** *McCann Fitzgerald, Brussels, Belgium*

**Wolfgang Fischler** *Cisco Systems, FTTH Council Europe, Gröbenzell, Germany*

**Anna Krzyzanowska** *European Commission, Brussels, Belgium*

**Tarja Pääkkönen** *Sunduka, Helsinki, Finland*

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WICKLOW MEETING ROOM 2, LEVEL 2

**Governance: does the traditional partnership model still work in a fast-changing business environment?**

*Presented by the Law Firm Management Committee.*

Session Co-Chairs

**Rainer Loges** *Gleiss Lutz, Munich, Germany*  
**Aku Sorainen** *Sorainen Law Firm, Tallinn, Estonia*

This session will discuss:

- Did the traditional partnership model ever work well?
- Alternative governance and ownership structures.
- How do the IBA Model Standards on Governance address the changing needs of law firms?
- How are law firm operating agreements (or partnership agreements) changing?
- What changes do law firms need – both structurally and culturally – to deal with a perceived increase of fraud, unethical conduct and criminal behaviour?

Speakers

**Nick Carter-Pegg** *BDO, London, England*  
**Horst Ehardt** *Wolf Theiss, Vienna, Austria*  
**David Jabbari** *Clyde & Co, London, England*  
**Doo-Sik Kim** *Shin & Kim, Seoul, South Korea*  
**Robert Millard** *Cambridge Strategy Group, Cambridge, England*  
**Liam Quirke** *Matheson Ormsby Prentice, Dublin, Ireland*  
**Robert S Vineberg** *Davies Ward Phillips & Vineberg, Montreal, Quebec, Canada*

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LIFFEY HALL 1, LEVEL 1

**Litigation lessons for securities lawyers**

*Joint session with the Litigation Committee and the Securities Law Committee.*

Session Co-Chairs

**Alfred Page** *Borden Ladner Gervais, Toronto, Ontario, Canada; Secretary, Securities Law Committee*  
**John Reynolds** *White & Case, London, England; Membership Officer, Litigation Committee*

A broad range of transactional and public company issues will be examined through the lens of key litigation drivers. Facilitators will lead parallel group discussions which will dissect disputes involving business combinations, disclosure and insider trading, employing recent examples.

Speakers

**Gregory Astrachan** *Willkie Farr & Gallagher, New York, USA; Regional Representative North America, Securities Law Committee*  
**Nicola Boyle** *Hausfeld, London, England*  
**Sandra González** *Ferrere, Montevideo, Uruguay*  
**Liam Kennedy** *A&L Goodbody, Dublin, Ireland; Senior Vice-Chair, Litigation Committee*  
**Mårten Knuts** *Krogerus, Helsinki, Finland*

**Maura McLaughlin** *Arthur Cox, Dublin, Ireland*  
**Alexander Reus** *Diaz Reus & Targ, Miami, Florida, USA*  
**Tim Scanlon** *Matheson Ormsby Prentice, Dublin, Ireland*

#### Rapporteurs

**Robert Boyle** *Macfarlanes, London, England; Vice-Chair, Regulatory Affairs Subcommittee*  
**Paul Convery** *Mason Hayes & Curran, Dublin, Ireland*  
**Thomas Hall** *Chadbourne & Parke, New York, USA*  
**Robert Wheal** *White & Case, London, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Foyer on Level 3.**

CONFERENCE ROOM 6, LEVEL 3

## Mediation, dispute resolution boards and the resolution of construction and national resource disputes

*Joint session with the International Construction Projects Committee and the Mediation Committee.*

#### Session Co-Chairs

**John Madden** *Madden Mediation and Arbitration, Dublin, Ireland*  
**Mauro Rubino-Sammartano** *LawFed BRSA, Milan, Italy; Vice-Chair, Mediation Committee*

Is mediation suitable for construction disputes? How about natural resource disputes involving private entities and sovereigns? How can one combine mediation and dispute resolution boards to achieve expeditious and cost-effective means of resolving construction and natural resource disputes? Is mediation appropriate for oil and gas disputes? When should mediation be considered and rejected? How do you select a good mediator for construction and natural resource disputes?

#### Speakers

**Peter Scott Caldwell** *Caldwell Ltd, Hong Kong SAR*  
**Kurt Dettman** *Constructive Dispute Resolutions, Hingham, Massachusetts, USA*  
**John Dingess** *Dingess Foster Luciana Davidson & Chleboski, Pittsburgh, Pennsylvania, USA*  
**Marc Frilet** *Frilet Société d'Avocats, Paris, France*  
**Anna Maxwell** *Enyo Law, London, England; Newsletter Editor, Mediation Committee*  
**Wolf Von Kumberg** *Northrop Grumman, London, England*  
**Todd Wetmore** *Shearman & Sterling, Paris, France*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

WICKLOW HALL 2A, LEVEL 2

## NYC workshop

*Presented by the Arbitration Committee.*

#### Session Co-Chairs

**Luca Radicati di Brozolo** *Bonelli Erede Pappalardo, Milan, Italy; Chair, Recognition and Enforcement of Arbitral Awards Subcommittee*  
**Yoshimi Ohara** *Nagashima Ohno & Tsunematsu, Tokyo, Japan*

The New York Convention is the cornerstone of international arbitration, as it establishes the fundamental rules for the recognition of agreements to arbitrate and arbitral awards. This panel will assess the most recent and relevant decisions rendered by courts around the world under the Convention. It will also discuss whether a revision of the Convention is desirable.

#### Speakers

**Samaa Haridi** *Weil Gotshal & Manges, New York, USA*  
**Andres Jana** *Bofill Mir & Álvarez Jana, Santiago, Chile*  
**Colm Ó hOisín** *Law Library Building, Dublin, Ireland*  
**Kim Rooney** *Gilt Chambers, Hong Kong SAR*  
**Maxi Scherer** *Wilmer Cutler Pickering Hale and Dorr, London, England*  
**Mohamed S Abdel Wahab** *Zulficar & Partners, Cairo, Egypt*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the foyer on Level 3.**

AUDITORIUM, LEVEL 3

## Partners' careers

*Joint Session with the Academic and Professional Development Committee and the Law Firm Management Committee.*

#### Session Co-Chairs

**Tony King** *Clifford Chance, London, England; Co-Chair, Academic and Professional Development Committee*  
**Biörn Riese** *Mannheimer Swartling, Stockholm, Sweden*

We will review the factors typically taken into account when promoting associates and then how partners manage the different stages of their careers. What legal and business knowledge/experience is needed to lay the foundations for a career as a partner? What are the stages in a successful partner's career and how do partners best prepare to progress through them?

Stage One is the period immediately post-promotion when partners build their business. Stage Two follows from that as partners develop their businesses by creating ever deeper client relationships. Stage Three (which can overlap with the first two stages) is when partners have to manage the challenge of balancing business management (whether or not they take on a specific management role in their firms) with being a successful practitioner. Stage Four is when partners begin to think about succession planning and Stage Five is when partners plan their their own futures outside their firm.

#### Speakers

**Johan Aalto** *Hannes Snellman, Helsinki, Finland*  
**Peter Appel** *Gorrissen Federspiel, Copenhagen, Denmark*  
**Tim Cole** *QV Career Counsel, London, England*  
**Sarah Hutchinson** *College of Law, London, England; Vice-Chair, Academic and Professional Development Committee*  
**Jörg K Menzer** *SPRL Menzer & Bachmann-Noerr, Bucharest, Romania; Vice-Chair, European Regional Forum*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 5, LEVEL 1

## Resource nationalism: new trends

*Presented by the Mining Law Committee.*

#### Session Co-Chairs

**Hubert André-Dumont** *McGuire Woods, Brussels, Belgium; Treasurer, Mining Law Committee*  
**Michael Bourassa** *Fasken Martineau DuMoulin, Toronto, Ontario, Canada; Vice-Chair, Mining Law Committee*

Governments are reacting to the crisis and the fluctuating mineral prices in different ways, and some believe that having more control over their natural resources will provide them with additional revenue and wealth. This panel will discuss how certain countries cope between resource nationalism and attraction and retention of mining investors. In addition, selected attendees from very topical countries will, from the floor, briefly make an update of the situation in their own countries.

*Speakers*

**Casper Herler** *Borenus, Helsinki, Finland; Newsletter Editor, Mining Law Committee*

**Dan Kravets** *Freeport-McMoRan Copper & Gold, Phoenix, Arizona, USA*

**Michael Rattagan** *Rattagan Macchiavello Arocena & Pena Robirosa, Buenos Aires, Argentina*

**Rahmat Soemadipradja** *Soemadipradja & Taher, Jakarta, Indonesia; Newsletter Editor, Mining Law Committee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 3, LEVEL 2

### **Taxing the company, taxing the individual – where to domicile your HQ, your executives and the owner? International corporate tax structures for wealthy families from BRICS countries**

*Presented by the Taxation Section.*

*Session Co-Chairs*

**Olga Boltenko** *Withers, Zurich, Switzerland; Vice-Chair, Individual Tax and Private Client Subcommittee*

**Mark van Casteren** *Loyens & Loeff, Amsterdam, the Netherlands*

Choice of a jurisdiction to domicile HQ affects many things: not only the taxation of income and gains from the subsidiaries and the tax treatment of HQ expenses and income on the level of HQ, but also the personal taxation of executive officers and board members. It also affects tax treatment of the investors, be it an international corporation or a wealthy family, on their income earned from the group.

The panel will discuss issues of international tax structuring from HQ countries' point of view as well as from the perspective of corporations and wealthy individuals based in Brazil, Russia, India and China.

*Speakers*

**Sandy Bhogal** *Mayer Brown International, London, England*

**Fabiola Costa Girão** *Machado Associados Advogados e Consultores, São Paulo, Brazil*

**Peter Ni** *Zhong Lun, Shanghai, China*

**Rohan Shah** *Economic Laws Practice, Mumbai, India*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

WICKLOW HALL 1, LEVEL 2

### **The tie that binds: same-sex marriage, civil unions, or just friends? Why the difference matters**

*Joint session with the IBA Human Rights Institute, the Immigration and Nationality Law Committee and the LGBT Issues Subcommittee.*

*Session Co-Chairs*

**Alan Koral** *Vedder Price, New York, USA; Bar Association Liaison Officer, Lesbian, Gay, Bisexual and Transgender (LGBT) Issues Subcommittee*

**Ramyar Moghadassi** *Moghadassi & Associates, London, England; Chair, Lesbian, Gay, Bisexual and Transgender Issues Subcommittee*

**Anne O'Donoghue** *Immigration Solutions Lawyers, Sydney, New South Wales, Australia; Membership Officer, Immigration and Nationality Law Committee*

Marriage between same-sex partners is recognised by an increasing number of jurisdictions, while some have introduced civil unions, and others do not recognise same-sex unions at all. Similar questions are posed when a transgender person marries. There are numerous legal puzzles created by this international patchwork of jurisdictions, especially when partners move from one jurisdiction which recognises their union, to another which does not. An expert panel will address the legal issues from various perspectives, such as employment law, anti-discrimination law, immigration law and human rights.

*Speakers*

**David Bitel** *Parish Patience Immigration Lawyers, Sydney, New South Wales, Australia; Vice-Chair, Lesbian, Gay, Bisexual and Transgender (LGBT) Issues Subcommittee*

**Roy Douglas Elliott** *Roy Elliott O'Connor Barristers, Toronto, Ontario, Canada*

**Moninne Griffith** *Marriage Equality, Dublin, Ireland*

**D'Arcy Kemnitz** *National LGBT Bar Association, Washington DC, USA*

**The Honourable Michael Kirby** *The Hon Michael Kirby AC CMG, Sydney, New South Wales, Australia*

**Senator David Norris** *National Parliament, Dublin, Ireland*

**Maria Rachid** *Argentine Federation of LGBT, Rosario, Argentina*

**Todd Solomon** *McDermott Will & Emery, Chicago, Illinois, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Liffey Meeting Room Corridor, Level 1. Tea and coffee will also be served, during these times, in The Forum on Ground Level.**

LIFFEY MEETING ROOM 1, LEVEL 1

### **The truth, the whole truth and nothing but the truth – the obligations and responsibilities of lawyers when dealing with witnesses**

*Joint session with the Litigation Committee and the Professional Ethics Committee.*

*Session Co-Chairs*

**Geraldine Clarke** *Gleeson McGrath Baldwin, Dublin, Ireland; Co-Chair, Professional Ethics Committee; Council Member, Public and Professional Interest Division*

**Marko Hentunen** *Castrén & Snellman, Helsinki, Finland; Chair, Hague Conference on Private International Law Subcommittee*

Lawyers have a duty to act professionally and honestly in their dealings with their court. This duty must be balanced with their duty to their clients and this need for balance often creates practical and ethical dilemmas in dealing with witnesses in preparation for and in the course of trial.

This session will examine and discuss some of those dilemmas in the context of:

- expert witnesses;
- witnesses as to fact; and
- lawyers as expert witnesses.

It will also discuss:

- Are there circumstances in which a lawyer's duty to the court overrides his/her duty to the client?
- Is there merit in a general rule that prohibits lawyers acting as expert witnesses in areas where they practise?
- What confidentiality issues arise if a lawyer withdraws as a result of perjured evidence?
- When might aggressive cross-examination become bullying?
- What constitutes 'coaching' of witnesses?
- What issues arise in advising on discovery documentation?

The session will be interactive and the audience will be encouraged to participate fully.



*Speakers*

**Peter Campbell** *Campbell Fitzpatrick, Belfast, Northern Ireland*  
**Deborah Enix-Ross** *Debevoise & Plimpton, New York, USA*  
**Adrian Evans** *Monash University, Melbourne, Victoria, Australia;*  
*AMLLIWG Liaison Officer, Professional Ethics Committee*  
**Honourable Mr Justice Paul Gilligan** *High Court of Ireland, Dublin, Ireland*  
**Jakob Ragnwaldh** *Mannheimer Swartling, Stockholm, Sweden*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

WICKLOW HALL 2B, LEVEL 2

## Trends in merger enforcement – from local to global

*Presented by the Antitrust Committee.*

*Session Co-Chairs*

**Thomas Janssens** *Freshfields Bruckhaus Deringer, Brussels, Belgium;*  
*Newsletter Editor, Antitrust Committee*  
**Julian Peña** *Allende & Brea, Buenos Aires, Argentina*

While many M&A transactions have a cross-border or even worldwide impact, competition issues often can affect several countries or be localised in narrower geographic markets. This panel will consider competition and other policy aspects of merger enforcement in Ireland, the EU and around the world, focusing on market definition, theories of harm and evidence required by competition enforcers.

*Speakers*

**Ibrahim Bah** *The Competition Authority, Dublin, Ireland*  
**Marcelo Calliari** *TozziniFreire, São Paulo, Brazil; Vice-Chair, Trade and Customs Law Committee*  
**Richard Feinstein** *Federal Trade Commission, Washington DC, USA*  
**Catriona Hatton** *Hogan Lovells International, Brussels, Belgium*  
**Bernd Langeheine** *European Commission, Brussels, Belgium*  
**Derek Ridyard** *RBB Economics, London, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 2, LEVEL 1

## UN and EC sanctions – a due process wilderness?

*Joint session with the Business Crime Committee and the International Sales Committee.*

*Session Co-Chairs*

**Fabio Cagnola** *Studio Legale Bana, Milan, Italy; Vice-Chair, Business Crime Committee*  
**Andrew Katzen** *Hickman & Rose, London, England*

The panel of experts in this field will examine the legal framework of economic and commercial restrictive measures employed by both the United Nations (UN) and European Union (EU). It may be better than dropping bombs but are there sufficient legal, political and procedural safeguards in place?

The panel will consider recent examples of action taken against Egypt, Iran and Syria, analyse the European case law and assess the degree to which those affected by UN and EU action are denied fundamental rights and the extent to which such measures are proportionate and consistent with clear foreign policy objectives.

*Speakers*

**The Hon Mr Justice Nial Fennelly** *The Supreme Court of Ireland, Dublin, Ireland*  
**Maya Lester** *Brick Court Chambers, London, England*

**Guy Martin** *Carter Ruck, London, England*  
**Michael O’Kane** *Peters & Peters, London, England; Co-Chair, Business Crime Committee*  
**Judge Kimberley Prost** *United Nations Office of the Ombudsman of the Security Council’s 1267 Committee, New York, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room Corridor, Level 2.**

WICKLOW MEETING ROOM 1, LEVEL 2

## Why Asia into Europe and Europe into Asia?

*Joint session with the Asia Pacific Regional Forum and the European Regional Forum.*

*Session Co-Chairs*

**Lawrence Teh** *Rodyk & Davidson, Singapore; Senior Vice-Chair, Asia Pacific Regional Forum*  
**Rory Williams** *Treasury Holdings, Dublin, Ireland*

Are you seeking to advise European businesses investing in Asia?

Are you seeking to advise Asian businesses investing in Europe?

If so, this session is for you.

A panel of experienced business executives and lawyers will discuss and share with you their experiences of working with European businesses that have expanded into Asia and Asian business that have expanded into Europe. The panel will focus on the challenges faced by these expanding businesses in the new markets such as getting to know the local business culture, dealing with local bureaucracy, political risk, legal challenges, currency risk and the structuring of your expansion into the new market (eg joint venture, acquisition, greenfield site).

The session will also look at whether the current global turmoil has brought opportunity for Asian businesses to diversify into mature European markets at affordable prices and whether Asian markets offer similar opportunity for European businesses.

*Speakers*

**Richard Barrett** *Treasury China Trust, Shanghai, China*  
**Gautam Bhattacharyya** *Reed Smith, London, England*  
**Brett Heading** *McCullough Robertson, Brisbane, Queensland, Australia*  
**Hyeong Gun Lee** *Lee & Ko, Seoul, South Korea*  
**Ding Fa David Liu** *Jun He Law Offices, Shanghai, China*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 4, LEVEL 1

## WEDNESDAY 1230 – 1330

### Open committee business meeting

*Presented by the Professional Ethics Committee.*

An open meeting of the Professional Ethics Committee will be held to discuss matters of interest and future activities.

WICKLOW HALL 2B, LEVEL 2

## WEDNESDAY 1430 – 1730

**Attorney-client privilege: how strong is it?***Presented by the Litigation Committee.**Session Chair**John Heaps Eversheds, London, England; Co-Chair, World Organisations Committee; Council Member, Public and Professional Interest Division*

This session will explore the protections of attorney-client privilege, and its limits in multi-jurisdictional proceedings. It will assess whether/how privilege can be maintained in cross-border matters. It will also address data protection and confidentiality issues arising from disclosure/discovery in cross-border proceedings.

The globalisation of business and law and the increase of electronic information facilitates documents travelling to global locations instantly. Increasingly, documents created in one jurisdiction are relevant to proceedings elsewhere. This significantly increases the complexity of cross-border privilege/disclosure/discovery issues. Litigators increasingly need to negotiate the demands of operating between multiple jurisdictions' differing concepts of privilege, data protection and confidentiality.

The seminar will focus on privilege issues arising when documents in one jurisdiction are relevant to litigation seated in an alternative jurisdiction. What are the protections against disclosure? How are cross-border conflicts of laws regarding privilege to be negotiated? What practical steps can be taken to ensure communications are afforded maximum protection? How are fraud or regulatory matters treated differently?

Alongside privilege lies the question of data protection and privacy. As a result of the increase in handling, storage and transfer of personal data, the EU has put in place a framework to protect privacy, implemented slightly differently across EU Member States. Jurisdictions outside the EU have also enacted privacy legislation. Privacy and data protection laws across the world form a complicated patchwork; effective compliance requires detailed knowledge of multiple legal regimes. Sanctions for breach of data protection legislation can often involve criminal penalties.

The seminar will also discuss the overlapping complexities of privacy and confidentiality issues in the context of cross-border discovery/disclosure obligations, and will conclude by providing hints and tips for litigators to manage the conflicting demands of privilege, data protection and confidentiality across multiple jurisdictions.

This seminar will be suitable for both private practice lawyers and in-house legal advisers, and we welcome lawyers from all jurisdictions to attend.

*Speakers**Anurag Bana International Bar Association, London, England**Jacques Bouyssou Alerion, Paris, France; Young Litigators' Forum Co-Chair, Litigation Committee**Peter Burckhardt Schellenberg Wittmer, Zurich, Switzerland; Publications Officer, Litigation Committee**Caoimhe Clarkin A&L Goodbody, Dublin, Ireland**Sara Cockerill QC Essex Court Chambers, London, England**David Greenwald Jenner & Block, Chicago, Illinois, USA; Special Projects Officer, Insurance Committee**Paul Kearney European Bank for Reconstruction and Development, London, England**Chen Luming Jun He Law, Shanghai, China**Mariana Nogueira Leite Tosto e Barros Advogados, São Paulo, Brazil*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in The Forum on Ground Level.**

LIFFEY HALL 1, LEVEL 1

**Bar Issues***Presented by the Bar Issues Commission.*

**The Bar Issues Commission will have simultaneous translation for this session for French and Spanish speakers. Please collect a headset on arrival at the session. You may need to leave some form of security for the headset such as a credit card and a valid ID such as a passport.**

*Session Co-Chairs**Horacio Bernardes Neto Motta Fernandes Rocha Advogados, São Paulo, Brazil; Chair, Bar Issues Commission Policy Committee; Vice-Chair, Bar Issues Commission; Council Member, Public and Professional Interest Division**Margery Nicoll Law Council of Australia, Canberra, Australian Capital Territory, Australia; Vice-Chair, Bar Issues Commission; Council Member, Public and Professional Interest Division***What are legal services?**

Legal services are increasingly provided in an organised form. Does the type of the organisation through which a lawyer operates change or affect the nature and/or the quality (or the perception of the quality) of legal services? Should all the activities performed by lawyers or law firms be regarded as 'legal services'? If a carve out is possible, might different rules be applied to non-legal services? Could lawyers operate in non-lawyers' organisations? On what terms and conditions? Could non-lawyers operate in law firms? What would be the consequences? Should activities which imply representing clients in court be treated differently?

*Speakers**Arturo Alessandri Alessandri & Compañía, Santiago, Chile**Laurel Bellows American Bar Association, Chicago, Illinois, USA**Robert Brun Canadian Bar Association, Vancouver, British Columbia, Canada**Tatsu Katayama Anderson Mori & Tomotsune, Tokyo, Japan; Publications Officer, Capital Markets Forum; Member, Bar Issues Commission Policy Committee**Hans-Jürgen Hellwig Hengeler Mueller, Frankfurt am Main, Germany; Officer, BIC International Trade in Legal Services Committee; Member, Bar Issues Commission Policy Committee**Søren Jenstrup Danish Bar and Law Society, Copenhagen, Denmark; Member, Bar Issues Commission Policy Committee**Manan Kumar Mishra Bar Council of India, New Delhi, India**Gbenga Oyebo Aluko & Oyebo, Lagos, Nigeria***Stepping into the deep end: policy and regulatory responses to alternative business structures for legal practice**

If there is one topic sure to arouse passionate debate among the legal community it is alternative business structures. Why? What's happened to the legal services market to bring about alternative structures? What are the risks and benefits? Is it impossible for a lawyer to maintain professional independence and professional standards outside of a traditional law practice? Is the client/practitioner relationship incompatible with a corporate director's duties to the shareholders? Or is it a question of tradition versus progress? It's time to crystallise the debate. This session will examine the evolution of alternative business structures. Which countries allow them, why do they allow them and what forms are allowable? Why don't other jurisdictions allow them? What are the underlying issues and arguments? What are the policy questions that arise and how are they resolved? What have been the policy and regulatory responses? How well founded is the resistance?

*Speakers**Joe Catanzariti Law Council of Australia, Canberra, Australian Capital Territory, Australia**Robert Heslett Law Society of England and Wales, London, England; Member, Bar Issues Commission Policy Committee**Robert Labadie Co-operative Legal Services, Bristol, England**Marcella Prunbauer-Glaser Council of Bars and Law Societies of Europe (CCBE), Brussels, Belgium*

William Robinson III *American Bar Association, Chicago, Illinois, USA*  
 Antony Townsend *Solicitors Regulation Authority, Redditch, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 1, LEVEL 1

### **Blood, sweat and tears – money v sweat equity: the competing rights of creditors and pension holders of insolvent entities**

*Presented by the Reorganisation and Workouts Subcommittee, a subcommittee of the Insolvency, Restructuring and Creditors' Rights Section (SIRC).*

*Session Co-Chairs*

**Bart de Man** *Kennedy van der Laan, Amsterdam, the Netherlands*  
**Mark Newton** *Heenan Blaikie, Toronto, Ontario, Canada*

The competing rights of pension holders and creditors to the assets of insolvent entities have been exacerbated with the downturn in the economy. In some jurisdictions, companies have been able to escape their pension liabilities at the expense of their former, and sometimes even their present workforce. In other jurisdictions, the laws protecting workers are so rigidly enforced that liquidation results, benefiting no one. On the other hand, the present and future financial obligations of many companies (and governments) to pension holders have become so massive that it is these very liabilities that are dragging the entities into insolvency proceedings.

The pension wars have resulted in a vicious cycle of increased liquidations, increased unemployment and increased pressure on the governments or government entities that either support or insure the pension obligations. The fair resolution of these issues is essential to the rehabilitation of the global economy.

Our panel of pension, insolvency and lending practitioners will guide you through the key components of pension liabilities, how they are treated in insolvency proceedings in different jurisdictions and the factors that should be taken into consideration in dealing with such liabilities in potential or actual insolvencies and in drafting financing transactions.

*Speakers*

**Corinne Ball** *Jones Day, New York, USA*  
**Paul Kenny** *Pensions Ombudsman, Dublin, Ireland*  
**Barbara Reinhard** *Kliemt & Vollstädt, Frankfurt am Main, Germany*  
**Antoine Tchekhoff** *Foucaud Tchekhoff Pochet et Associés, Paris, France*  
**John Verrill** *Chadbourne & Parke, London, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 4, LEVEL 1

### **Damages for the victims of state crimes**

*Presented by the Negligence and Damages Committee.*

*Session Chair*

**Paul Emerson** *Lamb Chambers, London, England; Chair, Negligence and Damages Committee*

This session will be a collection of presentations from some leading names in the legal world as to how different countries compensate the victims of state crimes such as torture, false imprisonment and state-sponsored violence.

It will also include references to the difficulties in proving such cases and forcing governments to admit liability and properly compensate the victims and their families.

*Speakers*

**Ramón Bado** *Estudio Dr Mezzer, Montevideo, Uruguay*  
**Timothy Brown** *Reynolds Porter Chamberlain, London, England*  
**Patrick Martin Giblin SC** *Law Library Four Courts, Dublin, Ireland*  
**Martin McCallion** *McCallion Keown Solicitors, Belfast, Northern Ireland*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room Corridor, Level 2.**

WICKLOW MEETING ROOM 4, LEVEL 2

### **Get your IP house in order – the what, why, and how – advising entrepreneurs and closely held businesses in setting up an IP strategy**

*Joint session with the Closely Held and Growing Business Enterprises Committee, the Intellectual Property and Entertainment Law Committee and the Young Lawyers' Committee.*

*Session Co-Chairs*

**Robert Falvey** *Minter Ellison Rudd Watts, Auckland, New Zealand*  
**Agustín Mayer** *Ferrere, Montevideo, Uruguay; Vice-Chair, Young Lawyers' Committee*  
**Matthias Nordmann** *SKW Schwarz Rechtsanwälte, Munich, Germany; Co-Chair, Intellectual Property and Entertainment Law Committee*

This session will focus on the common IP issues which face start-up and closely held businesses (including family-owned businesses). These will include ownership of trademarks, copyright and inventions, with a particular focus on contributions from those both inside and outside the circle of owners. The importance of assignments and IP audits will be explored. Preparing for IP due diligence by investors will also be a major topic. Strategies for protecting your brand, creative and technical IP, growth financing and what venture capitalists and private equity investors look at in terms of IP before they invest, succession issues and maintaining the position of the founders through the business life cycle, IP valuation and the protection and export of IP internationally will all be considered, as will be the internationalisation of IP.

*Speakers*

**Grant S Campbell** *Brodies, Edinburgh, Scotland*  
**Andrew Frei** *Dale Lessmann, Toronto, Ontario, Canada*  
**Johan Kahn** *Delphi, Stockholm, Sweden*  
**Martin Kelleher** *Mason Hayes & Curran, Dublin, Ireland*  
**Yuichiro Nukada** *Anderson Mori & Tomotsune, Tokyo, Japan*  
**Manus Rogan** *Foundation Healthcare, Dublin, Ireland*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 3, LEVEL 1

### **Hot topics in arbitration**

*Presented by the Arbitration Committee.*

*Session Co-Chairs*

**Eduardo Gonçalves** *Mattos Filho Advogados, São Paulo, Brazil; Website Officer, Arbitration Committee*  
**Klaus Reichert SC** *Brick Court Chambers, Dublin, Ireland; Council Member, Legal Practice Division*

This session will address important current developments in the practice of international arbitration, including:

- in laws and rules;
- new needs and trends of the practice;
- current debates; and
- the involvement of the IBA in the development of international arbitration.

Speakers

**Yves Derains** *Derains & Gharavi, Paris, France*  
**Louis Flannery** *Stephenson Harwood, London, England*  
**Colin Ong** *Dr Colin Ong Legal Services, Bandar Seri Begawan, Brunei*  
**Josefa Sicard-Mirabal** *International Court of Arbitration, New York, USA*  
**Janet Whittaker** *International Centre for Settlement of Investment Disputes, Landover, Maryland, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the foyer on Level 3.**

AUDITORIUM, LEVEL 3

**How to go the extra mile: the lawyer’s guide to handling private clients**

*Presented by the Individual Tax and Private Client Committee.*

Session Co-Chairs

**Leigh-Alexandra Basha** *Holland & Knight, McLean, Virginia, USA*  
**Edgar Paltzer** *Niederer Kraft & Frey, Zurich, Switzerland; Council Member, Legal Practice Division*  
**Christopher Potter** *Sete, Geneva, Switzerland*

No matter if you are a finder, minder or grinder, there are essential practice issues the private client lawyer will confront. This interactive roundtable format discussion will break down the essential elements of representing your client including:

- how to handle existing private clients;
- how to attract new clients directly or by referral;
- how to be sure you get paid;
- what if your client is up to no good? and
- how to fire a client with style when you must.

Speakers

**Bijal Ajinkya** *Nishith Desai Associates, Mumbai, India; Membership Officer, Individual Tax and Private Client Committee*  
**Carol Hogan** *William Fry, Dublin, Ireland*  
**Aldona Leszczynska-Mikulska** *Wardynski & Partner, Warsaw, Poland*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the foyer on Level 3.**

CONFERENCE ROOM 6, LEVEL 3

**Hydraulic fracturing (fracking) – is it time to frack?**

*Presented by the Water Law Committee.*

Session Chair

**José Luis Vittor** *Hogan Lovells, Houston, Texas, USA; Special Projects Officer, Water Law Committee*

What has become known by some as the ‘unconventional natural gas revolution’ has turned a shortage of natural gas into a large surplus and transformed the oil and gas business. This revolution has arrived at a moment when rising oil prices, sparked by community movements in the Middle East, and the need for resources after the tsunami in Japan, raised concerns on energy security. A boom in oil and gas production using hydraulic fracturing, or fracking, helped increase supplies, cutting prices dramatically while raising concerns around tainted drinking water. Fracking is the process of creating fissures or fractures in underground deep shale formations to allow natural gas to flow. This is typically done by injecting water, sand and other chemicals which are pumped under high pressure into a formation to create fractures.

In response to growing public concerns and lawsuits, governments have responded by various means including moratoriums on fracking, increased study and specific regulations. This session will explore the legal and compliance issues associated with fracking, including the recent cases on fracking. The session will also focus upon the large

water use required to frack and its potential impact on groundwater, local drinking water and the oil and gas industry.

Speakers

**Shane Freitag** *Borden Ladner Gervais, Toronto, Ontario, Canada; Vice-Chair, Water Law Committee*  
**William V Killoran** *GE Oil & Gas, Florence, Italy*  
**Renzo Parodi** *GasAtacama, Santiago, Chile*  
**Camilo Vela** *Ecopetrol, Bogotá, Colombia*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 5, LEVEL 2

**Leadership: leading change in law firms**

*Presented by the Law Firm Management Committee.*

Session Co-Chairs

**Máximo Luis Bomchil** *M & M Bomchil, Buenos Aires, Argentina; Senior Vice-Chair, Law Firm Management Committee*  
**Charles Martin** *MacFarlanes, London, England*

This session will discuss:

- How is leading change different from or similar to traditional leadership models?
- If law firms need to change, why do we often elect leaders who want to preserve the status quo?
- One size does not fit all: how leadership needs change as situations change.
- What do we need to do to shape new leaders for a changing business environment?
- Case studies: merger; conversion from a partnership to an LLP; conversion from a family firm to an institutional firm.

Speakers

**John Cronin** *McCann FitzGerald, Dublin, Ireland*  
**Daniel del Río** *Basham Ringe y Correa, Mexico City, Mexico; Council Member, Legal Practice Division*  
**Markus Hartung** *Bucerius Center on the Legal Profession, Hamburg, Germany*  
**Alan Hodgart** *Huron Consulting Group, London, England*  
**Lynn M McGrade** *Borden Ladner Gervais, Toronto, Ontario, Canada*  
**Lucy Scott-Moncrieff** *The Law Society, London, England*  
**David Temporal** *Venturis Partners, London, England*  
**Lisa Walker Johnson** *Walker Clark, Fort Myers, Florida, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

WICKLOW HALL 1, LEVEL 2

**Nanotechnology – the next environmental regulatory frontier**

*Joint session with the Environment, Health and Safety Law Committee and the Technology Law Committee.*

Session Co-Chairs

**Lynn Bergeson** *Bergeson & Campbell, Washington DC, USA*  
**Eugene Smary** *Warner Norcross & Judd, Grand Rapids, Michigan, USA; Chair, Environment, Health and Safety Law Committee*

Increasingly, nanotechnology is the future of manufacturing. Nanotechnology is the science of using materials at an atomic or molecular scale to develop new products that are extremely small. As the use of nanotechnology has exploded in the last decade, a great deal of focus has been placed on its potential impact on the environment. Not only can nanotechnological innovations be harnessed to improve the environment, they can also cause unique environmental and health risks. Indeed, nanotechnology has given

rise to the concept of ‘nanopollutants’ and ‘nanowaste’. This panel will discuss the increasing focus of environmental and health regulations on nanotechnology and the important role regulatory law and policy is having on business, trade, and global competitiveness. Join us for a fascinating discussion of ‘what you cannot see can hurt you, but it can also help you.’

#### Speakers

**Lorraine Byrne** *Hewlett Packard, Dublin, Ireland*  
**Steffi Friedrichs** *Nanotechnology Industries Association, Brussels, Belgium*  
**Björn Hansen** *European Commission, Brussels, Belgium*  
**Diarmuid O'Brien** *Centre for Adaptive Nanostructures and Nanodevices, Trinity College Dublin, Dublin, Ireland*  
**Janusz Zielinski** *European Commission, Brussels, Belgium*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 5, LEVEL 1

## Negotiated M&A transactions: the complex, troubling provisions

*Presented by the Corporate and M&A Law Committee.*

#### Session Co-Chairs

**Jocelyn Kelley** *Blake Cassels & Graydon, Vancouver, British Columbia, Canada; Vice-Chair, Corporate and M&A Law Committee*  
**Sergio Sánchez Solé** *Garrigues, Barcelona, Spain; Vice-Chair, Corporate and M&A Law Committee*

This session will focus on negotiated M&A transactions (both private-private and public-private) and explore the more complex aspects associated with the purchase price (such as price adjustments, holdbacks, bank guarantees, and earn-outs) and indemnification (including limitations on liability). Our speakers will discuss and debate what is customary and non-customary in multiple jurisdictions and the key issues, pitfalls and best tactics for buyer and seller.

#### Speakers

**Katarína Čechová** *Čechová & Partners, Bratislava, Slovakia*  
**Aslesha Gowariker** *Desai & Diwanji, Mumbai, India; Secretary, Current Legal Developments Subcommittee*  
**Sameer Huda** *Hadef & Partners, Dubai, UAE; Website Officer, Corporate and M&A Law Committee*  
**Roxana Kahale** *Kahale Abogados, Buenos Aires, Argentina; Council Member, Public and Professional Interest Division; Vice-Chair, Media Law Committee*  
**Charles Penney** *Addleshaw Goddard, London, England*  
**Paul White** *A&L Goodbody, Dublin, Ireland*  
**Damien Zoubek** *Cravath Swaine & Moore, New York, USA; Treasurer, North American Regional Forum*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in The Forum on Ground Level.**

LIFFEY HALL 2, LEVEL 1

## Port regulations and infrastructure/logistics

*Presented by the Maritime and Transport Law Committee.*

#### Session Co-Chairs

**Luke Chukwudi Ilogu** *Foundation Chambers, Lagos, Nigeria; Newsletter Editor, Maritime and Transport Law Committee*  
**Godofredo Mendes Vianna** *Kincaid, Rio de Janeiro, Brazil; Website Officer, Maritime and Transport Law Committee*

This session will deal with legislation and regulation related to the operation of public and private ports within different jurisdictions, including the pros and cons of governmental concession and private

lease contract regimes including Build, Operate and Transfer (BOT) and similar options. The panellists will debate the most cost-efficient formulae for shipowners and ship managers when dealing with port operators worldwide in order to mitigate their risks and secure expedited loading/unloading routines under a multimodal perspective and also how to protect the relevant parties when drafting port service agreements. The session panel will include specialists representing the shipowners, cargo owners and terminal operators, with a view to providing potential and constructive insight towards the development of proactive port legislation and regulation, especially within the emerging economies.

#### Speakers

**Marieke van den Dool** *Van Steenderen Mainport, Rotterdam, the Netherlands*  
**Marc Evertse** *Port of Rotterdam, Rotterdam, the Netherlands*  
**Vincent Foley** *Holland & Knight, New York, USA*  
**Andriy Kostin** *Pravo Law Office, Odessa, Ukraine*  
**Alistair Mackie** *Holman Fenwick Willan, London, England*  
**VJ Mathew** *VJ Mathew & Co, Cochin, India*

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LIFFEY MEETING ROOM 1, LEVEL 1

## Public and private use of human rights: how can advocacy of human rights best be achieved in both spheres?

*Presented by the Human Rights Law Committee.*

**Session highlighted as part of the President's focus for the IBA Task Force on 'Challenges for the Legal Profession post Global Financial Crisis'.**

#### Session Co-Chairs

**Ross Ashcroft** *Charles Darwin University, Darwin, Northern Territory, Australia; Secretary, Human Rights Law Committee*  
**Mimi Zou** *Oxford University, Oxford, England*

Human rights are not concerned solely with the sphere of public bodies. Today, more than ever, we are seeing human rights enter the domain of corporate liability and responsibility. Corporations, governments, intergovernmental organisations and non-governmental organisations have all expressed the need to recognise, implement and advance human rights for all people. This may be part of an awakening to the realisation that a younger generation, often graduating from universities with embedded knowledge of human rights and social responsibility ideals, are seeking to work and improve the lives of others. This leads to a number of questions:

Is the era of human rights enlightenment merely rhetoric that gives a positive image to the people in these organisations?

Has litigation or advocacy seen a change in practice, or just a change in the rhetoric and paperwork of organisations and government practice or human rights beyond the political and academic discussions surrounding human rights?

What positive and active steps can lawyers – either internally or from an external position – take to advance human rights in a proactive manner?

This session will be run interactively through the use of several hypothetical situations.

#### Speakers

**Piotr Chybalski** *Bureau of Research of the Chancellery of the Sejm, Warsaw, Poland*  
**Patricia Escalon** *ArtsCorp, Ipswich, Massachusetts, USA*  
**Dr Karen Spring** *CSU Landesgruppe, Berlin, Germany*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 3, LEVEL 2

### Real estate property tour

*Presented by the Real Estate Committee.*

Following its huge success at recent annual conferences, the Real Estate Committee has organised its fifth special tour of the host city of the annual conference. Unlike standard tourist city tours, this afternoon event will not take you to the most famous tourist sites, but to the most interesting places of Dublin (at least if you're a lawyer with any interest in real estate projects...). An expert in the Dublin real estate market will provide an insider's look at a number of properties and developments and will provide unique information on the real estate industry in Dublin.

Transport will depart from the CCD at 1400.

For more information and to register please go to the speakers desk.

### Reputation in the internet age

*Presented by the Media Law Committee.*

*Session Co-Chairs*

**Jean-Frederic Gaultier** *Olswang, Paris, France; Senior Vice-Chair, Media Law Committee*

**David A Schulz** *Levine Sullivan Koch & Schulz, New York, USA*

*'Reputation is an idle and most false imposition; oft got without merit, and lost without deserving'*

William Shakespeare, *Othello*

In the internet age, as never before, reputations can be made – or lost – in the click of a mouse. Join our expert panel as they discuss how the internet provides opportunities and challenges for individuals and companies trying to build (and protect) their reputations. Unique legal and practical hurdles exist now that anyone with a computer is a 'publisher', and web publications have worldwide audiences. Hear from both publishers and their subjects, as well as individuals involved in the nascent industry that has emerged as the defenders of reputations on the internet.

*Speakers*

**Ludovic Baumgartner** *Hannibal Agency, Paris, France*

**Stuart Karle** *Thompson Reuters, New York, USA*

**Dave King** *Digitalis Media, London, England*

**Kelli Sager** *Davis Wright Tremaine, Los Angeles, California, USA*

**Markus Suomi** *WOT Services, Helsinki, Finland*

**Paul Tweed** *Johnsons Solicitors, Belfast, Northern Ireland*

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WICKLOW HALL 2A, LEVEL 2

### Rules of origin: dealing with trade preference qualification and trade remedy circumvention

*Presented by the Trade and Customs Law Committee.*

*Session Co-Chairs*

**Alan Lebowitz** *Grunfeld Desiderio Lebowitz Silverman & Klestadt, New York, USA; Vice-Chair, Trade and Customs Law Committee*

**Edmund Sim** *Appleton Luff, Singapore; Senior Vice-Chair, Trade and Customs Law Committee*

Just like people, goods are assigned a 'nationality' by trade and customs authorities around the world. How these rules of origin operate determines whether goods qualify for trade preferences

under free trade agreements and whether goods are subject to trade remedies, etc. Panellists will provide practical advice based on real life examples, assisting practitioners to help their clients qualify for reduced duties under various trade preferences and avoid sanctions for trade remedy circumvention.

During the current prolonged global economic downturn, the pressure to circumvent trade agreements has increased and corresponding enforcement efforts have intensified. Given the wide range of sanctions available to governments, competitors and individuals, we recommend that practitioners representing clients with a serious international sales component to their businesses should attend this session.

*Speakers*

**Paulina Elago** *TradeMark East Africa, Nairobi, Kenya*

**Isabel García Catalan** *European Commission, Brussels, Belgium*

**Stefano Inama** *UNCTAD, Geneva, Switzerland*

**Guillermo Sánchez Chao** *Chevez Ruiz Zamarripa y Cía, Mexico City, Mexico; Secretary, Trade and Customs Law Committee*

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WICKLOW MEETING ROOM 1, LEVEL 2

### Selling regulated products across borders: discussions and case studies on the sale of booze, drugs and other regulated products

*Joint session with the Healthcare and Life Sciences Law Committee, the International Sales Committee and the Product Law and Advertising Committee.*

This session will examine cross-border issues relating to distribution and restrictions imposed by governments (both locally and for imports) for the sale of two types of regulated products: alcoholic beverages and pharmaceuticals. While the focus will be on these two obvious consumables, session speakers will also explore common trends and issues for regulated product sales in general, the disputes that arise and how to prevent them. A case study segment will examine a typical supply chain and its issues.

#### Panel 1 Alcoholic beverages

*Session Co-Chairs*

**Barton Selden** *Gartenberg Gelfand Hayton & Selden, San Francisco, California, USA; Vice-Chair, International Sales Committee*

**Marc Shelley** *Shook Hardy & Bacon, Geneva, Switzerland*

*Speakers*

**Luis Henrique do Amaral** *Dannemann Siemsem, Rio de Janeiro, Brazil*

**Ulrik Andersen** *Carlsberg, Copenhagen, Denmark*

**Maureen Daly** *Beauchamps Solicitors, Dublin, Ireland*

**Stephen Shapiro** *SABMiller Group, London, England*

**Andrew Wiseman** *Allens Arthur Robinson, Sydney, New South Wales, Australia*

#### Panel 2 Pharmaceuticals

*Session Co-Chairs*

**Sebnem Isik** *NSN Law Firm, Istanbul, Turkey; Newsletter Editor, International Sales Committee*

**Neil Kirby** *Werksmans Attorneys, Johannesburg, South Africa; Chair, Healthcare and Life Sciences Law Committee*

*Speakers*

**Barbara O'Neill** *Eversheds, Dublin, Ireland*

**Sylvia Paszek** *Wardynski i Wspólnicy, Warsaw, Poland*

**Stephan Rau** *McDermott Will & Emery, Munich, Germany*

**Uğur Tepe** *Tuniva Medical Management and Regulatory Services, Istanbul, Turkey*

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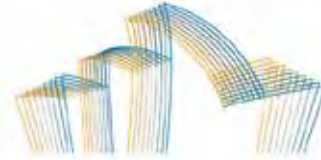
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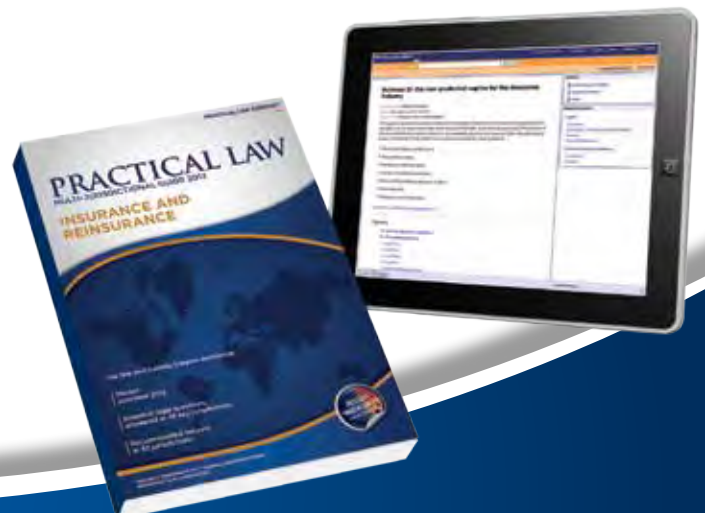
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LIFFEY MEETING ROOM 3, LEVEL 1

## Taxes on financial transactions

Joint session with the Banking Law Committee and the Taxes Committee.

Session Co-Chairs

**Thomas Meister** *Walder Wyss, Zurich, Switzerland*  
**Giuseppe Schiavello** *Gianni Origoni Grippi Cappelli & Partners, Rome, Italy; Website Officer, Banking Law Committee*

The deleveraging of bank assets may trigger the need to structure transfers of such assets in an efficient, compliant and sound manner. The tax treatment of such structures will be analysed in this session.

Speakers

**Olivier Dauchez** *Gide Loyrette Nouel, Paris, France*  
**Caroline Devlin** *Arthur Cox, Dublin, Ireland*  
**Joerg Luetge** *Flick Gocke Schaumburg, Bonn, Germany*  
**Javier Vinuesa Magnet** *Gómez-Acebo & Pombo, Madrid, Spain*  
**Alessandro Padula** *Morgan Stanley, London, England*  
**Partha Pal** *Sidley Austin, London, England*

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WICKLOW HALL 2B, LEVEL 2

## The global citizen: international mobility of the skilled in the age of free trade

Presented by the Immigration and Nationality Law Committee.

Session Co-Chairs

**Sergio Karas** *Karas & Associates, Toronto, Ontario, Canada*  
**Catherine Sas** *Miller Thomson, Vancouver, British Columbia, Canada; Website Officer, Immigration and Nationality Law Committee*

The session will discuss different aspects of the movement of highly skilled workers, immigration policies by each country to encourage those transfers, free trade and multilateral agreements, the emergence of new economic powers (China, India, Brazil, etc) and their own view of the foreign worker movement, and the economic realities of Europe in particular, given the current conditions, and how they affect foreign workers.

Speakers

**Poovri Chothani** *Law Quest International, Mumbai, India*  
**Carolina Garutti** *Emdoc, São Paulo, Brazil; Corporate Counsel Forum Liaison, Immigration and Nationality Law Committee*  
**Tsvi Kan-Tor** *Kan-Tor & Acco, Ramat Gan, Israel*  
**Graeme Kirk** *Gross & Co, Bury St Edmunds, England; Treasurer, Vice-Chair and Council Member, IBA Global Employment Institute*  
**Katie Malyon** *Katie Malyon & Associates, Sydney, New South Wales, Australia*  
**Jane Pilkington** *Mason Hayes & Curran, Dublin, Ireland*  
**Fernando Scornik Gernstein** *Fernando Scornik Gernstein, Madrid, Spain*  
**Greg Siskind** *Siskind Susser, Memphis, Tennessee, USA*

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LIFFEY MEETING ROOM 2, LEVEL 1

## The role of financial institutions in the fight against corruption – can we bank on them?

Presented by the Anti-Corruption Committee.

Session highlighted as part of the President's focus for the IBA Task Force on 'Challenges for the Legal Profession post Global Financial Crisis'.

Session Chair

**Tim Dickinson** *Paul Hastings Janofsky & Walker, Washington DC, USA; Co-Chair, Anti-Corruption Committee*

Banks and other financial institutions are at the forefront in the fight against corruption – bribes are channelled through them in all jurisdictions, but there has to date been little focus on their role in preventing, detecting and reporting corruption. This session will bring together anti-corruption compliance experts to explore how compliance measures could be adapted to financial institutions.

Speakers

**Raja Chatterjee** *Morgan Stanley, New York, USA*  
**Pascale Dubois** *World Bank, Washington DC, USA*  
**Enerly Quinones** *European Bank for Reconstruction and Development, London, England*  
**Frederic Raffray** *Law Officers of the Crown, St Peter Port, Guernsey*

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ECOCEM ROOM, LEVEL 2

## Whither Africa: nationalisation, privatisation or public-private partnerships?

Presented by the African Regional Forum.

Session Chair

**Chief O C J Okocha SAN** *Okocha & Okocha, Port Harcourt, Nigeria*  
**Olufunmi Oluyede** *TRLPLAW, Lagos, Nigeria; Vice-Chair, African Regional Forum*

In the immediate aftermath of the attainment of political independence in the early 1960s, the state assumed an active role in most African economies. Beyond the role of enabler of a business-friendly economic environment, the state combined the role of owner with management of state-owned enterprises leaving little room for private participation in business. By the mid-1990s, however, the state had beaten a retreat from active participation in business. This period was characterised by the privatisation of state-owned enterprises. In more recent times, the state has found the need to enter into partnership with private enterprises in the provision of infrastructural projects across the continent. At the same time, the odd voice has been raised urging a return to state control of African economies by adopting nationalisation as a tool.

A multidisciplinary panel will cast a reflective eye on Africa's record with nationalisation, privatisation and public-private partnerships. The panel will also look into the future by highlighting the issues, particularly those of a legal nature, that are of utmost importance within the context of the role of the state in economic development.

Speakers

**Deborah Enix-Ross** *Debevoise & Plimpton, New York, USA*  
**Ogugua Ikpeze** *Nnamdi Azikwe University, Awka, Nigeria*  
**Peter O'Dwyer** *Ireland-South Africa Business Associations (ISABA)/ Hainault Capital Limited, Dublin, Ireland*  
**Olumuyiwa Olowokure Esq** *O O Olowokure & Co, Kaduna, Nigeria*  
**Yemi Razack Adeola** *Sterling Bank Nigeria, Lagos, Nigeria*

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CONFERENCE ROOM 2, LEVEL 1

## WEDNESDAY 1730 – 1830

**Open committee business meeting**

*Presented by the International Sales Committee.*

An open committee meeting of the International Sales Committee will be held to discuss matters of interest and future activities.

LIFFEY MEETING ROOM 3, LEVEL 1

## THURSDAY 0730 – 0930

**BIC open forum and open policy committee breakfast meeting**

*Presented by the Bar Issues Commission.*

All bar association representatives are invited to join this meeting for information on the future plans, projects and conference sessions organised by the Bar Issues Commission (BIC). There will be a report from the BIC Policy Committee and business items in the Council Agenda will also be discussed.

MARQUEE, CCD

## THURSDAY 0800 – 0930

**Open committee business meeting and breakfast**

*Presented by the Academic and Professional Development Committee.*

An open meeting of the Academic and Professional Development Committee will be held to discuss matters of interest and future activities.

FOYER, LEVEL 5

## THURSDAY 0830 – 1230

**Law firm visits**

*Presented by the Law Firm Management Committee.*

*Session Co-Chairs*

**Charles Coward** *Úría Menéndez, Barcelona, Spain; Vice-Chair Europe, Law Firm Management Committee*

**Herman J Knott** *Luther, Cologne, Germany; Secretary, Law Firm Management Committee*

**Chris Van Olmen** *Van Olmen Wynant, Brussels, Belgium; Senior Vice-Chair, Employment and Industrial Relations Law Committee*

Officers of the Law Firm Management Committee will lead a group of IBA delegates to visit several Dublin law firms for briefings on strategy, practice management, organisational issues, marketing and office systems.

Places will be strictly limited and allocated on a 'first come, first served' basis at the conference. To register your attendance, please visit the IBA speakers' desk at the conference.

The coach will depart from the CCD at 0830.

*Speakers*

**Myra Garrett** *William Fry, Dublin, Ireland*

**Philip Lee** *Philip Lee Solicitors, Dublin, Ireland*

**Julian Yarr** *A&L Goodbody, Dublin, Ireland*

## THURSDAY 0930 – 1100

**Tax reps, warranties and indemnities: effects and related disputes**

*Presented by the Taxes Committee.*

*Session Co-Chairs*

**Andrew Loan** *Macfarlanes, London, England*

**Paul Sleurink** *De Brauw Blackstone Westbroek, Amsterdam, the Netherlands*

Tax reps and warranties raise important issues for the transactional tax lawyer. This panel will not review the standard reps and warranties included in share or asset purchase agreements, but will take the topic one step further by discussing the practical impact of the tax provisions on transaction accounting issues in general and 'locked box' transactions in particular. Moreover, the panel will address the treatment of 'earn-outs', the practicalities of disputes and litigation arising from tax reps and warranties, and whether damages can always be structured as an adjustment of the purchase price.

*Speakers*

**Kevin Colan** *Osler Hoskin & Harcourt, New York, USA*

**Torsten Engers** *Flick Gocke Schaumburg, Frankfurt am Main, Germany*

**Paul Fahy** *A&L Goodbody, Dublin, Ireland*

**Oleh Marchenko** *Ulysses, Kiev, Ukraine*

**Peter Ni** *Zhong Lun Law Firm, Shanghai, China*

**John Peterson** *Minter Ellison, Auckland, New Zealand*

*Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.*

CONFERENCE ROOM 3, LEVEL 1

## THURSDAY 0930 – 1230

**Class actions or mass actions – the experience of litigators and financial institutions**

*Joint session with the Banking Law Committee and the Litigation Committee.*

*Session Co-Chairs*

**Angelo Anglani** *NCTM StudioLegale Associato, Rome, Italy;*

*Corporate Council Forum Liaison Officer, Litigation Committee*

**Russell DaSilva** *Hogan Lovells US, New York, USA; Chair, Financial and Banking Law Conferences Subcommittee*

The global financial crisis resulted in thousands of legal actions brought by investors vis-à-vis banks and other financial institutions. The common situation in which the investors found themselves (they had lost their investment and/or felt misled and misinformed) led them to identify common grounds of action and conceive either class actions or mass actions to claim damages for the loss suffered. The defendants often found themselves exposed to liabilities they had never considered before.

In the first part of the session, the panellists will describe the strategy choices of claimants' and defendants' counsels, and the positions of the involved financial institutions. The second part of the session will compare the ways in which different jurisdictions have approached the challenges that resulted from the avalanche of financial crisis litigation. This comparative overview will allow the participants to evaluate the efficiency of the various procedural systems and to draw conclusions on the lessons to be learned by financial institutions and litigators. It remains open what, among the classical class actions, the various European models of mass actions and traditional individual litigation systems, produce the better results.

Note: The session will not deal with the examination of the issues which could give rise to liability of banks and other financial institutions, which will be the topic of a session presented by the Financial Services Section on Monday 1 October – ‘Is the storm over?’ – the evolving liabilities of financial institutions. See page 80 for details.

#### Speakers

**Bruce Angiolillo** *Simpson Thacher & Bartlett, New York, USA*

**Peter Bert** *Taylor Wessing, Frankfurt am Main, Germany*

**Sharon Daly** *Matheson Ormsby Prentice, Dublin, Ireland*

**Josef Mayer** *Immofinanz AG, Vienna, Austria*

**Michel Pitron** *Gide Loyrette Nouel, Paris, France*

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CONFERENCE ROOM 5, LEVEL 1

## Consumer rights in the modern aviation industry

*Presented by the Aviation Law Committee.*

#### Session Chair

**Patrick Farrell** *Norton Rose, London, England; Chair, Aviation Law Committee*

This session will focus on a wide range of issues concerning consumer rights and issues from around the world. The ways in which airline tickets are sold and distributed has changed in recent years, creating a new range of issues – transparency of terms and conditions and pricing, distance selling and internet bookings. Passengers with reduced mobility and disability problems require distinct legislative and regulatory treatment.

Jurisdictions look at these issues differently and there are various legislative and regulatory proposals planned around the world. This session aims to capture the current position and outline the proposed changes.

#### Speakers

**Flor Diaz-Pulido** *European Commission, Passenger Rights Unit, Brussels, Belgium*

**Laurence Gourley** *Aer Lingus, Dublin, Ireland*

**Erik Muthow** *Hadef & Partners, Dubai, UAE*

**Nitin Sarin** *Sarin & Co, Chandigarh, India*

**John Toriello** *Holland & Knight, New York, USA*

**Mia Wouters** *LVP Law/University of Ghent, Brussels, Belgium; Senior Vice-Chair, Aviation Law Committee*

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LIFFEY MEETING ROOM 1, LEVEL 1

## CSR in Africa – effective tool or convenient escape?

*Joint session with the African Regional Forum and the Corporate Social Responsibility Committee.*

**Session highlighted as part of the President’s focus for the IBA Task Force on ‘Challenges for the Legal Profession post Global Financial Crisis’.**

#### Session Co-Chairs

**Toyin Bashorun** *Churchfields, Lagos, Nigeria; Council Member, Public and Professional Interest Division*

**Jacob Saah** *Saah Partners, Accra, Ghana; Council Member, Legal Practice Division*

Africa is an interesting environment for investment and development. Chinese, Indian and European companies come to the continent to exploit its natural resources but also to develop infrastructure, often financed by the World Bank and other institutions. The project finance contracts usually contain CSR-related requirements which establish standards, in particular regarding environmental protection, often not in place in the respective countries. Companies active in Africa endeavour to be compliant with CSR requirements established in the UN Global Compact and other standards. It is questioned, however, whether CSR compliance is really an effective instrument to meet human rights, environmental and corruption challenges, or whether it is just a convenient tool to escape the ‘real’ responsibilities.

The session will discuss this controversy with experts from government, corporations and civil society.

#### Speakers

**Jack Blum** *Baker Hostetler, Washington DC, USA*

**Babatunde Raji Fashola** *Lagos House, Lagos, Nigeria*

**Kayode Oladele** *Juris International, Detroit, Michigan, USA*

**Wale Tinubu** *Oando, Lagos, Nigeria*

**Thomas Trier Hansen** *Nordic Law Group, Copenhagen, Denmark*

**Ashwin Trikamjee** *Garlicke & Bousefield, Umhlanga, South Africa; Chair, African Regional Forum*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the foyer on Levels 2 and 3.**

ECOCEM ROOM, LEVEL 2

## Enforcement of bondholders’ rights – why is bondholder activism so rare when issuers default?

*Presented by the Securities Law Committee.*

#### Session Co-Chairs

**Judit Budai** *Szecsckay, Budapest, Hungary; Regional Representative EMEA, Securities Law Committee*

**David Rockwell** *Sullivan & Cromwell, London, England; Co-Chair, Securities Law Committee*

This session will look at what rights bondholders typically have in threatened or actual defaults and will explore the barriers to, and incentives of bondholders in, exercising such rights. Why is bondholder activism so limited?

#### Speakers

**Juan Aguayo** *Cuatrecasas Gonçalves Pereira, Madrid, Spain*

**Marcelo Armas** *Philippi Yrarrazaval Pulido & Brunner, Santiago, Chile; Vice-Chair, Securities Law Committee*

**Orla Brennan** *William Fry, Dublin, Ireland*

**Joseph Davis III** *Greenberg Traurig, Boston, Massachusetts, USA*

**Miguel Lamo de Espinosa** *Gómez-Acebo & Pombo Abogados, London, England*

**Aline Poncelet** *Paul Hastings, Paris, France*

**Neil Rabinovitch** *Fraser Milner Casgrain, Toronto, Ontario, Canada*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 1, LEVEL 2

## EU principles that might save your private clients

*Presented by the Individual Tax and Private Client Committee.*

#### Session Chair

**Jérôme Assouline** *Sekri Valentin Zerrouk, Paris, France; Publications and Newsletter Editor, Individual Tax and Private Client Committee*

The principles set forth in the EU treaties (freedom of establishment, non-discrimination) may make your private clients' life easier and may even save them some euros. Our panellists will review the trends in EU case law and local tax and civil law provisions that have been deemed invalid on the basis of EU treaties. The panellists will then try to determine the local provisions in EU jurisdictions that may be deemed invalid in the future. The panellists will focus on the tax and civil law provisions that are of much interest to private clients such as exit tax, CFC rules, wealth tax, estate planning, etc.

#### Speakers

**José Blasi** *Monereo Meyer, Barcelona, Spain*  
**Gerard Blokland** *Loyens & Loeff, Amsterdam, the Netherlands*  
**Gerd Kostrzewa** *Heuking Kühn Lüer Wojtek, Düsseldorf, Germany; Senior Vice-Chair, Individual Tax and Private Client Committee*  
**Raul-Angelo Papotti** *Chiomenti Studio Legale, Milan, Italy*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room corridor, Level 2.**

WICKLOW MEETING ROOM 5, LEVEL 2

## Financial and insolvency issues in shipping and shipbuilding

*Presented by the Maritime and Transport Law Committee.*

#### Session Chair

**Jeremy Harwood** *Blank Rome, New York, USA; Vice-Chair, Maritime and Transport Law Committee*

Predictions for 2012 suggest that it and the following year will see 'more bankruptcies'. Where and how these have played out over the year and the months between the review of the issue at the International Maritime Law Conference, 29–30 May 2012, Copenhagen, Denmark and this Conference will be of interest to members of our committee and insolvency practitioners who are now beginning to become acquainted with the industry. Wilbur Ross has expressed an interest in the industry – others will follow. This panel will include financial advisers and industry analysts who will discuss restructuring, insolvency and distressed investment.

#### Speakers

**Simon Congdon** *Holman Fenwick Willan, London, England*  
**Tomas Fernandez-Quiros** *Uria Menéndez, Barcelona, Spain*  
**Neil Klein** *McKasson & Klein, Irvine, California, USA*  
**Giovanna Montanaro** *Schellenberg Wittmer, Zurich, Switzerland*  
**Henri Najjar** *Del Viso-Avocats, Paris, France*  
**Tim Schommer** *Ince & Co, Hamburg, Germany*  
**Corina Song** *Allen & Gledhill, Singapore*

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LIFFEY MEETING ROOM 2, LEVEL 1

## Getting personal: the tension between social media and work

*Joint session with the Discrimination Law Committee, the Employment and Industrial Relations Law Committee and the Technology Law Committee.*

Social media has blurred the boundaries between personal and professional life. Employers have unprecedented access to personal information about job candidates and employees, increasing the potential for discrimination based on private information:

- What are the risks and how can they be managed?
- Has social media increased the risk of discrimination claims?

- Should employers monitor their employees' use of social media?
- What are best practices for adopting social media policies to prevent discrimination?

#### Moderators

**Ignacio Funes de Rioja** *Funes de Rioja & Asociados, Buenos Aires, Argentina; Co-Chair, Discrimination Law Committee*  
**Paula Hogéus** *Delphi, Stockholm, Sweden; Newsletter Editor, Employment and Industrial Relations Law Committee*

#### Speakers

**Sidika Baysal Hatipoglu** *B+B Hukuk Bürosu, Istanbul, Turkey; Treasurer, European Regional Forum; Chair, Internet Business Subcommittee*  
**Lukasz Granosik** *Norton Rose, Montreal, Quebec, Canada*  
**Sara Khoja** *Clyde & Co, Dubai, UAE*  
**Terence McCrann** *McCann FitzGerald, Dublin, Ireland*  
**Valeria Morosini** *Toffoletto de Luca Tamajo e Soci, Milan, Italy*  
**Vikram Shroff** *Nishith Desai, Mumbai, India*  
**Caroline Stroud** *Freshfields, London, England*  
**George Waggott** *McMillan, Toronto, Ontario, Canada*  
**Bernd Weller** *Heuking Kühn Lüer Wojtek, Frankfurt am Main, Germany*  
**Mark Zelek** *Morgan Lewis & Bockius, Miami, Florida, USA*

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LIFFEY MEETING ROOM 3, LEVEL 1

## How do law firms monitor compliance with regulations?

*Joint session with the Law Firm Management Committee and the Regulation of Lawyers' Compliance Committee.*

#### Session Co-Chairs

**Stephen Revell** *Freshfields Bruckhaus Deringer, Singapore; Chair, Regulation of Lawyers' Compliance Committee*  
**Vassily Rudomino** *ALRUD, Moscow, Russian Federation; Council Member, IBA Council*

Lawyers and law firms are increasingly the subject of regulations, whether basic ones, such as ensuring all lawyers have practising certificates or client engagement letters have been sent, to the more challenging, such as compliance with anti-money laundering legislation. This session will examine best practices throughout the world with regard to how law firms are monitoring compliance and being in a position to report on their compliance status to regulators and clients. In addition, it will explore what lessons can be learnt from compliance procedures in other professions and industries.

#### Speakers

**Cherise Cox-Nottage** *UBS Bahamas Ltd, Nassau, Bahamas*  
**Richard Harrison** *Clyde & Co, London, England*  
**Alison Hook** *Hook International, London, England; Officer, BIC International Trade in Legal Services Committee*  
**Desmond Hudson** *The Law Society, London, England*  
**Moira Huggard-Caine** *TozziniFreire Advogados, São Paulo, Brazil; Council Member, Public and Professional Interest Division; Vice-Chair Latin America, Law Firm Management Committee*  
**John Hunter QC** *Canadian Federation of Law Society, Ottawa, Ontario, Canada*  
**Jenny McKeown** *Maurice Turnor Gardner, London, England*  
**Babajide Ogundipe** *Sofunde Osakwe Ogundipe & Belgore, Lagos, Nigeria; Africa Regional Officer, Anti-Corruption Committee*  
**Charles Plant** *Solicitors Regulation Authority, Redditch, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 2, LEVEL 1

## Kidding around? Children's rights and legal representation

Joint session with the Family Law Committee, the Judges' Forum and the Litigation Committee.

Session Chair

**Zenobia Du Toit** *Miller Du Toit Cloete, Cape Town, South Africa; Chair, International Children's Issues Subcommittee*

This session will discuss the legal representation of a child as an aspect of children's rights, how it can be achieved, and the challenges faced when representing a child in litigation.

Speakers

**Bernardine Dohrn** *Northwestern University School of Law, Chicago, Illinois, USA*

**Hon Justice Michelle May** *Family Court of Australia, Brisbane, Queensland, Australia; Chair, Judges' Forum*

**Benyam Mezmur** *University of the Western Cape, Cape Town, South Africa*

**Geoffrey Shannon** *The Adoption Authority of Ireland, Dublin, Ireland*

**Julia Sloth-Nielsen** *University of the Western Cape, Cape Town, South Africa*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 4, LEVEL 1

## M&A and anti-bribery and corruption

Joint session with the Corporate Counsel Forum and the Corporate and M&A Law Committee.

Session Co-Chairs

**Christopher Ashworth** *Knight Vinke, Monaco; Officer, Corporate Counsel Forum*

**Michael Coates** *Shell International, The Hague, the Netherlands; Corporate Counsel Liaison Officer, Corporate and M&A Law Committee*

This session will examine some practical issues concerning anti-bribery and corruption compliance in the context of M&A activity.

Speakers

**Michael Arnold** *Gleiss Lutz, Stuttgart, Germany*

**Nechi Ezeako** *Finbank, Lagos, Nigeria*

**Kevin O'Callaghan** *Fasken Martineau DuMoulin, Vancouver, British Columbia, Canada*

**Peter Osborne** *McCann FitzGerald, Dublin, Ireland*

**Akhil Prasad** *Fidelity Worldwide Investments, Mumbai, India*

**Graham Wladimiroff** *Akzo Nobel, Shanghai, China*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

WICKLOW HALL 2B, LEVEL 2

## Marketing: business development in a changing legal market

Presented by the Law Firm Management Committee.

Session Co-Chairs

**David Barnes** *Thirty Nine Essex Street Chambers, London, England*

**Abe Schear** *Arnall Golden Gregory, Atlanta, Georgia, USA; Communications Officer, Law Firm Management Committee*

This session will discuss:

- How are client expectations and priorities changing?
- What will the legal markets of 2020 look like, ie the impacts of market maturation?
- Caring for your firm's crown jewels: why are the top clients also the most important?

Speakers

**Arturo Alessandri** *Alessandri & Compañía, Santiago, Chile*

**Patricia Gannon** *Karanovic & Nikolic, Belgrade, Serbia; Newsletter Editor, European Regional Forum*

**Myra Garrett** *William Fry, Dublin, Ireland*

**Lawrence Gresser** *Cohen & Gresser, New York, USA*

**Chrissie Lightfoot** *Entrepreneur Lawyer Ltd, Leeds, England*

**Karen A Monroe** *Wilk Auslander, Geneva, Switzerland*

**Fernando Moreno** *Walker Clark, Fort Myers, Florida, USA*

**Christopher Owen** *Manches, London, England*

**Francisco Urrutia** *Posse Herrera & Ruiz Abogados, Bogotá, Colombia*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the Foyer of Levels 2 and 3.**

WICKLOW HALL 1, LEVEL 2

## Minimum legal training requirements

Presented by the Bar Issues Commission.

**The Bar Issues Commission will have simultaneous translation for this session for French and Spanish speakers. Please collect a headset on arrival at the session. You may need to leave some form of security for the headset such as a credit card and a valid ID such as a passport.**

Session Chair

**Olufunke Adekoya SAN** *AELEX Legal Practitioners & Arbitrators, Lagos, Nigeria; Officer, Bar Issues Commission*

International and regional frameworks promote the import and export of legal services across national borders. In providing increased access by consumers to legal services from different jurisdictions how do we ensure that being a lawyer means the same thing in every part of the world?

The report of the Bar Issues Commission's recent survey of legal training requirements around the world will be the take-off point for a panel of speakers representing all aspects of the profession to discuss this issue. Speakers will decide whether the establishment of minimum legal training requirements around the world is needed to ensure a global standard, what these standards should be and how they should be achieved.

Speakers

**Dato' Haji Sulaiman Abdullah** *Malaysian Bar Council, Selangor, Malaysia*

**Frank Astill** *University of Sydney, Sydney, New South Wales, Australia*

**James Banda** *A M Woods & Co, Lusaka, Zambia*

**Rajas Kasbekar** *Little & Co, Mumbai, India*

**Péter Köves** *Lakatos Köves és Társai Ügyvédi Iroda, Budapest, Hungary; Member, Bar Issues Commission Policy Committee*

**Dolores Sancha** *Bartolome & Briones Abogados, Barcelona, Spain; Vice-Chair, Insurance Committee*

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CONFERENCE ROOM 1, LEVEL 1

## North American collaboration – what's next for the three amigos?

Joint session with the Arbitration Committee, the International Sales Committee, the Latin American Regional Forum, the North American Regional Forum and the Trade and Customs Law Committee.

Session Co-Chairs

**Laura K Christa** *Christa & Jackson, Los Angeles, California, USA; Co-Chair, North American Regional Forum*

**Luis Gonzales** *Solórzano Carvajal González y Pérez-Correa, Mexico City, Mexico*

The North American Free Trade Agreement (NAFTA) is now 18 years old. Our panel of experts will consider NAFTA's trajectory and debate whether NAFTA has been a resounding failure or success. The panel will also look beyond NAFTA to consider whether Canada, Mexico and the US should be doing more to pursue continental integration in light of the failure of multilateral initiatives. During the breakout sessions, we will address the issues that are most relevant to clients including: continental labour mobility; cross-border dispute resolution, investment, trade and competition, intellectual property protection and environmental issues.

The three hours of the session will be divided into two parts as follows:

### Part 1

Assessment of NAFTA at 18: where do we go from here? Speakers debate whether NAFTA has delivered or disappointed and whether it is time to update the agreement and if so, how.

#### Co-Moderators

**Paul M Lalonde** *Heenan Blaikie, Toronto, Ontario, Canada; Co-Chair, North American Regional Forum*

**Turena Ramirez Ortíz** *Sánchez Devanny Eseverri, Mexico City, Mexico*

#### Expert panel

**Matthew Kronby** *Bennet Jones, Toronto, Ontario, Canada; Government Liaison Officer, Trade and Customs Law Committee*

**Hugo Perezcano** *Former Head of Unit of International Trade Practices, the administrative authority at Mexico's Secretariat of the Economy, Mexico City, Mexico*

**Jeremy Sharpe** *US Department of State, NAFTA Arbitration Division, Office of International Claims and Investment Disputes, Washington DC, USA*

### Part 2

Facilitators and participants will be urged to discuss whether there are policy initiatives in specific areas of practice that the North American Forum could and should be pursuing in the months and years ahead. What are the main challenges for clients and practitioners in the areas below that could be addressed through continental initiatives?

#### 1. Workplace and labour mobility/immigration issues

##### Facilitator

**Francisco González** *Wilson Elser, Miami, Florida, USA*

##### Topics

- utility of the NAFTA Labour 'side agreement';
- relaxing labour mobility and visa restrictions;
- North American work-place issues;
- recognition of credentials;
- Can visa requirements on Mexican nationals be removed? When?
- common and comparative approaches to refugee claims; and
- other hot topics.

#### 2. Cross-border dispute resolution

##### Facilitator

**Andrea J Menaker** *White & Case, Washington DC, USA*

##### Rapporteur

**Wade Coriell** *King & Spalding, Houston, Texas, USA; Membership Officer, North American Regional Forum*

##### Topics

- cross-border class actions;
- cross-border evidence gathering;
- enforcement of judgments and arbitral awards;
- third-party funding; and
- other hot topics.

#### 3. Trade and competition

##### Facilitator

**Guillermo Sanchez Chao** *Chevez Ruiz Zamarripa y Cia, Mexico City, Mexico; Secretary, Trade and Customs Law Committee*

##### Rapporteur

**Stephen Boikanyo** *Norton Rose, Johannesburg, South Africa*

##### Topics

- Peace in our time? The persistence of trade remedies disputes (softwood, trucking, etc) and other impediments to trade;
- investment – Chapter 11: 'regulatory taking' and environmental protection issues;
- continental anti-trust – enforcement and merger-clearance;
- the persistence of the sacred cows – agriculture, energy (Mexico), culture (Canada);
- the need for an update to the Rules of Origin and other parts of the text of NAFTA; and
- other hot topics.

#### 4. Intellectual property, e-commerce and privacy

##### Facilitator

**William B Bunker** *Knobbe Martens Olson & Bear, Irvine, California, USA; Chair, Intellectual Property and Entertainment Law Committee*

##### Topics

- privacy law in North America;
- piracy, grey marketing and enforcement issues;
- patent rights – towards a common North American approach?
- other hot topics.

#### 5. Investing and closing deals in North America

##### Facilitator

**Brian Rose** *Stikeman Elliott, Toronto, Ontario, Canada*

##### Rapporteur

**Vince Imerti** *Gowling Lafleur Henderson, Toronto, Ontario, Canada; Vice-Chair, North American Regional Forum*

##### Topics

- cross-border M&A challenges;
- standardising international due diligence;
- What are the remaining impediments to investing across North America?
- continental corporate finance – IPO and securities regulations issues; and
- other hot topics.

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in The Forum on Ground Level.**

LIFFEY HALL 2, LEVEL 1

#### PPID SHOWCASE: Lawyers against poverty

*Presented by the Public and Professional Interest Division.*

**Session highlighted as part of the President's focus for the IBA Task Force on 'Challenges for the Legal Profession post Global Financial Crisis'.**

Poverty lies at the root of the world's worst problems – hunger, conflict, poor health, low life expectancy, deprivation of justice and more. Almost half the individuals in the world live every day on less than the price of a cup of coffee. As lawyers, we champion access to justice, the protection of human rights and the rule of law. But, without tackling poverty, we're often attempting to address symptoms and not the root cause. Why then, as lawyers, do we spend so little time thinking about and acting to alleviate poverty? Why have we not been more visible at the forefront of the battle against poverty? What do we need to do to remedy this?

In this session, with the assistance of a small number of renowned keynote speakers, we shall be investigating the causes of poverty and identifying what we, as lawyers, can do to facilitate change. Our focus will cover a wide range of issues, ranging from the implementation of austerity measures and the impact of trade and aid policies, land expropriation, commodities speculation and natural resource exploitation, to financial and fiscal issues such as anti-corruption, the impact of tax havens and tax avoidance and the need generally for a more enlightened approach to the role and responsibilities of the financial services industry in global society.

The session will begin with one or two relatively short keynote addresses, after which a moderator will provide opportunities for the audience, which will contain representatives of relevant IBA committees and the local and international NGO community, to join the debate. Further contributions from the keynote speakers will be introduced as the session progresses. The proceedings will be brought to a close with a summary, which will include suggestions for further action, which the IBA will then expand upon, publicise and pursue.

The session will be videoed and subsequently made available on the IBA's International Pro Bono website.

## PRESENTATION OF THE IBA PRO BONO AWARD 2012

The IBA Pro Bono and Access to Justice Committee 2012 Annual Pro Bono Award will be presented at this session.

Sponsored by:  LexisNexis

*Moderator*

**Joss Saunders** *Oxfam, Oxford, England*

*Speakers*

**Sr Stanislaus Kennedy** *The Sanctuary, Dublin, Ireland*

**Thomas Pogge** *Yale University, New Haven, Connecticut, USA*

**Muhammad Yunus** *Yunus Centre, Dhaka, Bangladesh*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in The Forum on Ground Level.**

LIFFEY HALL 1, LEVEL 1

## The Extraordinary Chamber in Cambodia – has justice been done?

*Presented by the War Crimes Committee.*

*Session Chair*

**Stuart Alford** *Chambers of Francis Oldham QC, London, England; Co-Chair, War Crimes Committee*

The Extraordinary Chamber in the Courts of Cambodia has been hearing cases from the era of the Khmer Rouge, 35 years after the events. From its outset, the project has been beset by delays and criticism.

This session looks at the difficulties the Chamber has faced, the lessons which can be learned and the legacy it leaves in the development of international criminal justice.

*Speakers*

**Hans Corell** *Former Under-Secretary for Legal Affairs & the Legal Counsel for the United Nations, Stockholm, Sweden; Co-Chair, World Organisation Committee*

**Mark Ellis** *Executive Director, International Bar Association, London, England*

**Michiel Pestman** *Böhler Advocaten, The Hague, the Netherlands*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room Corridor, Level 2.**

WICKLOW MEETING ROOM 3, LEVEL 2

## Third-party involvement in construction projects: the influence of funders, insurers, guarantors and community interests

*Presented by the International Construction Projects Committee.*

*Session Chair*

**Jaime Gray** *Navarro Sologurne Paredes Gray Abogados, Lima, Peru; Senior Website Officer, International Construction Projects Committee*

This session will explore the ways in which the requirements and interests of these and potentially other third parties shape the development and execution of construction projects.

The panellists will address the legal issues that arise in accommodating the interests of third parties to construction contracts, third-party beneficiary status, and the risks of contract and other liability to third parties in different jurisdictions.

*Speakers*

**Ricardo Barreiro-Deymonnaz** *Rattagan Macchiavello Arocena & Peña Robirosa, Buenos Aires, Argentina*

**Jerry Brodsky** *Peckar & Abramson, Miami, Florida, USA*

**Jarleth Heneghan** *William Fry, Dublin, Ireland*

**Ender Özeke** *Hergüner Bilgen Özeke, Istanbul, Turkey*

**Wanda Ternau** *RFI SpA, Rome, Italy; Junior Website Officer, International Construction Projects Committee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the foyer on Level 3.**

CONFERENCE ROOM 6, LEVEL 3

## Where will the new law jobs be? Legal trends and practical strategies to consider in developing the next generation of lawyers

*Joint session with the Academic and Professional Development Committee, the Senior Lawyers' Committee, the Young Lawyers' Committee and the Hague Institute for the Internationalisation of Law (HiIL).*

*Session Chair*

**Tony King** *Clifford Chance, London, England; Co-Chair, Academic and Professional Development Committee*

Rapidly emerging and developing markets, new tools of technology, and globalisation in every sector of life create tremendous opportunities for lawyers who are motivated and properly prepared to take on these challenges. At the same time, in many jurisdictions, job opportunities under traditional law firm business models are shrinking. In this programme, experts on future trends in the law, educators, professional development experts and lawyers from every stage of a professional career will work together with the participants to discuss and develop practical strategies for lawyers and employers to recognise and anticipate changing legal landscapes and identify potential business opportunities.

*Speakers*

**Soledad Atienza** *IE University, Madrid, Spain; Vice-Chair, Academic and Professional Development Committee*

**Robert Bata** *WarwickPlace Legal, New York, USA*

**Paul Bavelaar** *Bavelaar & Bavelaar, Amsterdam, the Netherlands*

**Clark Cunningham** *Georgia State University, Atlanta, Georgia, USA; Vice-Chair, Academic and Professional Development Committee*

**Makoto Hirasawa** *Okuno & Partners, Tokyo, Japan; National Representatives Officer, Young Lawyers' Committee*

**Sarah Hutchinson** *College of Law, London, England; Vice-Chair, Academic and Professional Development Committee*  
**Heather Irvine** *Norton Rose, Sandton, South Africa; Vice-Chair, Young Lawyers' Committee*  
**William McGrath** *Kinsale Capital Partners, Chicago, Illinois, USA*  
**Sam Muller** *Hague Institute for the Internationalisation of Law (HiIL), The Hague, the Netherlands*  
**David Raic** *The Hague, the Netherlands*  
**Martin Scheltema** *Pels Rijcken & Droogleeveer Fortuijn, The Hague, the Netherlands; European Liaison Officer, Corporate Social Responsibility Committee*  
**Fernando Scornik Gerstein** *Fernando Scornik Gerstein, Madrid, Spain*  
**Frank Turner** *Osler Hoskin & Harcourt, Calgary, Alberta, Canada*  
**Catriona Watt** *Fox, London, England; Communications Officer, Young Lawyers' Committee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room Corridor, Level 2.**

WICKLOW MEETING ROOM 4, LEVEL 2

## Why not international mediation?

*Presented by the Mediation Committee.*

*Session Co-Chairs*

**John Fellas** *Hughes Hubbard & Reed, New York, USA*  
**Jane Player** *King & Spalding, London, England; Vice-Chair, Mediation Committee*

Why is mediation not suitable for resolving international disputes? Are these reasons myths or reality? Is there a need for a seat in international mediation? What about the role of applicable law? Are settlement agreements under common law and transactions under civil law the same thing? How does one distinguish one from the other? Can settlement agreements be converted into arbitral awards once the matter is resolved? If so, why? If not, why not?

*Speakers*

**Sheila Bates** *European Bank for Reconstruction and Development, London, England*  
**Michelangelo Cicogna** *De Berti Jacchia Franchini, Milan, Italy*  
**Barbara J Murchie** *Bennett Jones, Toronto, Ontario, Canada*  
**Sarah Morton** *Shell International Ltd, London, England*  
**Jean Claude Najjar** *GE Capital, Paris, France*  
**Ana Reyes** *Williams & Connolly, Washington DC, USA; Vice-Chair, Mediation Committee*  
**Mercedes Tarrazón** *DR Centre Barcelona Chamber of Commerce, Barcelona, Spain*  
**Hannah Tümpel** *ICC Dispute Resolution Services, Paris, France*  
**Irena Vanenkova** *International Mediation Institute, The Hague, the Netherlands*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the foyer of Levels 2 and 3.**

WICKLOW HALL 2A, LEVEL 2

## Wind, water and quake: coverage in the wake of catastrophes

*Presented by the Insurance Committee.*

*Session Chair*

**David Greenwald** *Jenner & Block, Chicago, Illinois, USA; Special Projects Officer, Insurance Committee*

The world has recently been plagued by catastrophic natural disasters that might be expected once in 100 years, and even once in 500 years. Disasters affect not only insureds at the site of the disaster, but also their customers and vendors. Using as an example a remnant of a

hurricane hitting the southern coast of Ireland, resulting in widespread wind damage and flooding, this panel will address the complex insurance coverage issues that arise in the wake of catastrophes, including limitations on coverage for specific perils, the scope of contingent business interruption coverage, and recommendations for how insured, broker and insurer can work together to provide the coverage contemplated by the insurance policy.

*Speakers*

**Will Gardner** *Combis, Moss Vale, New South Wales, Australia*  
**April Gilroy** *Matheson Ormsby, Dublin, Ireland*  
**Nigel Hill** *Aviva Insurance, Dublin, Ireland*  
**Niall Pritchard** *Cunningham Lindsey, Dublin, Ireland*  
**Ricardo Rozas** *Jorquiera & Rozas, Santiago, Chile; Senior Vice-Chair, Maritime and Transport Law Committee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room Corridor, Level 2.**

WICKLOW MEETING ROOM 2, LEVEL 2

## THURSDAY 1100 – 1230

### Tax leverage: the tax treatment of debt in the wake of the financial crisis

*Presented by the Taxes Committee.*

*Session Co-Chairs*

**Bernadette Accili** *Paul Hastings, Milan, Italy*  
**David Shapiro** *Shapiro Tax Law, Philadelphia, Pennsylvania, USA*

In the wake of the global financial crisis, many governments have been focusing on techniques to reduce the overall amount of corporate debt, and to raise revenue by attacking 'excess interest' and perceived abusive financing structures. The global financial crisis has also hindered the ability of highly leveraged companies to service their debt; some of them are facing serious financial constraints and are forced to restructure their debt facilities. This restructuring also presents tax consequences such as income from the cancellation or deemed cancellation of debt, and may force re-evaluation of whether debt should be re-characterised as equity. This panel will consider these and other tax issues relating to corporate debt, especially cross-border financings.

*Speakers*

**Su-Mei Ban** *KhattarWong, Singapore*  
**Sally Ip** *Deacons, Hong Kong SAR*  
**Johan Kristoffersson** *Delphi, Gothenburg, Sweden*  
**Lauri Lehmusojä** *Hannes Snellman, Helsinki, Finland*  
**Elissa Romanin** *Minter Ellison, Melbourne, Victoria, Australia*  
**Nadia Tarolli** *Vischer, Basel, Switzerland*  
**Mirouna Verban** *Arsene Taxand, Paris, France*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 3, LEVEL 1

## THURSDAY 1230 – 1330

### Open committee business meeting

*Presented by the Discrimination Law Committee.*

An open meeting of the Discrimination Law Committee will be held to discuss matters of interest and future activities.

LIFFEY MEETING ROOM 3, LEVEL 1



**Open committee business meeting**

*Presented by the Regulation of Lawyers' Compliance Committee.*

An open meeting of the Regulation of Lawyers' Compliance Committee will be held to discuss future activities. All committee members are encouraged to attend and to participate in this discussion.

CONFERENCE ROOM 2, LEVEL 1

**THURSDAY 1230 – 1430****New members lunch and open committee business meeting**

*Presented by the Taxes Committee.*

An open meeting of the Taxes Committee will be held to discuss future activities. All committee members are encouraged to attend and to participate in this discussion.

FOYER, LEVEL 5

**Open committee business meeting**

*Presented by the European Regional Forum.*

An open meeting of the European Regional Forum will be held to discuss matters of interest and future activities.

SPENCER DOCK UNITS, MAYOR STREET

**THURSDAY 1430 – 1730****Battle of the Titans: international finance meets the criminal law – a mock trial in the Dublin Four Courts before three senior Irish judges**

*Joint session with the Criminal Law Section and the Anti-Corruption Committee.*

*Session Co-Chairs*

**Jan Lawrence Handzlik** *Venable, Los Angeles, California, USA; Vice-Chair, Business Crime Committee*

**Ben Rose** *Hickman & Rose, London, England; Regional Representative Europe, Criminal Law Committee*

A well-known Irish banker struggles to obtain the release of his assets, which have been frozen. A top-tier Dublin law firm challenges the legal basis for a production order and the underlying request for mutual legal assistance from the United Kingdom, arguing legal professional privilege. Concurrently, a high-flying Irish banking executive fights a US request for extradition on an allegation of conspiracy to commit insider trading.

The dramatic domestic and international legal repercussions stemming from the collapse of a premier Irish bank are played out in Dublin's foremost criminal court. Each of the three jurisdictions involved will be represented by stellar legal teams composed of accomplished and well-regarded advocates. They will argue their cases before an esteemed panel of senior Irish judges.

This session will take place in the prestigious Four Courts in Dublin, located along the River Liffey quayside. The Four Courts is the Republic of Ireland's main courts building and the location of the Supreme Court, the High Court and the Dublin Circuit Court. Until 2010, it was also the location of the Central Criminal Court.

*Speakers*

**Remy Farrell SC** *The Bar Council of Ireland, Dublin, Ireland*

**Justice Kevin Feeney** *Judiciary of Ireland, Dublin, Ireland*

**Brian Gageby** *The Bar Council of Ireland, Dublin, Ireland*

**Justice Adrian Hardiman** *Judiciary of Ireland, Dublin, Ireland*

**James Lewis QC** *3 Raymond Buildings, London, England*

**Kate McCormack** *Law Library, Dublin, Ireland*

**Justice Michael Peart** *Judiciary of Ireland, Dublin, Ireland*

**Una Ni Raifeartaigh SC** *The Bar Council of Ireland, Dublin, Ireland*

**Dara Robinson** *Sheenan & Partners, Dublin, Ireland*

**Steven Zipperstein** *Research in Motion, Waterloo, Ontario, Canada*

FOUR COURTS, DUBLIN

Coaches to The Four Courts, Inns Quay, Dublin 7, will depart from the main entrance to the Convention Centre 1300 and 1330, returning to the Convention Centre 1745.

Alternatively, the Luas (Light rail/tram) Red Line goes from Spencer Dock to Four Courts, departing every 10-15 minutes. Journey time 20 minutes

**BRICS and stones – social media pitfalls in hospitality**

*Joint session with the Leisure Industries Section and the Media Law Committee.*

*Session Co-Chairs*

**David Jacoby** *Schiff Hardin, New York, USA; Secretary, Leisure Industries Section*

**Brenda Pritchard** *Gowling Lafleur Henderson, Toronto, Ontario, Canada; Chair, Leisure Industries Section*

Social media can be a double-edged sword for the hospitality industry. A well-blogged plug can put your resort on the map while a disgruntled customer rating can destroy your dude ranch.

With an emphasis on developing nations and using hypotheticals in real-time, this interactive session will explore legal issues such as marketplace confusion, behavioural advertising, concierge service issues, social media posts by employees, false testimonials, damage to business reputation, defamation liability for false postings, privacy and censorship.

*Speakers*

**Machianna Chu** *Deacons, Hong Kong SAR*

**Shivendra Kundra** *Kundra & Bansal, New Delhi, India; Vice-Chair, Leisure Industries Section*

**Rodrigo de Ouro Preto Santos** *Ouro Preto Advogados, Rio de Janeiro, Brazil*

**Mark Stephens** *Finers Stephens Innocent, London, England; Council Member, IBA Human Rights Institute; Vice-Chair, Art, Cultural Institutions and Heritage Law Committee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 2, LEVEL 1

**Can you foreclose on a country? A practical guide to the restructuring of sovereign entities**

*Presented by the Reorganisation of Regulated Industries Subcommittee, a subcommittee of the Insolvency, Restructuring and Creditors' Rights Section (SIRC).*

*Session Co-Chairs*

**Agustín Bou** *Jausa Abogados, Barcelona, Spain*

**Nuno Líbano Monteiro** *PLMJ, Lisbon, Portugal; Co-Chair, Insolvency of Regulated Industries Subcommittee*

Lenders generally have clarity around their rights and ability to enforce their credit agreements when dealing with businesses in default. While the remedies and options vary, the rules are generally clear. But when it comes to enforcing debt as against a country, what rules and laws apply? Can the laws be changed? This session will explore the growing list of actual and potential sovereign debt defaults and discuss the practical issues and challenges associated with enforcing debt against a sovereign entity, as well as the options for restructuring such entities. It will happen – it is just a matter of time.

*Speakers*

Steven Kargman *Kargman Associates, New York, USA*  
 Pádraig ó'Riordáin *Arthur & Cox, Dublin, Ireland*  
 Nuno Morais Sarmiento *Lawyer, Lisbon, Portugal*  
 Dimitris Paraskevas *Elias Paraskevas Attorneys, Athens, Greece*  
 Ignacio Tirado *World Bank, Madrid, Spain*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in The Forum on Ground Level.**

LIFFEY HALL 1, LEVEL 1

## Changes in regulation of oil and gas exploration and production

*Presented by the Oil and Gas Law Committee.*

*Session Co-Chairs*

Jean-André Diaz *Total SA, Paris, France; Chair, Oil and Gas Law Committee*  
 Luis Erize *Abeledo Gottheil Abogados, Buenos Aires, Argentina*

After the Macondo accident in the Gulf of Mexico, the regulators as well as the industry have undertaken reviews of the way exploration and production operations are conducted. This has taken place not only in the United States but also in Europe and many countries around the world. Regulations and the structures to implement them have been studied. Industry practices have been reviewed. Some changes are already known; others are still being prepared. The panel will present a comprehensive perspective and some highlights of national, regional and industry measures in respect of hydrocarbons exploration and production.

*Speakers*

Pedro Marcelo Dittrich *TozziniFreire Advogados, Rio de Janeiro, Brazil*  
 Paul Dymond *Oil & Gas UK, London, England*  
 Valerie Lawlor *McCann FitzGerald, Dublin, Ireland*  
 Erik Milito *American Petroleum Institute, Washington DC, USA*  
 David Schreib *European Commission, Brussels, Belgium*  
 Penelope Warne *CMS Cameron McKenna, London, England*

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LIFFEY MEETING ROOM 1, LEVEL 1

## Clear and present danger – the coverage of security risks on a global scale

*Joint session with the Insurance Committee and the Maritime and Transport Law Committee.*

*Session Co-Chairs*

Jan Dreyer *Dabelstein & Passehl, Hamburg, Germany; Senior Vice-Chair, Maritime and Transport Law Committee*  
 Peter Taylor *Rafford Consulting, Moray, Scotland; Vice-Chair, Insurance Committee*

The Insurance and Maritime and Transport Law Committees consider warmongers, terrorists, pirates, sanctions-busters and money-launderers (and how to deal with them).

The session will take the form of a fully interactive set of 'team meetings' of the interested parties in a complex energy and transportation project that becomes the subject of a catastrophic but realistic set of problems at the hands of 'the bad guys'.

How best to protect the various interests from disaster without losing life, money and liberty will be developed by the teams, and a panel of experts will evaluate and comment on the teams' proposed solutions – and alternatives.

*Speakers*

Jörgen Almelöv *Setterwalls, Stockholm, Sweden*  
 Elinor Dautlich *Holman Fenwick Willan, London, England*  
 John Larkin *William Fry, Dublin, Ireland*  
 Susanna Norelid *Advokatfirman NorelidHolm, Stockholm, Sweden*  
 Claudio Perrella *LS LexJus Sinacta, Bologna, Italy; Vice-Chair, Land Transport Subcommittee*  
 Richard Singleton II *Blank Rome, New York, USA*  
 Andy Wragg *Lloyds of London, London, England*

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LIFFEY MEETING ROOM 3, LEVEL 1

## Developing your practice

Pippa Blakemore, BSc, PGCE, of The PEP Partnership, will be leading a fully participative and interactive session on ways in which you can develop your practice.

Win more work – turn contacts into clients: Pippa's COPACABANA approach to international networking

Pippa's session will give you relevant practical tips and ideas on how to grow your practice and how to:

- network successfully;
- build relationships internationally;
- make the most of any event you attend without feeling 'pushy' or uncomfortable;
- introduce yourself to other people and remember their names;
- extract yourself from boring people;
- follow-up with any people you meet in a personal way;
- develop and strengthen relationships with referrers and intermediaries;
- read other people's body language and control your own;
- find reasons to keep in touch in different ways;
- talk about fees without embarrassment;
- conduct sales meetings with confidence; and
- win new work.

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LIFFEY HALL 2, LEVEL 1

## Developments – loan facility agreements

*Presented by the Banking Law Committee.*

*Session Chair*

Stephen Powell *Slaughter & May, London, England; Co-Chair, Banking Law Committee*

This session will discuss how loan agreement terms have developed. What warranties, covenants and events of default can be expected? How does the borrower's rating impact on these?

*Speakers*

André Andersson *Mannheimer Swartling, Stockholm, Sweden*  
 Adrian Farrell *McCann FitzGerald, Dublin, Ireland*  
 Scott Hyman *Davies Ward Phillips & Vineberg, Toronto, Ontario, Canada*  
 Yannick Le Gall *De Pardieu Brocas Maffei, Paris, France*  
 David Liu *Jun He, Shanghai, China; Chair, Legal Opinions Subcommittee*  
 Jan Marten van Dijk *De Brauw Blackstone Westbroek, Amsterdam, the Netherlands*  
 Siv Potayya *Wortels Lexus, Port Louis, Mauritius*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 3, LEVEL 1

## Emergent economies: investment, challenges and opportunities

Joint session with the Investment Funds Committee and the Latin American Regional Forum.

Session Co-Chairs

Felipe Cousiño *Alessandri & Compañía, Santiago, Chile*  
Ricardo C Veirano *Veirano Advogados, São Paulo, Brazil; Co-Chair, Law Firm Management Committee*

The world is changing and, beyond Brazil, some Latin American economies are growing fast and aggressively, offering really good opportunities for business in several sectors, including the investment funds industry.

Nevertheless, these changes also imply great challenges and potential pitfalls that should be taken into account.

Legal services and the legal framework need to be adapted in order to satisfy the needs of this new reality. The experience of emergent economies can teach lawyers and non-lawyers lessons as to how to act in this new environment.

This highly charged session, which includes qualified speakers from main Latin American jurisdictions and European business people with lots of first-hand experience in transacting business in the region, will seek to debate with you and respond to the following questions.

- What are the main challenges faced by foreign investors in certain of Latin American largest emerging economies?
- Where are the opportunities? What are the key drivers behind them?
- How can your clients and your firm benefit from these Latin American opportunities?
- Investment funds (global and domestic, public and private): what are the challenges to investing in Latin America and other emerging jurisdictions?
- What are the applicable regimes (regulatory, tax, FX) for investment funds in Latin America.

Speakers

Isabella da Costa Mendes *Morgan Stanley, London, England*  
Jean Michel Enríquez *Creel García-Cuéllar Aiza & Enríquez, Mexico City, Mexico*  
Jamie Herrera *Posse Herrera & Ruiz, Bogotá, Colombia*  
Gavin Nangle *State Street Global Services, Dublin, Ireland*  
Michael R Rattagan *Rattagan Macchiavello Arocena & Peña Robirosa, Buenos Aires, Argentina*  
Alberto Rebaza *Rebaza Alcázar & De Las Casas, Lima, Peru*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 5, LEVEL 1

## Expert witness industry: helping or hurting arbitration

Presented by the Arbitration Committee.

Session Co-Chairs

Judith Gill QC *Allen & Overy, London, England*  
Pablo Spiller *Compass Lexecon, New York, USA*

This session will explore the way in which the role of expert witnesses has developed and will examine whether this has been helpful or harmful to arbitration practice. In particular it will look at the evolution of the professional witness and the role of expert evidence as a team exercise. It will also examine the manner in which expert evidence is

presented, the benefits and drawbacks of an experienced cadre of expert witnesses and issues of conflict with prior testimony. Panel members will include experts, counsel and arbitrators, who will seek to explore whether this feature of arbitration practice is developing in accordance with its needs and what we can expect in the future.

Speakers

Mark Baker *Fulbright & Jaworski, Houston, Texas, USA*  
Dominique Brown-Berset *Brown & Page, Geneva, Switzerland*  
John Gardiner *Skadden Arps Slate Meagher & Flom, New York, USA*  
Toni Pincott *StoneTurn UK, London, England*  
Robert Yerman *AlixPartners, Washington DC, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the foyer of Levels 2 and 3.**

WICKLOW HALL 2A, LEVEL 2

## Follow the money – monetary compensation in intellectual property cases

Joint session with the Intellectual Property and Entertainment Law Committee and the Litigation Committee.

Session Co-Chairs

Herman Croux *Marx Van Ranst Vermeersch & Partners, Brussels, Belgium; Vice-Chair, Intellectual Property and Entertainment Law Committee*  
Bob H Sotriadis *Robic Sencl, Montreal, Quebec, Canada*

Lawyers with an international intellectual property practice must have some knowledge of the risks and rewards associated with IP litigation in jurisdictions of interest to their clients. This session will seek to inform practitioners on the availability and nature of compensation for the infringement of patents, trademarks, copyrights and designs in addition to damages arising out of the violation of a licence on IP rights.

The type of compensation to be discussed will range from proven damages of the IP owner, the profits of the infringers, pre- and post-judgment interest, legal fees and disbursements, punitive damages, etc. This session will consider strategies for the management of client expectations as clients or their instructing counsel may mistakenly presume they are entitled to remedies and quantum of damages similar to that available in their home jurisdiction.

Speakers

Luke L Dauchot *Kirkland & Ellis, Chicago, Illinois, USA*  
Chung Hwan Choi *Lee & Ko, Seoul, South Korea; Council Member, Legal Practice Division*  
Simone Lahorgue Nunes *Levy & Salomão Advogados, Rio de Janeiro, Brazil; Chair, Disputes and Rights Subcommittee*  
Anna Mae Koo *Vivien Chan & Co, Hong Kong SAR; Regional Representative Asia General, Litigation Committee*  
Alfred Meijboom *Kennedy van der Laan, Amsterdam, the Netherlands*  
Helena Suárez Jaqeti *Suárez De La Dehesa Abogados, Madrid, Spain*  
Mirko Weinert *Reimann Osterrieth Köhler Haft, Düsseldorf, Germany*  
John Whelan *A&L Goodbody, Dublin, Ireland*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is outside Conference Rooms 1-5, Level 1.**

CONFERENCE ROOM 4, LEVEL 1

## Have the urge to merge and purge? Lessons from law firm mergers

Joint session with the Closely Held and Growing Business Enterprises Committee and the Law Firm Management Committee.

Session Co-Chairs

Norman Clark *Walker Clark, Fort Myers, Florida, USA; Council Member, Public and Professional Interest Division*  
Harvey Jay Cohen *Dinsmore & Shohl, Cincinnati, Ohio, USA; Membership Officer, Closely Held and Growing Business Enterprises Committee*

Law firm mergers, by design or practical effect, often result in departures of partners, associates and staff. The reductions in force can occur in advance of, simultaneously with or often within a period of time after the formal merger. Strategic planning to properly evaluate, justify and implement a merger necessarily has a great effect on departures and retention of personnel. Ensuring that you keep, or make more likely the departure of, the 'right' personnel is the key in this people-oriented process. The session format will be freeflowing and interactive, seeking maximum audience input. Experts from the Closely Held and Growing Business Enterprises Committee, Law Firm Management Committee and Mergers and Acquisitions Subcommittee along with the audience will explore how the urge to merge can purge.

#### Speakers

**Olufunke Adekoya** *AELEX, Lagos, Nigeria; Officer, Bar Issues Commission*  
**Ward Bower** *Altman Weil, Newtown Square, Philadelphia, USA*  
**Clare Grayston** *Nabarro, London, England; Publications Officer, Corporate and M&A Law Committee*  
**Christopher Honeyman Brown** *Independent Management Consultant, Guildford, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the foyer of Levels 2 and 3.**

WICKLOW HALL 2B, LEVEL 2

### Investment funds: information obligations (FATCA), tax treaty entitlements and related issues

*Presented by the Taxes Committee.*

#### Session Co-Chairs

**Eric Fort** *Arendt & Medernach, Luxembourg*  
**Peter Maher** *A&L Goodbody, Dublin, Ireland*

Investment funds are drawing more and more attention from regulatory and tax authorities. Finding the proper location for an investment fund is becoming a headache for sponsors. This panel will review some of the challenges faced in 2012 by investment funds, such as compliance with US foreign disclosure obligations (FATCA), international tax audits and tax treaty entitlements.

#### Speakers

**Ronald Buge** *P&P Pöllath & Partners, Berlin, Germany*  
**Karl Egbert** *Dechert, Hong Kong SAR*  
**Reto Heuberger** *Homburger, Zurich, Switzerland*  
**Raul-Angelo Papotti** *Chiomenti, Milan, Italy*  
**Stan Ruchelman** *The Ruchelman Law Firm, New York, USA*  
**Dominic Stuttaford** *Norton Rose, London, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the foyer of Levels 2 and 3.**

WICKLOW HALL 1, LEVEL 2

### Latest developments in construction

*Presented by the International Construction Projects Committee.*

#### Session Co-Chairs

**Tom Wilson** *Kilpatrick Townsend Legal Consultancy, Dubai, UAE; Co-Chair, International Construction Projects Committee*  
**John Wright** *Goodman Derrick, London, England; Co-Chair, International Construction Projects Committee*

This session will analyse the often unexpected legal issues encountered in the use of FIDIC contracts in jurisdictions unfamiliar with them. Additionally, the session will include updates on construction law and practice from various notable jurisdictions. The session will close with a discussion of ideas for the IBA 2013 Annual Conference in Boston, USA.

#### Speakers

**Lyda Bier** *Dr L Bier BV, Vught, the Netherlands; Co-Chair, Dispute Resolution Subcommittee*  
**Aisha Nadar** *Nadar Consulting, London, England; Vice-Chair, Project Establishment Subcommittee*  
**Sonja Stark-Traber** *Schellenberg Wittmer, Zurich, Switzerland*  
**Jack Tieder** *Watt Tieder Hoffar & Fitzgerald, McLean, Virginia, USA*  
**Ioannis Vassardanis** *Alexander Vassardanis & Partners, Athens, Greece*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the foyer on Levels 2 and 3.**

ECOCEM ROOM, LEVEL 2

### Mediation in corporate disputes: the various roles experts can play in resolving the dispute

*Presented by the Mediation Committee.*

#### Session Co-Chairs

**Susie Dryden** *Blake Laphorn, Eastleigh, England*  
**Jil (Jalal El) Ahdab** *Ginestié Magellan Paley-Vincent, Paris, France; Vice-Chair, Mediation Committee*

Should traditional asset purchase or share purchase agreement clauses that require valuation or arbitration be converted to mediation clauses? Can corporate accounting disputes be the subject of mediation? Are cost and time relevant factors? Is enforceability of the result an issue? What, if anything, can accountants, auditors or any other financial experts do to help? Can they act as mediators? Do they have to act as experts only? What about other professionals, such as engineers, specialised lawyers, IT experts?

#### Speakers

**Kathryn Britten** *KPMG, London, England*  
**Eimear Collins** *Mason Hayes & Curran, Dublin, Ireland*  
**Eric Duret** *Ricardo Hrtschan, Montreal, Quebec, Canada*  
**Jurgen Kuiper** *Loyens & Loeff, Amsterdam, the Netherlands; Chair, Mediation Techniques Subcommittee*  
**Laurie Pawlitza** *Torkin Manes, Toronto, Ontario, Canada*  
**Brian Speers** *CMG Solicitors, Belfast, Northern Ireland*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the foyer on Level 3.**

CONFERENCE ROOM 6, LEVEL 3

### Orderly stepping down – how can it be done? A different meaning for different types of law firms

*Presented by the Senior Lawyers' Committee.*

#### Session Chair

**Rachel Levitan** *Levitan Sharon & Co, Tel Aviv, Israel; Chair, Senior Lawyers' Committee*

While in medium or large firms, there are various known models for stepping down, it is very different in small law firms. The session will discuss this topic.

In relation to medium and large sized law firms, the session will consider:

- handing over clients without retaining the liability;
- the solution of 'of counsel' – is this really a solution? and
- what are the alternatives?

Looking at small and closely held law firms, the session will consider:

- how to step down;
- how to ensure that your life work will stay;
- how to reduce your workload, but still be a part of the firm; and
- should you sell or agree to some sort of pension?

#### Speakers

**José Luis Campillo** *JLCA & A S, Alicante, Spain*  
**David Godfrey** *Hill Dickinson, London, England; Vice-Chair, Senior Lawyers' Committee*  
**Andrea Kennedy** *iOpener Ltd, Oxford, England*  
**Alastair Rankin** *Cleaver Fulton Rankin Solicitors, Belfast, Northern Ireland*  
**Michael Simmons** *Finers Stephens Innocent, London, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room Corridor, Level 2.**

WICKLOW MEETING ROOM 3, LEVEL 2

### Smart grids and smart metering: governance and technology issues

*Presented by the Technology Law Committee.*

#### Session Co-Chairs

**Björn Gustavsson** *Vinge, Stockholm, Sweden; Associations and Committees Liaison Officer, Technology Law Committee*  
**Chris Holder** *Bird & Bird, London, England; Chair, Outsourcing and Shared Services Subcommittee*

This session will look at the legal implications of this change in the energy business model and the part IT plays in providing the solution. We will discuss:

- the incentives created by the regulatory framework and how they affect the interplay between the various stakeholders;
- the role of the smart meter: privacy and the accessibility of commercially valuable data;
- government procurement requirements for ICT suppliers in Europe, eg the possibilities for a creative dialogue;
- governance and interoperability; and
- the ICT solution: how ICT technology may pull together the various strands of this complex infrastructure and distribution model.

#### Speakers

**Paul Brodrick** *Cable & Wireless Worldwide, Bracknell, England*  
**David Lee** *IBM Global Business Services, Dublin, Ireland*  
**Christopher Millard** *Queen Mary University of London, London, England*  
**John Shine** *ESB, Dublin, Ireland*  
**Patrick Turnbull** *GE Energy, Shannon, Ireland*

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WICKLOW MEETING ROOM 2, LEVEL 2

### The future of the employment relationship

*Presented by the Employment and Industrial Relations Law Committee.*

#### Session Co-Chairs

**Chris van Olmen** *Van Olmen & Wynant, Brussels, Belgium; Senior Vice-Chair, Employment and Industrial Relations Law Committee*  
**Manishi Pathak** *Kochhar & Co, New Delhi, India; Vice-Chair, Employment and Industrial Relations Law Committee*

Globalisation and technology have dramatically changed the content and format of the employment relationship around the globe. Long gone are the days when a full-time employee worked in the same function at the same place for the same employer allies. Furthermore, the y-generation has a different view on the work-life balance from the previous generation, which must also be taken into account.

This session will explore how the regulatory and the corporate framework needs to be defined in order to meet the requirements of a flexible, mobile and heterogeneous workforce.

#### Speakers

**Guido Callegari** *De Berti Jacchia Franchini Forlani, Milan, Italy*  
**Naveen Mehta** *United Food and Commercial Workers Canada, Toronto, Ontario, Canada*  
**Sean Nesbitt** *Taylor Wessing, London, England*  
**Catherine O'Flynn** *William Fry, Dublin, Ireland*  
**Veronica Raffo** *Ferrere, Montevideo, Uruguay*  
**Martin Reufels** *Heuking Kühn Lüer Wojtek, Cologne, Germany*  
**Jan Rudolph** *Noerr, Munich, Germany*  
**Eric Savage** *Little, New York, USA*  
**Yael Schauder** *Brocade Communications, Dublin, Ireland*  
**Chris Seaton** *Burges Salmon, London, England*  
**Sajai Singh** *J Sagar Associates, Bangalore, India*  
**Inam Wilson** *Templars, Lagos, Nigeria*

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LIFFEY MEETING ROOM 2, LEVEL 1

### The dos and don'ts of trial work – an Asian, European and North American perspective

*Joint Session with the Asia Pacific Regional Forum, the Forum for Barristers and Advocates, the Judges' Forum and the Young Lawyers' Committee.*

#### Session Co-Chairs

**Sunil Abraham** *Zul Rafique & Partners, Kuala Lumpur, Malaysia; Senior Vice-Chair, Asia Pacific Regional Forum; LPD Liaison Officer, Young Lawyers' Committee*  
**Rouven Bodenheimer** *Lungrich Lenz Schuhmacher, Cologne, Germany; Chair, Young Lawyers' Committee*

This session will discuss the subtle intricacies of trial work from a practical perspective insofar as how one is to 'pitch' one's case to a judge or jury. This session will look at issues pertaining to witness preparation, conduct of counsel at a trial vis-à-vis cross-examination of witnesses as well as the presentation of facts, reading a judge or jury among others and the different approaches adopted by counsel in Asia, Europe and North America in this regard.

#### Speakers

**Niuscha Bassiri** *Hanotiau & van den Berg, Brussels, Belgium*  
**James H Boykin** *Hughes Hubbard & Reed, Washington DC, USA*  
**Niamh Hyland** *Distillery Building, Dublin, Ireland*  
**Vikram Nankani** *Economic Law Practice, Mumbai, India*  
**Samuel M Robinson** *Heenan Blaikie, Toronto, Ontario, Canada*  
**Harpreet Singh Nehal** *SC WongPartnership, Singapore*

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CONFERENCE ROOM 1, LEVEL 1

### Who gets the ice cream? Ethical, medical, succession and family law considerations of frozen genetic material on the death or divorce of the donor

*Joint session with the Family Law Committee, the Healthcare and Life Sciences Law Committee, the Human Rights Law Committee and the Individual Tax and Private Client Committee.*

*Session Co-Chairs*

**Neil Kirby** *Werksmans Attorneys, Sandton, South Africa; Chair, Healthcare and Life Sciences Law Committee*

**Daniel Simon** *Collyer Bristow, London, England; Treasurer, Individual Tax and Private Client Committee*

This session will investigate the ethical issues, legal rights and obligations that arise in respect of donated and frozen sperm or ova on the death of the donor and on relationship breakdown between the donor and the donee.

The session will examine this topic from a cross-border and cross-disciplinary viewpoint, including the medical law, family law and succession law that may apply in a variety of jurisdictions.

We would like it to be an interactive session and contributions from the floor will be encouraged.

*Speakers*

**Barbara Connolly QC** *7 Bedford Row, London, England*

**Jon Grouf** *Duane Morris, New York, USA; Council Member, Legal Practice Division*

**Phoebe Stone** *Saves Lives Now New York Foundation, Woodside, New York, USA*

**Dr Lisa Webber** *Centre for Reproductive and Genetic Health, London, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the Wicklow Meeting Room Corridor, Level 2.**

WICKLOW MEETING ROOM 1, LEVEL 2

## THURSDAY 1730 – 1830

### Open committee business meeting

*Presented by the Healthcare and Life Sciences Law Committee.*

An open meeting of the Healthcare and Life Sciences Law Committee will be held to discuss future activities. All committee members are encouraged to attend and to participate in this discussion.

WICKLOW MEETING ROOM 1, LEVEL 2

## FRIDAY 0930 – 1230

### A battle of perspectives: transactional lawyers v litigators for international sales and related commercial transactions

*Joint session with the Arbitration Committee, the International Sales Committee and the Litigation Committee.*

*Session Co-Chairs*

**Chris Helmer** *Miller Nash, Portland, Oregon, USA; Membership Officer, International Sales Committee*

**James Klotz** *Miller Thomson, Toronto, Ontario, Canada; Chair, Bar Issues Commission; Council Member, Public and Professional Interest Division*

In the run up to an international transaction, a negotiating lawyer pursues closure, uses (and misuses) 'boilerplate' clauses. They compromise with a careful eye on business considerations and open-ended liabilities. When the same agreement is dissected by a court, an arbitrator or arguing counsel, unexpected twists and pitfalls emerge that often decide the outcome of a dispute. This lively and interactive session will explore the conflict with several scenarios using actual material clauses from sales contracts (including technology sales) that will be addressed by the negotiating business lawyer and 'torn apart' by the litigation lawyer.

*Speakers*

**John Coman** *A&L Goodbody, Dublin, Ireland*

**Yvonne Cunnane** *Matheson Ormsby Prentice, Dublin, Ireland*

**Sakate Khaitan** *Clasis Law, London, England*

**Harry Liu** *King Wood Mallesons, Shanghai, China*

**Carlo Portatadino** *Tosetto Weigman, Milan, Italy*

**Steven Richman** *Duane Morris, Cherry Hill, New Jersey, USA; Co-Chair, International Sales Committee; Vice-Chair, Professional Ethics Committee*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in The Forum on Ground Level.**

LIFFEY HALL 2, LEVEL 1

### Arbitration and criminal law

*Joint session with the Arbitration Committee and the Business Crime Committee.*

*Session Co-Chairs*

**Marc Henzelin** *Lalive, Geneva, Switzerland; Co-Chair, Business Crime Committee*

**Guido Tawil** *M & M Bomchil, Buenos Aires, Argentina; Council Member, Legal Practice Division*

This session will explore the interaction between criminal law and arbitrations. Topics to be covered will include:

- whether evidence seized in a criminal investigation can be used in arbitration proceedings;
- whether findings in an arbitration are admissible in subsequent criminal proceedings; and
- how to advise an individual who is both a criminal suspect and a prospective participant in an arbitration.

*Speakers*

**Michael M Collins SC** *The Bar Council of Ireland Law Library, Dublin, Ireland*

**Eric Dezeuze** *Bredin Prat, Paris, France*

**Muthoni Kimani** *State Law Office, Nairobi, Kenya*

**Darryl Lew** *White & Case, Washington DC, USA*

**Sundaresh Menon** *Supreme Court, Singapore*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the foyer of Level 2 and 3.**

WICKLOW HALL 1, LEVEL 2

### Cloud computing for lawyers

*Joint session with the Law Firm Management Committee and the Technology Law Committee.*

*Session Co-Chairs*

**Christopher Millard** *Queen Mary University of London, London, England*

**Biörn Riese** *Mannheimer Swartling, Stockholm, Sweden*

This session will provide lawyers in all areas of practice, both in-house and outside counsel, with practical guidance on assessing and managing the main legal and regulatory concerns that they and other providers of professional services face when moving information and business processes into cloud environments. In particular, the following issues will be addressed:

- What do you really need to know about how it works (cloud computing 101 for lawyers)?
- What are lawyers already using cloud computing for and what scope is there for obtaining 'off the shelf' cloud solutions for law firms and in-house counsel?
- What is the business case for adoption by lawyers of cloud computing services?
- What is the impact of legal and regulatory obligations such as client confidentiality, legal professional privilege, document and data retention requirements and audit rules?

- How does eDiscovery work in a cloud environment?
- Do restrictions on international transfers of personal data restrict cross-border cloud arrangements, for example storage and other processing of EU data in the United States?
- What happens if a cloud service provider is requested or compelled to disclose data to a regulator, law enforcement agency or court in conflict with, for example, a lawyer's duties of confidentiality, privilege or obligations under data protection law?
- In addition to client data issues, what do you need to be aware of when moving employee, supplier, facilities management and other data into clouds?
- What positions are regulators and law societies adopting regarding cloud computing?

#### Speakers

**Rob Corbet** *Arthur Cox, Dublin, Ireland*

**Jonathan Goldsmith** *The Council of Bars and Law Societies of Europe (CCBE), Brussels, Belgium; Secretary General, Bar Issues Commission; Officer, BIC International Trade in Legal Services Committee*

**Jost Kothhoff** *White & Case, Frankfurt am Main, Germany*

**Dana Taschner** *Lanier Law Firm, Los Angeles, California, USA*

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WICKLOW MEETING ROOM 1, LEVEL 2

### Does legal education need to give higher priority to teaching ethics and professional judgment? If so, what can be the role for professional bodies and regulatory agencies in promoting such change?

*Joint session with the Academic and Professional Development Committee, the Bar Issues Commission and the Professional Ethics Committee.*

#### Session Co-Chairs

**Clark Cunningham** *Georgia State University, Atlanta, Georgia, USA; Vice-Chair, Academic and Professional Development Committee*

**Nigel Duncan** *City University, London, England; Secretary, Academic and Professional Development Committee*

Recently, an increasing number of professional bodies and regulatory agencies have focused attention on the role of academic education in preparing future lawyers for ethical decision-making. The Bar Issues Commission has recommended an increased emphasis on ethical education in the academic component of preparation for practice. The Academic and Professional Development Committee is engaged in two PPID-funded projects to collect and disseminate information about best practices for developing ethical decision-making and professional judgment.

This highly interactive session will explore two interlocked issues:

- (1) What are the content, methods and goals of law school education designed to develop the capacity for ethical decision-making?
- (2) What are the potential benefits and risks of greater involvement by professional bodies and regulatory agencies in the shaping of law school education?

#### Speakers

**John Hunter** *Federation of Law Societies of Canada, Vancouver, British Columbia, Canada*

**Tony King** *Clifford Chance, London, England; Co-Chair, Academic and Professional Development Committee*

**Peter Köves** *Lakatos Köves és Társai Ügyvédi Iroda, Budapest, Hungary; Chair, Training Working Group, Bar Issues Commission Policy Committee*

**Tahir Mamman** *Council of Legal Education, Abuja, Nigeria*

**Mikiko Otani** *Toranomon Law & Economic Office, Tokyo, Japan; Vice-Chair, Women Lawyers' Interest Group; Council Member, Public and Professional Interest Division*

**Elizabeth Seshadri** *Iyer & Thomas, Chennai, India; Vice-Chair, Professional Ethics Committee*

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CONFERENCE ROOM 3, LEVEL 1

### How to avoid an energy crisis in Europe: implementation of the third energy package in the European energy market

*Presented by the European Regional Forum.*

#### Session Co-Chairs

**Leigh Hancher** *Allen & Overy, Amsterdam, the Netherlands*

**Ramūnas Petravičius** *LAWIN, Vilnius, Lithuania*

Will the third energy package open an energy market in Europe and will it serve to avoid a major energy crisis?

The Gas and Electricity Directives had to be transposed into national law by 3 March 2011 and the three Regulations targeting natural gas market liberalisation in Europe became applicable as well. Utilities had to separate supply and production from transmission.

What does the third energy package mean for the major energy utilities? Why have EU Member States delayed and why are energy utilities reluctant to implement the third energy package? What investment protection is available for energy utilities in case of ownership unbundling?

#### Speakers

**Valerie Lawlor** *McCann FitzGerald Solicitors, Dublin, Ireland*

**Colm O'Duibhir** *Irish Gas Network Company, Cork, Ireland*

**Alexander Uff** *Shearman & Sterling, Paris, France*

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LIFFEY MEETING ROOM 2, LEVEL 1

### How to slice the cake – licensing and distribution agreements

*Presented by the Intellectual Property and Entertainment Law Committee.*

#### Session Chair

**Brian W Gray** *Norton Rose Canada, Toronto, Ontario, Canada*

This session will consider the licensing of intellectual property across industries, prohibitions on geographical restrictions, intellectual property issues, market segmentation, physical products versus digital content, authorised versus grey market distribution, sublicensing and differential royalty rates, revenue streams and pricing structures. Licensing has become an important component of doing business worldwide and the market dynamics rapidly evolving challenge lawyers around the globe to become familiar with the trends in order to better protect their client's interests. Lessons to be learned, current trends and an outlook on licensing will be discussed in a high-level debate among in-house counsel, private practitioners and industry speakers.

#### Speakers

**Robert Clark** *Arthur Cox, Dublin, Ireland*

**Didier Ferrier** *University of Montpellier, Montpellier, France*

**Yuichiro Nukada** *Anderson Mori & Tomotsune, Tokyo, Japan*

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ECOCEM ROOM, LEVEL 2

### People: the changing market for legal talent

*Presented by the Law Firm Management Committee.*

*Session Co-Chairs*

**Hongli Ma** *Jun He Law Offices, Beijing, China; Vice-Chair Asia Pacific, Law Firm Management Committee*

**Robert Millard** *Venturis Consulting Group, London, England*

This session will discuss:

- strategies to manage the risks of the mobility of legal talent;
- are we getting better at taking care of people?
- money or lifestyle: what is more important to associates?
- partner migration: stealing the golden handcuffs; and
- post-employment restrictive covenants: why they don't work.

*Speakers*

**Emer Gilvarry** *Mayson Hayes & Curran, Dublin, Ireland*

**Rupprecht Graf von Pfeil** *Kerma Partners, Munich, Germany*

**Susan Hackett** *Legal Executive Leadership, Bethesda, Maryland, USA*

**Jessica Price-Jones** *iOpener, Oxford, England*

**Gerard Tanja** *Venturis Partners, Amsterdam, the Netherlands*

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CONFERENCE ROOM 1, LEVEL 1

### Post-merger integration

*Joint session with the Corporate and M&A Law Committee and the Employment and Industrial Relations Law Committee.*

With hindsight, more than 50 per cent of M&A transactions are considered to be a failure. The high failure rate can be largely attributed to a lack of proper post-merger integration. This session will discuss key employment, labour and HR corporate factors to do a successful post-merger integration. It will include experts from multinationals and outside counsel with M&A experience.

*Moderators*

**Román Gil Alburquerque** *Sagardoy Abogados, Madrid, Spain*

**Oscar De La Vega** *Little De La Vega & Conde, Mexico City, Mexico;*

*Senior Vice-Chair, Employment and Industrial Relations Law Committee*

**Rabbe Sittnikow** *Hannes Snellman, Helsinki, Finland; Vice-Secretary, Corporate and M&A Law Committee*

*Speakers*

**Caroline Andre-Hesse** *Altana, Paris, France*

**Michele Bignami** *NCTM, Milan, Italy*

**Mike Delikat** *Orrick, New York, USA*

**Raquel Florez** *Freshfields Bruckhaus Deringer, Madrid, Spain*

**William Martucci** *Shook Hardy & Bacon, Washington DC, USA*

**Vikram Shroff** *Nishith Desai Associates, Mumbai, India*

**Heidi Swartz** *Facebook, New York, USA*

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CONFERENCE ROOM 5, LEVEL 1

### Support of banks

*Presented by the Banking Law Committee.*

*Session Chair*

**William Johnston** *Arthur Cox, Dublin, Ireland; Vice-Chair, Banking Law Committee*

This session will consider the legal challenges and the manner in which they are being met towards the recovery of financial institutions and the banking systems in the United States, the UK, Argentina, Spain and Greece as well as Ireland including state support in the recapitalisation of banks, guarantees of deposits, asset protection schemes, write down of liabilities and the improved regulatory and legislative environment.

*Speakers*

**Fernando Azofra** *Uria Menéndez, Madrid, Spain; Chair, Banking Regulation Subcommittee*

**Russell DaSilva** *Hogan Lovells, New York, USA; Chair, Financial and Banking Law Conferences Subcommittee*

**Gwen Godfrey** *DMH Stallard, Crawley, England*

**Dimitris Paraskevas** *Elias Paraskevas Attorneys, Athens, Greece*

**Roberto Silva Jr** *Marval O'Farrell & Mairal, Buenos Aires, Argentina; Secretary, Banking Law Committee*

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CONFERENCE ROOM 4, LEVEL 1

### Tax audits in a cross-border environment

*Presented by the Taxes Committee.*

*Session Co-Chairs*

**Heather Gething** *Herbert Smith, London, England*

**David Hardy** *Osler Hoskin & Harcourt, New York, USA*

This panel will address the issues arising in local and cross-border tax audits in a changing world for various industries, such as financial institutions. What are the challenges of joint and simultaneous audits under a mutual agreement procedure with third countries? How are requests of information from foreign countries being processed and how are taxpayers' rights being protected in this respect? In this connection, banking secrecy rules and the developments regarding solicitor-client privilege and the extension of the privilege to tax advisers will also be discussed.

*Speakers*

**Chia-yi Chua** *McCarthy Tétrault, Toronto, Ontario, Canada*

**Michel Collet** *CMS Bureau Francis Lefebvre, Neuilly-sur-Seine, France*

**Henrique Lopes** *Koury Lopes Advogados, São Paulo, Brazil*

**Michael Molenaars** *Stibbe, Amsterdam, the Netherlands*

**Leandro Passarella** *Passarella Abogados, Buenos Aires, Argentina*

**Michael Ryan** *McCann FitzGerald, Dublin, Ireland*

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CONFERENCE ROOM 2, LEVEL 1

### The true meaning of success: what really makes you an outstanding lawyer?

*Presented by the Young Lawyers' Committee.*

*Session Co-Chairs*

**Katrina Crossley** *LexisNexis, London, England*

**Francisco J Roggero** *Bulló - Tassi - Estebenet - Lipera - Torassa Abogados, Buenos Aires, Argentina*

Young lawyers tend to be, rightly so, fiercely ambitious and have high expectations of their career progress. It is easy, particularly in large



law firms with multi-million pound/dollar turnovers, to lose sight of the fact that heading onto the fast-track to being a wealthy partner is not necessarily all that matters in the long-term.

This half-day session will illustrate the other important aspects of practising law, the importance of moral and social responsibility, of helping those who cannot perhaps stand up for themselves and how practising the law in this way does not preclude your becoming a well-respected and even wealthy lawyer, but rather will even help you become a genuinely successful lawyer with a rewarding career path.

Who best to demonstrate this than representatives from the Young Lawyers' Committee leadership, the Senior Lawyers' Committee and past IBA Outstanding Young Lawyer of the Year award recipient(s) who prove that being a lawyer truly is more than a profession.

#### Speakers

**Eleonora Coelho** *Castro Barros Sobral Gomes Advogados, São Paulo, Brazil*

**Gino Köenig** *Lustenberger Attorneys at Law, Zurich, Switzerland*

**Jacqueline Leong QC SC** *Hong Kong Bar Association, Hong Kong SAR; Council Member, IBA Council; Council Member, Public and Professional Interest Division*

**Carmen Pombo Morales** *Fundación Fernando Pombo, Madrid, Spain*

**Jeffrey Rich** *Facebook, Dublin, Ireland*

**Hannah Friederike Tümpel** *International Chamber of Commerce, Paris, France*

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CONFERENCE ROOM 6, LEVEL 3

## FRIDAY 1000 – 1230

### Rule of Law Symposium

*Presented by the Rule of Law Action Group.*

#### Session Co-Chairs

**Justice Richard Goldstone** *Past Justice of the South African Constitutional Court and Former Prosecutor for the ICTR and ICTY, Morningside, South Africa; Co-Chair; Rule of Law Action Group*

**Robert A Stein** *University of Minnesota Law School, Minneapolis, Minnesota, USA; Co-Chair, Rule of Law Action Group; Council Member, Public and Professional Interest Division*

#### *Is the rule of law relevant for the 21st century global community?*

Keynote address by Bernard Kouchner, Co-Founder, Médecins Sans Frontières, followed by a Q&A session.

Bernard Kouchner, French Minister of Foreign and European Affairs until November 2010, has played an important role in European politics for many decades. Having been a Minister in different French governments for a total of 18 years, he is an outspoken advocate for humanitarian causes.

A medical doctor by training, Bernard Kouchner is best known for being the co-founder and former President of the Nobel Peace Prize winning humanitarian organisation, Médecins Sans Frontières. Bernard Kouchner has played an important role in international humanitarian efforts for more than 20 years. As France's Minister of Health and Humanitarian affairs, he played a key role in persuading the UN General Assembly to accept 'the responsibility to protect' resolution. After devastating civil wars in the Balkans, Kouchner served as Special Representative to UN Secretary-General Kofi Annan in Kosovo.

Bernard Kouchner is the author of several books and is co-founder of the news magazines *L'Événement* and *Actuel*. He is the recipient of several human rights awards, including the Dag Hammarskjöld Prize and the Prix Europa.

Following the keynote address, and question and answer session, a panel of international commentators will join Bernard Kouchner to discuss whether the rule of law is relevant for the 21st century global community and respond to issues raised in the keynote address.

In recent years, the application of the rule of law has been extended to the global community. However, there are issues such as those relating to the absence of an international legislature or executive, and this wider application has both its supporters and opponents. The panel will discuss various aspects of this developing topic.

#### Speakers

**Hans Corell** *Former Under-Secretary-General for Legal Affairs and the Legal Counsel for the United Nations, Stockholm, Sweden; Co-Chair, World Organisations Committee*

**Bernard Kouchner** *Co-Founder, Médecins Sans Frontières, Paris, France*

**Barra McGrory** *Director of Public Prosecution for Northern Ireland, Belfast, Northern Ireland*

**James R Sikenat** *American Bar Association, New York, USA*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the foyer on Level 3.**

AUDITORIUM, LEVEL 3

## FRIDAY 1230 – 1430

### Bar executives lunch meeting (by invitation)

*Presented by the Bar Issues Commission, The Bar Council of Ireland and The Law Society of Ireland.*

This lunch meeting is for CEOs, bar association executives and international liaison officers who are involved with the running of their association and international project work. A discussion will focus on the IBA's Bar Cooperation Programme and how bars and law societies can work together and share knowledge to build the capacity of smaller or developing bars and law societies.

COUNCIL CHAMBER, LAW SOCIETY OF IRELAND

## FRIDAY 1300 – 1400

### Memorial lecture: George Seward, Honorary Life President of the International Bar Association, delivered by Mary Robinson

George Chester Seward, the Honorary Life President of the International Bar Association and founding Name Partner of Seward & Kissel LLP, a New York City based law firm, passed away on 15 February 2012, at his home in Scarsdale, New York. He was 101.

George was heavily involved with the IBA, from its early days. He is considered by many to be the founder of the IBA in its current form. In recognition of his contribution he was elected Honorary Life President in 1982.

George was originally invited to play a role by the President of the US Bar soon after the IBA was established. At that point, he was only able to sit on the board as a representative, due to the IBA's structure: only bar associations were able to join the IBA as members. In 1968, he proposed to the IBA that it should form a section for individual lawyers to join.

# Strength in Depth

Practice does lead to perfection

## Service Offerings

- Corporate & Commercial Laws
- Foreign Investments
- Contractual Obligations
- Intellectual Property Rights
- Real Estate & Infrastructure
- Pharmaceutical Compliances
- Taxation Laws
- Dispute Resolution
- Labour, Employment and Service Laws



Despite initial reluctance from the bar associations, this proposal was successful, and the Section on Business Law (SBL, now the Legal Practice Division) was created, with their first official meeting held in Tokyo at the 13th Biennial Conference in 1970. George was the first President of the SBL from 1970-1974. It is widely recognised that George ensured the financial viability of the Association with the introduction of the SBL.

Due to the work he undertook with the IBA, Seward was elected Honorary Life President at the IBA's conference in New Delhi in 1982. A series of lectures in his honour was also initiated, the first undertaken by Prime Minister Rajiv Gandhi in New Delhi in 1988.

George was born on 4 August 1910 in Omaha, Nebraska. He graduated with a Bachelor of Arts from the University of Virginia in 1933, and with his LLB in 1936. On 12 December 1936, he married Carroll Frances McKay, and they had four children together: Gordon Day Seward, Patricia McKay Seward, Dr James Pickett Seward and Deborah Carroll Seward. In 1953, George joined Meyer, Kidder, Matz & Kissel, which later became Seward & Kissel. Although George celebrated his 100th birthday in 2010, he is said to have regularly graced the offices of Seward & Kissel with his presence at an age when others would have long retired.

He is remembered with great fondness by all those at the IBA who knew him and worked alongside him.

This Memorial Lecture in honour of George Seward will be delivered by Mary Robinson. Mrs Robinson, the first woman President of Ireland and formerly the United Nations High Commissioner for Human Rights, has spent most of her life as a human rights advocate and is a world leader who puts her humanity very much at the forefront of her politics. Amongst her current commitments, she now chairs the Council of Women World Leaders and is President of the Mary Robinson Foundation – Climate Justice. The Foundation is a centre for thought leadership, education and advocacy on the struggle to secure global justice for those many victims of climate change.

AUDITORIUM, LEVEL 3

## FRIDAY 1430 – 1700

### Rule of Law Symposium

*Joint session with the Rule of Law Action Group and the Hague Institute for the Internationalism of Law (HiIL).*

*Session Co-Chairs*

**Justice Richard Goldstone** *Past Justice of the South African Constitutional Court and Former Prosecutor for the ICTR and ICTY, Morningside, South Africa; Co-Chair, Rule of Law Action Group*

**Robert A Stein** *University of Minnesota Law School, Minneapolis, Minnesota, USA; Co-Chair, Rule of Law Action Group; Council Member, Public and Professional Interest Division*

#### *The rule of law in 2030*

The afternoon session of the Symposium will address 'The rule of law in 2030'. This session is presented in collaboration with the Hague Institute for the Internationalism of Law (HiIL). HiIL has sought and received the views of leading experts in many fields from many countries concerning the international law issues that are likely to engage our world in 2030. An international panel of speakers will comment on their expectations and concerns about the rule of law in the coming years.

*Speakers*

**Michelle Goodwin** *University of Minnesota Law School, Minneapolis, Minnesota, USA*

**Rajas Kasbekar** *Little & Company, Mumbai, India*

**Mary Keane** *Law Society of Ireland, Dublin, Ireland*

**Sam Muller** *Hague Institute for the Internationalisation of Law (HiIL), The Hague, the Netherlands*

**Lucy Scott-Moncrieff** *Law Society of England and Wales, London, England*

**Paul Sreenan** *Senior Counsel, Member of the Bars of Ireland and England and Wales; Co-Chair, Forum for Barristers and Advocates*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea station to this session is in the foyer on Level 3.**

AUDITORIUM, LEVEL 3

## FRIDAY 1430 – 1730

### Strategy: how must small law firms change in order to survive?

*Presented by the Law Firm Management Committee.*

*Session Co-Chairs*

**Charles Coward** *Uriá Menéndez, Barcelona, Spain; Vice-Chair Europe, Law Firm Management Committee*

**James Tsolakis** *Royal Bank of Scotland, London, England*

This session will discuss:

- Is growth the only solution?
- Can small law firms credibly differentiate themselves on the basis of anything but size?
- Small firm success stories.
- Global law firms: competitors or collaborators?

*Speakers*

**Francesco Di Pietro** *Wuersch & Gering, New York, USA*

**Alexander Khvoshchinskiy** *Legal Stratagency, Berlin, Germany*

**Imelda McMillan** *Law Society of Northern Ireland, Belfast, Northern Ireland*

**Jorge Nemr** *Leite Tostos e Barros, São Paulo, Brazil; Secretary, Business Crime Committee*

**Yves Tavernier** *De Wolf & Partners, Brussels, Belgium*

**Tomasz Wardyński** *Wardyński & Co, Warsaw, Poland*

**Noreen Weiss Adler** *Noreen Weiss Adler, New York, USA*

**John Wotton** *Allen & Overy, London, England*

**Coffee and tea breaks will be held between 1100 – 1130 and 1600 – 1630. To accommodate the flow of delegates through the Conference Centre please note the closest coffee/tea stations to this session are in the foyer of Levels 2 and 3.**

WICKLOW HALL 1, LEVEL 2

Booths 56 & 57



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# GENERAL INFORMATION

## Conference headquarters

Convention Centre Dublin (CCD)  
Spencer Dock  
North Wall Quay  
Dublin 1  
Ireland  
Tel: +353 1 856 0000  
[www.theccd.ie](http://www.theccd.ie)

## Delegate lunches

Delegate lunches take place in the registration/exhibition area, The Forum, Ground Floor, CCD.

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## Cyber Café

Sponsored by:



The Cyber Café is located on the 4th floor, CCD. Access to the internet is free for delegates – limited to 30-minute sessions.

## Business Centre

The business centre is located on the 4th floor, CCD. A full range of business services are offered here on a chargeable basis. The business centre will operate from Monday 1 – Friday 5 October between 0830 – 1730.

## Wireless internet access

Complimentary wireless internet access is available throughout the CCD. The network to join is IBA2012.

## Delegate/Accompanying Person conference badges

For security reasons, badges must be worn at all times during the conference and at social events. Security staff will approach anyone who tries to access the conference without displaying the correct conference badge. Proof of identity is required for replacement badges.

## Security

We would always advise delegates and accompanying persons to take basic security precautions in any city for their safety.

## Getting around

Buses to and from the CCD will operate from Sunday 30 September until Friday 5 October between the official IBA Conference hotels and the CCD. For exact times, please refer to the shuttle timetable displayed in all official IBA Conference hotels.

Dublin has a good public transport system consisting of buses, trains and a Light Rail network. Taxis are reasonably priced and fairly easy to locate. Due to its compact size it is also quite easy to navigate the city centre on foot.

## Transport to IBA and committee social functions

Unless otherwise indicated, transport to IBA conference events and committee social events is **NOT** provided.

## Excursions

Please visit our official tour operator A Touch of Ireland in the registration/exhibition area, The Forum, Ground Floor, CCD to book excursions subject to availability or to amend existing bookings.

Unless otherwise indicated, all excursions will depart from the CCD. These pickup points are stipulated in your confirmation documentation.

Please ensure you arrive 15 minutes prior to your excursion departure time.

## Medical facilities

In the event of medical assistance being required during conference hours please contact IBA staff at the registration desk.

## Health and insurance

The International Bar Association cannot be held responsible for any medical costs incurred by participants.

## Business hours

Banks are open 1000 – 1600 Monday to Friday. Regular shopping hours are 0900 – 1800 Monday to Saturday and noon – 1800 on Sundays.

## Key contacts

If calling from abroad, the following numbers must be prefixed by +353

**Dublin emergency number** (fire, medical & police): 999

## Police

Dial tel **999** in an emergency. The metropolitan headquarters for the **Dublin Garda Siochana (Police)** is in Phoenix Park, Dublin 8  
Tel: (1) 666 0000

## Hospital

For emergency care, the recommended hospitals in Dublin are:

**St. Vincent's University Hospital** (South side of the city)

Elm Park  
Tel: (1) 221 4000

**Beaumont Hospital** (North side of the city)

Beaumont Road  
Tel: (1) 809 3000

## Dentist

For dental emergencies, your hotel will usually contact a dentist for you; otherwise, the following dental surgeries have been recommended:

**Molesworth Clinic**

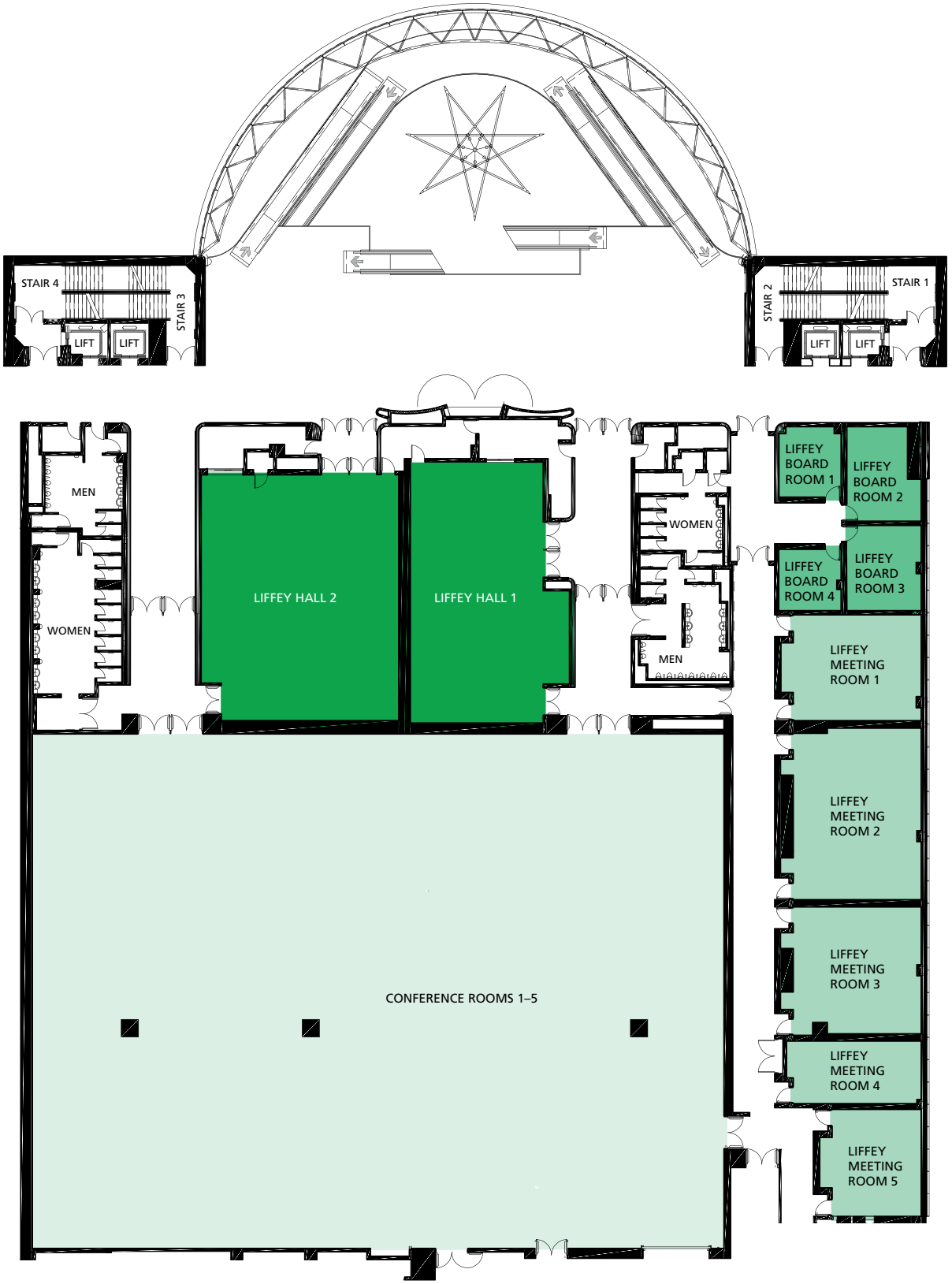
2 Molesworth Place, Dublin 2  
Tel: (1) 661 5544

**Smiles Dental**

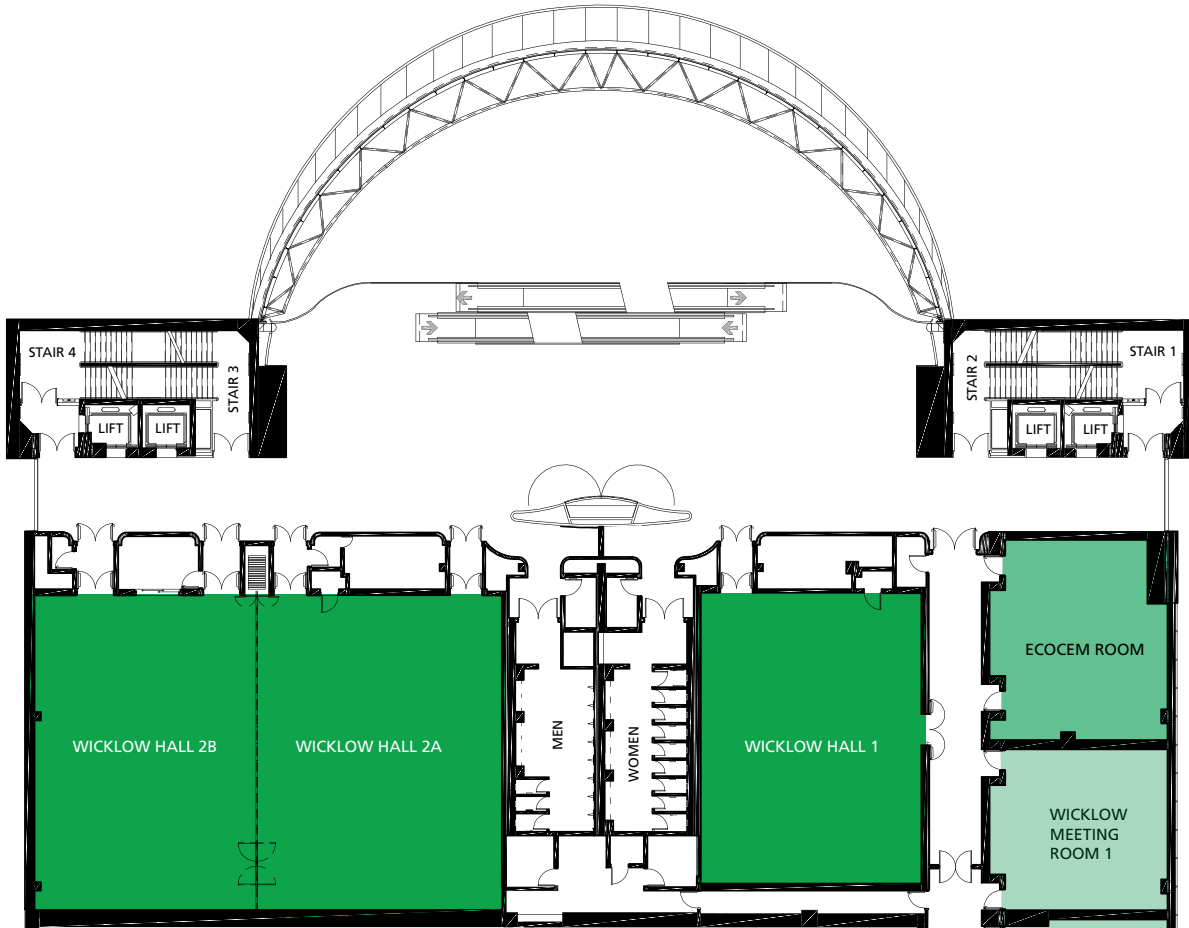
28 O'Connell Street, Dublin 1  
Tel: (1850) 323 323

# VENUE LAYOUTS

Level 1  
THE CONVENTION CENTRE DUBLIN

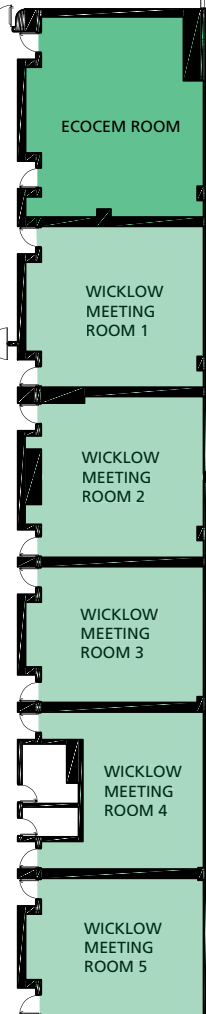
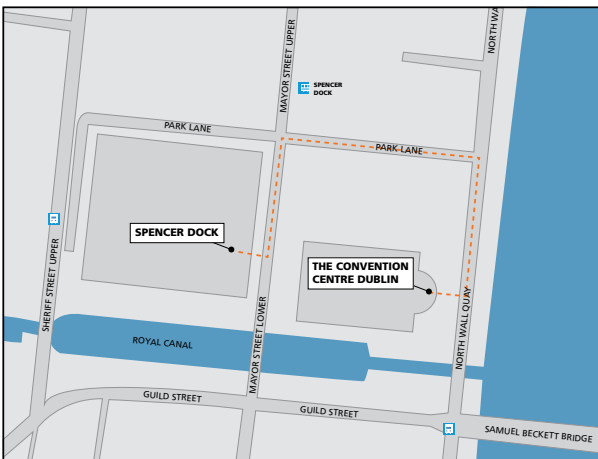


LEVEL 2  
THE CONVENTION CENTRE DUBLIN



LEVEL 3  
THE CONVENTION CENTRE DUBLIN  
**Auditorium**  
**Conference Room 6**

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# SOCIAL PROGRAMME

## CONFERENCE EVENTS

\* Indicates functions open to delegates and registered accompanying persons for which there is no charge. Admission is by conference badge.

### Social event tickets

Tickets, where relevant, must be purchased for children over 13 years old. Some social functions may not be suitable for young children and, if this is the case, the IBA reserves the right not to admit them.

Delegates are requested to check their wallets for all social event tickets before leaving the registration area. Missing or lost tickets cannot be replaced: the barcode on your badge contains the information of the social events you have registered for should you misplace your social event tickets.

### Social function prices

The IBA does not mark up ticket prices or make a profit from social functions. Dining in a large group will sometimes cost more than dining individually because of additional costs such as room hire, transport, decoration, etc.

### Dress code

The conference dress code is business attire for working sessions and smart casual for social events unless otherwise stated.

## SUNDAY

1800 – 1930

### \*Opening Ceremony

Royal Dublin Society  
Ballsbridge, Dublin 4. Anglesea Road entrance

Transport will be provided from the official IBA conference hotels and the CCD at 1700.

1930 – 2230

### \*Welcome party

Royal Dublin Society  
Ballsbridge, Dublin 4. Anglesea Road entrance

The welcome party is the perfect opportunity to get a true taste of Ireland. You will enter a custom-created venue with all the sights and sounds of a bustling Irish village. The venue is spectacularly transformed with a wide selection of themed Irish buffet and bar stations serving the finest Irish and international cuisine. You are encouraged to wander through this amazing Irish streetscape and stop off at any one of our six Irish hostelries to enjoy the best in Irish hospitality and entertainment. The venue is set up to create a real 'Irish Hooley Night'.

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## MONDAY

1230 – 1430

### (A) Arab Regional Forum lunch

Foyer, Level 5

Price: £44

1230 – 1430

### (B) European Regional Forum lunch

Spencer Dock Units, Mayor Street

Speaker

Professor Francesco Giavazzi *Bocconi University, Milan, Italy*

Price: £44

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1230 – 1430

### (C) North American Regional Forum lunch

Marquee, CCD

Speaker

Kingsley Aikins *Founder, Diaspora Matters and former CEO and President of the Worldwide Ireland Funds, Dublin, Ireland*

Price: £44

Sponsored by:



## MONDAY – CONTINUED

1230 – 1430

**(D) Women Lawyers' Interest Group lunch**

Marquee, CCD

Price: £44

1800

**\*Newcomers' reception**

Marquee, CCD

## TUESDAY

0800 – 0930

**Hosted breakfast by the Association of Danish Law Firms and the Danish Bar and Law Society**

Marquee, CCD

0800 – 0930

**African Regional Forum breakfast**

Marquee, CCD

1230 – 1430

**(E) Asia Pacific Regional Forum lunch**

Marquee, CCD

Price: £44

1230 – 1430

**(F) Corporate Counsel Forum lunch**

Marquee, CCD

Price: £44

1230 – 1430

**(G) Latin American Regional Forum lunch**

Spencer Dock Units, Mayor Street

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directum  
traductores

Price: £44

## WEDNESDAY

0800 – 0930

**Family Law Committee breakfast**

Foyer, Level 5

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& KARRER

0800 – 0930

**Hosted breakfast by the Japan Federation of Bar Associations**

Marquee, CCD

0800 – 0930

**Arbitration Committee breakfast**

Spencer Dock Units, Mayor Street

0800 – 0930

**Managing partners breakfast**

Marquee, CCD

1230 – 1430

**(H) Legal Practice Division lunch**

Spencer Dock Units, Mayor Street

Price: £44

Sponsored by:



## THURSDAY

**Morning****(J) IBA golf day **SOLD OUT****

K Club, The Palmer course

Please refer to your confirmation for further information.

0800 – 0930

**Academic and Professional Development Committee breakfast**

Foyer, Level 5

1230 – 1430

**(K) African Regional Forum lunch**

Marquee, CCD

Price: £44

Speakers

H E Ms Catherine Muigai Mwangi *Kenyan Ambassador to Ireland, Dublin, Ireland*Hon Justice Ayotunde Phillips *High Court of Justice, Lagos, Nigeria*H E Mr Felix Pwol *Nigerian Ambassador to Ireland, Dublin, Ireland*

1230 – 1430

**(L) Public and Professional Interest Division lunch**

Marquee, CCD

Price: £44

**Afternoon****(O) IBA football match**

Over the last few years, many highly acclaimed international lawyers have graced the world stage as defenders, midfielders, attackers and goalkeepers of the highest quality. Dublin 2012 will provide another opportunity for the good and the great to demonstrate their sporting prowess. John Kettle of Mason Hayes & Curran has managed to secure the famous Dalymount Park, the home of Bohemian FC and a stadium enjoyed by the likes of Pele, Charlton, Zidane, Gullit, Van Basten, Tardelli, Rossi, Blokhin, Matthews, Lofthouse and Finney.

The match or matches will be played on the afternoon of Thursday 4 October. The cost is likely to be in the region of £45 + Irish VAT @ 23 per cent, payable on the day or at the IBA registration desk at the Conference. Transport and other arrangements will be confirmed nearer the time and e-mailed to delegates who have registered an interest.

Please register your interest in playing prior to (or during) the conference week to Keith Oliver ([keoliver@petersandpeters.com](mailto:keoliver@petersandpeters.com)) or John Kettle ([jkettle@mhc.ie](mailto:jkettle@mhc.ie)). All spectators will be welcome.

1830

**\*Young Lawyers’ reception**

*Jameson Distillery*

The highlight of the reception will be the presentation of the prestigious IBA Young Lawyer of the Year Award, in recognition of William Reece Smith Jr.

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The Leisure Industries Section and Young Lawyers’ Committee will hold a dinner after this event which is ticketed. Please see page 143 for more information.

**FRIDAY**

1930 – 2230

**(M) Closing party**

*Guinness Storehouse @  
St James’s Gate, Dublin 8*

*Sponsored by:*



The closing party will be held at the Guinness Storehouse, St James’s Gate. Guinness and Ireland go hand in hand and it was here in 1759 that Arthur Guinness started the brewing of the legendary ‘black stuff’. The venue has seven floors where themed buffet stations, accompanying entertainment and the breathtaking Gravity Bar with its 360 degree view of Dublin’s skyline all combine to create a great farewell party. Try your hand at pulling a pint or simply relax and enjoy the music and cuisine. Guests are free to explore the various levels and experiences in this iconic building with food and beverages available throughout.

Transport will be provided from the official IBA conference hotels at 1900.

Price: £100

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# SOCIAL PROGRAMME

## COMMITTEE EVENTS

### MONDAY

1245  
**(AA) Individual Tax and Private Client Committee lunch**  
*Wilde - The Restaurant*  
*The Westbury Hotel, Grafton Street, Dublin 2*

Price: £73

2000  
**(AB) Committees on Environment, Health and Safety Law and Water Law joint dinner** **SOLD OUT**  
*Bang*  
*11 Merrion Road, Dublin 2*

Price: £78

2000  
**(AC) International Franchising Committee dinner**  
*O'Connells*  
*133/135 Morehampton Road, Donnybrook, Dublin 4*

Price: £80

### TUESDAY

0945  
**(AD) Committees on Insurance and Maritime and Transport Law joint excursion and lunch** \* **SOLD OUT**  
*Naval gazing and the Irish countryside*

See ticket for further information.

Price: £70

1245  
**(AE) Committees on Banking Law and Securities Law joint lunch**  
*Ely Bar and Brasserie*  
*IFSC, Dublin 1*

Price: £57

1930  
**(AF) Committees on Communications Law, Media Law, Space Law and Technology Law joint dinner**  
*The Morrison Hotel*  
*Ormond Quay, Dublin 1*

Sponsored by:



Price: £71

2000  
**(AG) Anti-Corruption Committee and Criminal Law Section joint dinner**  
*Town Bar and Grill*  
*21 Kildare Street, Dublin 2*

Sponsored by:



Price: £51

2000  
**(AH) Corporate and M&A Law Committee dinner**  
*Fire*  
*Dawson Street, Dublin 2*

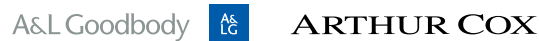
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Price: £62

2000  
**(AI) Investment Funds Committee and Private Investment Funds Subcommittee joint dinner**  
*Cliff Town House*  
*22 St Stephens Green, Dublin 2*

Sponsored by:



Price: £65

2000  
**(AJ) Law Firm Management Committee dinner** \*\* **SOLD OUT**  
*The Royal Irish Yacht Club*  
*Dun Laoghaire Harbour, Dun Laoghaire, County Dublin*

Sponsored by:



Price: £82

2000  
**(AK) Real Estate Section dinner**  
*Ely Wine Bar*  
*22 Ely Place, Dublin 2*

Price: £70

2000

**(AL) Taxation Section dinner**

*The Banking Hall  
Westin Hotel, College Green, Dublin 2*

Sponsored by:

A&L Goodbody



Price: £74

2030

**(AM) Art, Cultural Institutions and Heritage Law Committee dinner**

*Bang  
11 Merrion Road, Dublin 2*

Price: £79

2030

**(AN) Section on Energy, Environment, Natural Resources and Infrastructure Law (SEERIL) dinner **SOLD OUT****

*O'Connells  
133/135 Morehampton Road, Donnybrook, Dublin 4*

Price: £78

**WEDNESDAY**

1300

**(AO) Antitrust Committee lunch**

*Tea Rooms  
6-8 Wellington Quay, Dublin 2*

Sponsored by:



Price: £50

1300

**(AP) Mediation Committee Lunch **SOLD OUT****

*Hugo's  
Merrion Row, Dublin 2*

Sponsored by:



Price: £50

2000

**(AQ) Arbitration Committee reception and dinner \*\***

*The Royal Hospital Kilmainham  
Military Road, Dublin 8*

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**COHEN & GRESSER LLP**

DEBEVOISE & PLIMPTON



Wolters Kluwer  
Law & Business

Price: £80

2000

**(AR) Capital Markets Forum dinner**

*Quay 16 - MV Cill Airne  
Quay 16, North Wall Quay, Dublin 1*

Price: £83

2000

**(AS) Committees on Employment and Industrial Relations Law and Discrimination Law joint dinner**

*Town Bar and Grill  
21 Kildare Street, Dublin 2*

Sponsored by:



Price: £75

2000

**(AT) Insolvency, Restructuring and Creditors' Rights Section (SIRC) reception and dinner**

*Kildare Street and University Club  
17 St Stephen's Green, Dublin 2*

Price: £67

2000

**(AU) Intellectual Property and Entertainment Law Committee dinner**

*Wilde - The Restaurant  
The Westbury Hotel, Grafton Street, Dublin 2*

Price: £100

2000

**(AV) International Construction Projects Committee dinner**

*La Stampa  
35 Dawson Street, Dublin 2*

Sponsored by:



Price: £50

2030

**(AW) Aviation Law Committee dinner**

*Cliff Town House  
22 St Stephens Green, Dublin 2*

Price: £99

2030

**(AX) Closely Held and Growing Business Enterprises Committee dinner**

*Winding Stair  
40 Lower Ormond Quay, Dublin 1*

Price: £68

2030

**(AY) Trade and Customs Law Committee dinner**

*Bang  
11 Merrion Road, Dublin 2*

Price: £79

THURSDAY

1000  
**(AZ) Water Law Committee excursion and lunch \***  
*Kilbeggan Distillery*

See ticket for further information.

Price: £51

1245  
**(BA) Litigation Committee lunch \* SOLD OUT**  
*Luttrellstown Castle  
 Castleknock, Dublin 15*

Sponsored by:



Price: £94

1930  
**(BB) Leisure Industries Section and Young Lawyers' Committee joint dinner and entertainment**  
*Old Jameson Distillery  
 Bow Street, Smithfield, Dublin 7*

Price: £82

2000  
**(BC) Bar Issues Commission dinner**  
*La Stampa  
 35 Dawson Street, Dublin 2*

Price: £75

2000  
**(BD) Immigration and Nationality Law Committee dinner**  
*Pig's Ear  
 4 Nassau Street, Dublin 2*

Sponsored by:



Price: £75

2000  
**(BE) International Sales, Franchising and Product Law Section dinner**  
*Town Bar and Grill  
 21 Kildare Street, Dublin 2*

Price: £75

2000  
**(BF) Maritime and Transport Law Committee dinner**  
*The Banking Hall  
 Westin Hotel, College Green, Dublin 2*

Price: £95

2000  
**(BG) Mining Law Committee dinner**  
*Quay 16 – MV Cill Airne  
 Quay 16, North Wall Quay, Dublin 1*

Price: £77

2100  
**(BH) Insurance Committee dinner**  
*Pearl Brasserie  
 20 Upper Merrion Street, Dublin 2*

Sponsored by:



Price: £72

FRIDAY

0845  
**(BI) International Construction Projects Committee excursion and lunch \***  
*Kilkenny Castle and City*

See ticket for further information.

Sponsored by:



Price: £50

As space is limited at these events availability is on a first-come-first-served basis and not guaranteed. Please see ticket for further information.

Dress code for all Committee Social events is smart casual.

\* Transport will be provided.

\*\* Transport returning from the dinner venue to the CCD will be provided only.

## HOTELS

If calling from abroad the following numbers must be prefixed by +353

**01 Burlington Hotel**

Upper Leeson Street  
Dublin 4  
Tel: (1) 618 5600  
[www.burlingtonhotel.ie](http://www.burlingtonhotel.ie)

**02 Clarion Hotel and Leisure Centre**

Excise Walk  
Dublin 1  
Tel: (1) 433 8800  
[www.clarionhotelifsc.com](http://www.clarionhotelifsc.com)

**03 Conrad Hotel**

Earlsfort Terrace  
Dublin 2  
Tel: (1) 602 8900  
[www.conradhotels.com](http://www.conradhotels.com)

**04 D4 Berkeley Hotel**

Lansdowne Road  
Ballsbridge  
Dublin 4  
Tel: (1) 437 3444  
[www.d4berkeley.ie](http://www.d4berkeley.ie)

**05 Fitzwilliam Hotel**

St Stephen's Green  
Dublin 2  
Tel: (1) 478 70002  
[www.fitzwilliamhoteldublin.com](http://www.fitzwilliamhoteldublin.com)

**06 Four Seasons Hotel**

Simmons Court Road  
Ballsbridge  
Dublin 4  
Tel: (1) 665 4000  
[www.fourseasons.com/dublin](http://www.fourseasons.com/dublin)

**07 Herbert Park Hotel**

Ballsbridge  
Dublin 4  
Tel: (1) 667 2200  
[www.herbertparkhotel.ie](http://www.herbertparkhotel.ie)

**08 Jurys Inn Custom House Hotel**

Custom House Quay  
Dublin 1  
Tel: (1) 854 1500  
[www.jurysinn.com](http://www.jurysinn.com)

**09 Maldron Hotel and Leisure Centre**

Cardiff Lane  
Sir John Rogerson's Quay  
Dublin 2  
Tel: (1) 643 9500  
[www.maldronhotels.com](http://www.maldronhotels.com)

**10 Radisson Blu St Helens Hotel**

Stillorgan Road  
Dublin 4  
Tel: (1) 218 6000  
[www.radissonblu.ie](http://www.radissonblu.ie)

**11 Shelbourne Hotel**

27 St Stephen's Green  
Dublin 2  
Tel: (1) 663 4500  
[www.marriott.co.uk](http://www.marriott.co.uk)

**12 Westbury Hotel**

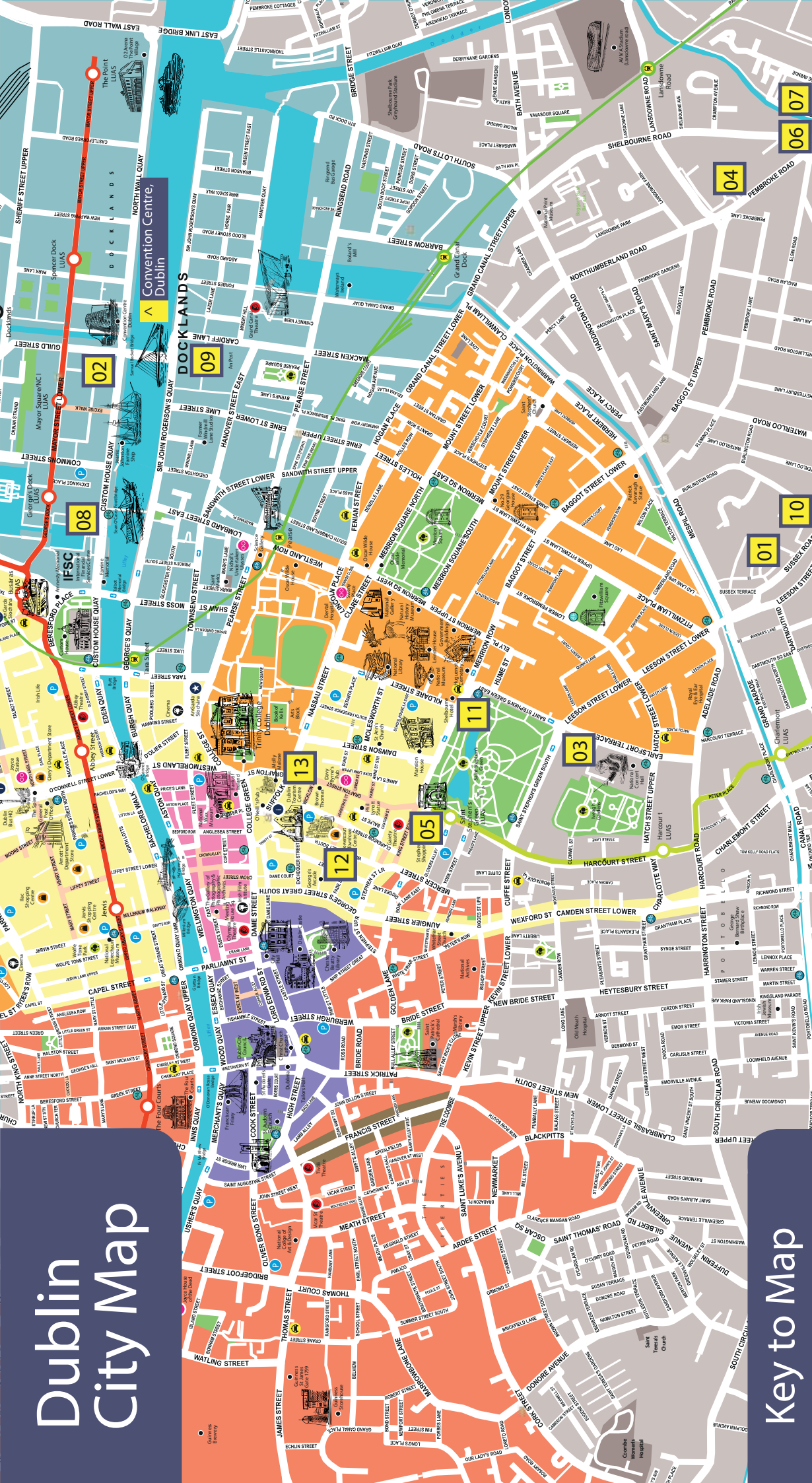
Grafton Street  
Dublin 2  
Tel: (1) 679 1122  
[www.doylecollection.com](http://www.doylecollection.com)

**13 Westin Dublin Hotel**

35-39 Westmoreland Street  
Dublin 2  
Tel: (1) 645 1000  
[www.thewestindublin.com](http://www.thewestindublin.com)



# Dublin City Map



## Key to Map

- Viking & Medieval Quarter
- Georgian Dublin
- Docklands
- Parklands
- Temple Bar
- Antique Quarter
- Historic Quarter
- DART Line
- LUAS Red Line
- LUAS Green Line
- Dublin Bus Hop on Hop off

- Official Tourist Information Centre
- Cinema
- An Garda Síochána (Police)
- Shopping Centre
- Theatre
- James Joyce Connection
- Bike Station
- Taxi Rank
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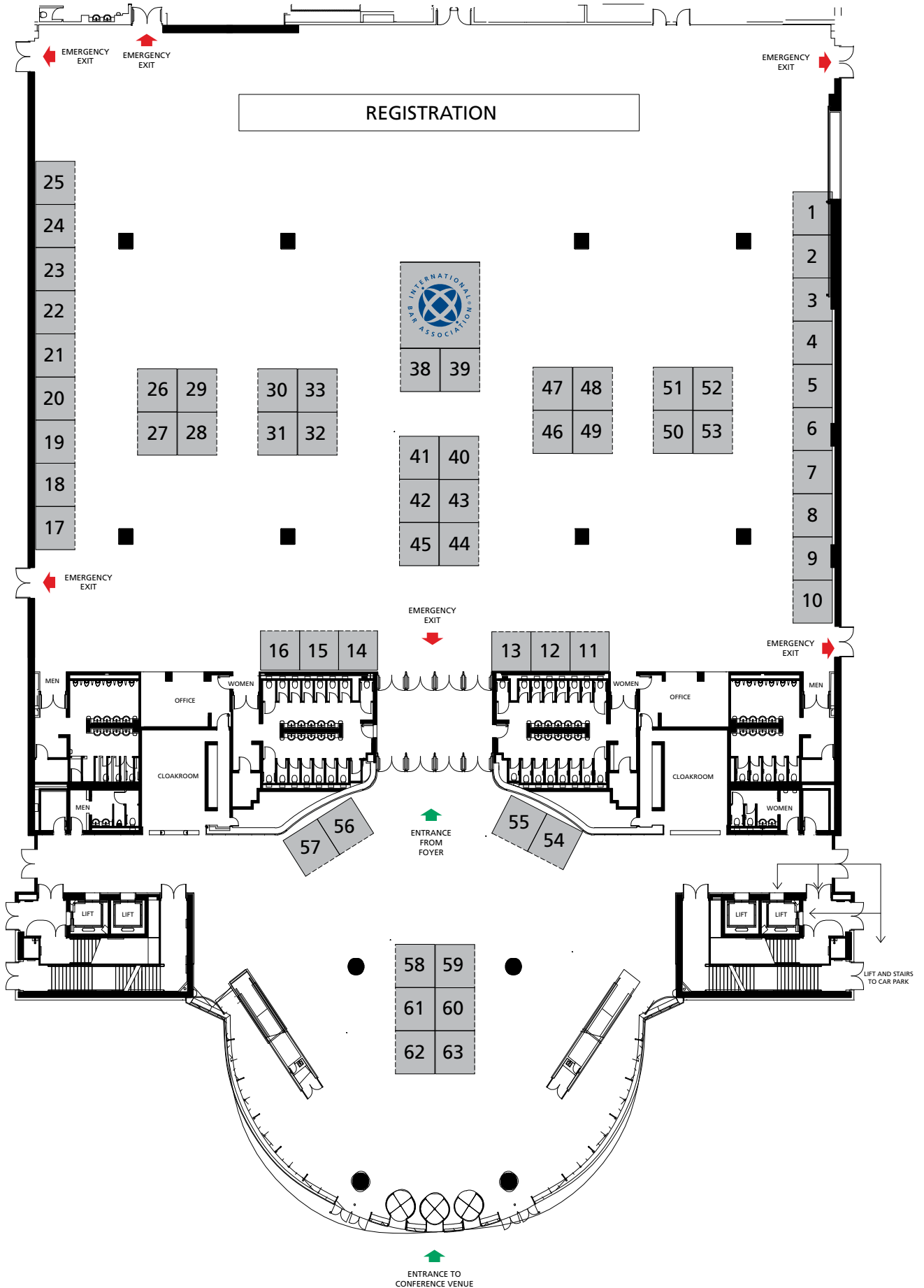
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