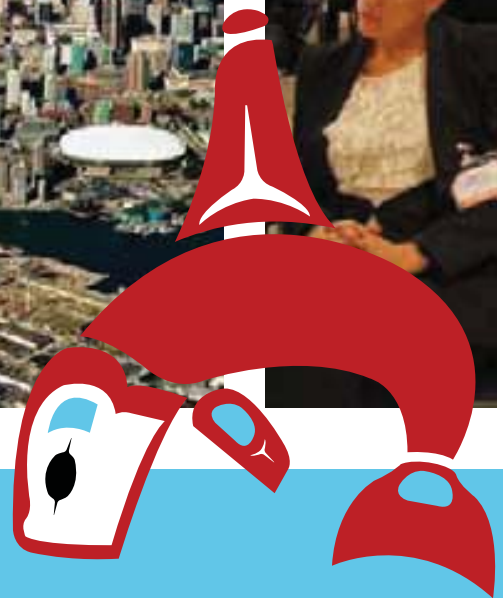


INTERNATIONAL BAR ASSOCIATION ANNUAL CONFERENCE 2010

Preliminary programme



the global voice of
the legal profession

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INTERNATIONAL BAR ASSOCIATION CONFERENCE

VANCOUVER

3 – 8 OCTOBER 2010

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Introduction by the President of the International Bar Association



I warmly invite you to join us at the International Bar Association's 2010 Annual Conference in Vancouver.

Our huge network of international lawyers will surely enjoy gathering in Vancouver, with its vibrant business climate, diverse cultural background, and spectacular natural beauty. It is a perfect place for us to spend time together and share our knowledge and experience. I am pleased to note that the Prime Minister of Canada has been invited to open our conference!

The IBA Annual Conference is the very finest opportunity for lawyers all around the world to meet one another and to discuss legal developments in various jurisdictions. In the current economic climate, it is ever more crucial to be fully informed and to practice at the top of our game. As the global voice of the legal profession, the IBA is uniquely qualified to provide you with the skills and knowledge required to do so.

Three exceptional showcase sessions will be presented this year, of great interest to lawyers of all disciplines. The Professional and Public Interest Division will look at the threat to legal aid as governments slash budgets in response to the challenging economic climate. The Legal Practice Division will report on critical issues related to the credit crunch based on the work done by the IBA Task Force

on the Financial Crisis, whose final report will be distributed to all delegates in Vancouver. The Human Rights Institute will examine the complex issues relating to the appointment of judges and the processes used to do so.

Additionally, our Rule of Law Symposium on Friday 8 October will present a variety of distinguished speakers and interactively discuss the increasing erosion of the rule of law around the world and how best to promote adherence to its principles. This year we are extremely pleased to welcome Canadian Chief Justice Beverley McLachlin and retired US Supreme Court Justice Sandra Day O'Connor as our keynote speakers at the Symposium. In the afternoon, the Symposium will turn its attention to promotion of the rule of law in Haiti and the IBA initiative to rebuild its judicial system, including comments from Christian Ahlund, Executive Director of the International Legal Assistance Consortium (ILAC), which has a large presence there and extensive experience working in Haiti.

If you are not already a member of the IBA, it is time for you to join. While it provides the benefit of a discounted member rate for this Conference and others, the real value is in the ongoing benefits to your education and professional development throughout the year, as well as your ability to be involved in and support our various initiatives to support human rights and the rule of law around the world. Its professional and personal rewards are without equal.

In particular, I invite young lawyers from around the world to join us in Vancouver where you will find a wide variety of tools to enhance and develop your practice. I look forward to meeting all of you there.

Fernando Peláez-Pier
President, International Bar Association

The IBA Annual Conference

The International Bar Association's Annual Conference is the premier opportunity for legal professionals the world over to meet, share experience, develop business and learn from one another.

'The best forum for enjoyable networking I've ever come across.'

The Conference has been bringing together practitioners of every level, from virtually every jurisdiction in the world. Last year's conference in Madrid saw record numbers of private practitioners, in-house counsel, human rights advocates, judges, bar leaders, business leaders, and government representatives gather in the Spanish capital for the Association's unique blend of professional development, international networking and life-long relationship building.

'I don't know any other gathering where you have the opportunity to expose yourself to so much information about so many issues.'



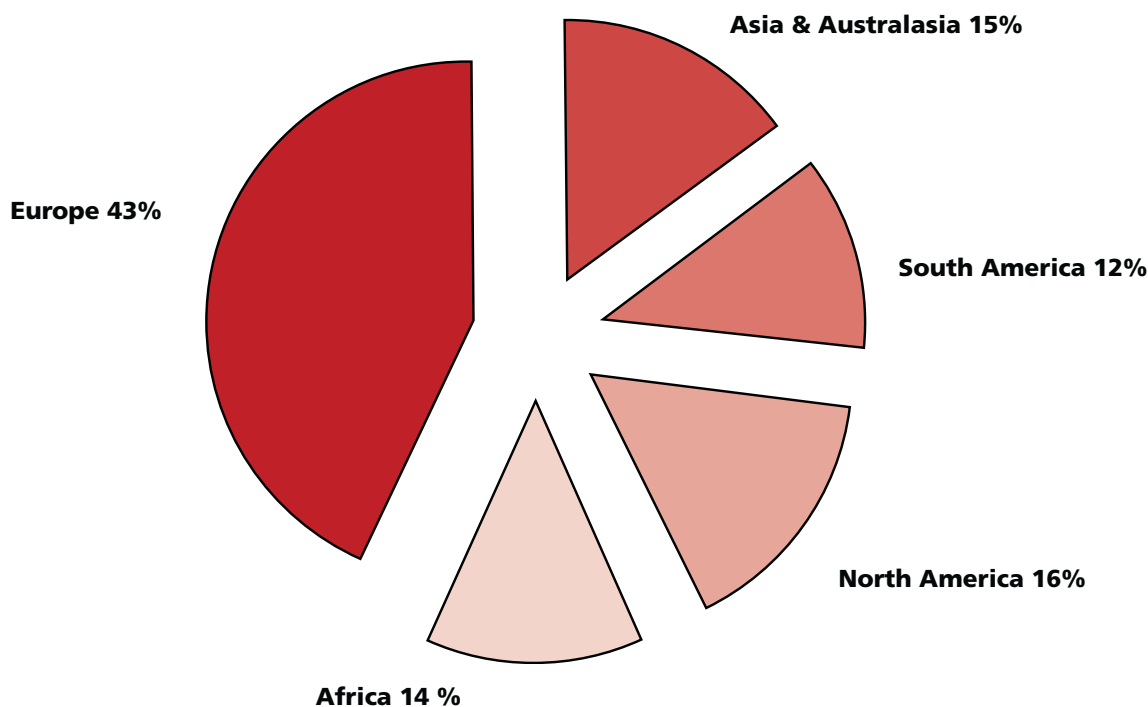
The programme

Open to both members and non-members of the IBA, this year's event will feature – as always – a wide array of substantive sessions, workshops and panels, addressing issues ranging from arbitration to M&A law, from human rights to the ethics of the legal profession. You can find further insight into the 200-plus conference sessions from the viewpoint, of the Chairs of the IBA Divisions on pages 6 and 7 of this brochure with full preliminary details of the programme on pages 21 through 87.

Up to 25 CPD/CLE hours are available for those attending the whole week of the conference, with certificates of attendance available from the registration desk and the IBA Membership Booth.

'The IBA is the definitive networking opportunity for any business law firm that is or aspires to be a global player.'

Average Regional Attendance IBA Annual Conference 2007–2009



Networking and business development

Not only an excellent opportunity for professional and personal development, IBA conferences offer unparalleled international networking and business development opportunities. **Last year's event was attended by more than 5,000 delegates and guests from over 3,000 organisations, businesses, law firms and legal service providers representing 127 different international jurisdictions.**

The social programme

In addition to the substantive programme, Vancouver 2010 promises all attendees and their guests an unforgettable opportunity to take in the sights, sounds and diversity of Vancouver.



'You find so many delegates, from so many countries... it allows you to be exposed to almost every country in the world.'

Kicking off with the traditional Opening Ceremony and Welcome Party at the Vancouver Convention & Exhibition Centre West, and ending with the spectacular Closing Party at the Pan Pacific, the week of the conference will see up to 100 dinners, receptions and parties take place in venues all across spectacular Vancouver, and beyond. Preliminary social programme details can be found on pages 87 and 89 of the brochure, with full committee function details being released later in 2010 to all members and delegates.

Further information on recommended tours and accommodation in the area during the week of the conference can be found in the Tours and Accommodation Brochure at www.ibanet.org.



Message from the Chair of the IBA Legal Practice Division



We continue to face increasing globalisation and the issues presented in cross-border practice, and now we have the new challenges posed in the wake of the financial crisis of 2009. In Vancouver, the Legal Practice Division (LPD) will continue to engage with these issues in various ways, with many individual sessions focusing on the fallout of the financial crisis and its impact on particular areas of law, as well as presenting the final report of the IBA Task Force on the Financial Crisis

during our LPD Showcase on the morning of Tuesday 5 October. I strongly urge you to attend our showcase session examining the legal and regulatory challenges for a new approach to financial institution resolution regimes – it is certain to be a highlight of your conference week.

During our time in Vancouver, you will be able to select from over 150 sessions presented by the LPD sections, committees, and specialist groups that cover a wide selection of substantive topics currently affecting all areas of law. These sessions will bring together leading experts from jurisdictions around the world who work on the cutting edge of international issues, and who will shape the way we practice in the future. You will gain invaluable knowledge directly from your peers and will be provided with incomparable networking opportunities.

Alongside these hardworking days, I also hope that you will spend some time enjoying our very special programme of social events which feature the cultural best Vancouver has to offer, including the spectacular opening and closing parties. At the LPD Lunch on Wednesday 6 October, we will be celebrating the 100th birthday of IBA Honorary Life President George C Seward, of Seward & Kissel in New York. George is the founder of the LPD, as it was his vision that expanded our membership from an alliance of bar associations to include the powerful network of individual lawyers we have today, through the establishment in 1970 of the LPD's predecessor entity, the IBA Section on Business Law. I hope you will join us to celebrate the extraordinary contribution George has made to the IBA and to honour his spectacular 100th year!

The IBA Annual Conference is a special opportunity each year for international practitioners in every field to bring together their expertise for the benefit of all. There is no better occasion for lawyers to gain useful and interesting substantive knowledge on such a broad scope of topics, while at the same time enjoying the pleasure of seeing old friends and making new ones in this wonderful city. I look forward to seeing you in Vancouver.

Hendrik Haag
Chair, Legal Practice Division

'Lasting friendships, a network of worldwide legal resources, cutting edge legal scholarship – all these benefits are derived from my membership of the International Bar Association's Legal Practice Division.'

Jon Grouf
Partner, Duane Morris LLP

About the Legal Practice Division (LPD)

The LPD comprises more than 50 committees and fora, listed on pages 13 to 16 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 LPD and all its activities is available at http://www.ibanet.org/Committees/Divisions/Legal_Practice/home.aspx.

Message from the Chair of the IBA Public and Professional Interest Division



Welcome to Vancouver!

The Public and Professional Interest Division (PPID) has gathered for you at this meeting the latest knowledge and debate on issues that matter to all lawyers. Our committees will present sessions in Vancouver that address law as a profession and 'more than an occupation'. Our programmes will explore such diverse topics as the management of our practice, the impact of regulations applying to lawyers, and professional ethics, as well

as broader issues such as observance of the rule of law, access to justice, improvement of the quality of legal education, protection of human rights, corporate social responsibility, and support for pro bono work.

We are bringing together a magnificent array of distinguished speakers to examine these topics and many others. In addition, this meeting will provide you with a very special opportunity to network with colleagues in your fields of interest from all over the world, as well as presenting new ways for you to become involved with the very important work of the PPID.

The committees and activities of this Division provide you with a valuable opportunity to add your voice to the global voice of the legal profession as we speak out on matters integral to our profession. We have various committees and other entities addressing issues of particular interest for lawyer groups, such as women lawyers, young lawyers, senior lawyers and judges, while other committees are grouped around a particular type of public legal issue, such as anti-corruption or corporate social responsibility. Still others address wider professional interests such as academic development or working with world organisations on legal issues. In addition, the Bar Issues Commission provides a forum for bar associations and law societies from around the world to discuss issues of common interest, and to seek mutually beneficial solutions to the challenges presented by increased globalisation.

This range of topics is reflected in the array of wonderful sessions the PPID is presenting during the conference week, including our showcase session on the morning of Wednesday 6 October, when we will discuss how governments around the world have tightened their

budgets in a manner which threatens legal aid and access to justice for those in urgent need of it. I encourage you to attend this session which will certainly present a lively debate.

Our speaker at the PPID Lunch on Thursday 7 October will be retired US Supreme Court Justice Sandra Day O'Connor. Justice O'Connor has been a leading advocate for the rule of law and judicial independence throughout the world, and I know you will be inspired by her remarks. Please plan to attend this luncheon.

I hope you will take full advantage of the many invaluable benefits available to you at this year's Annual Conference. I look forward to seeing you in Vancouver and to welcoming you to our Division's programmes. Celebrate with us our great legal profession – 'more than an occupation'.

Robert A Stein

Chair, Public and Professional Interest Division

'The IBA is highly regarded throughout the world and is firmly grounded on the rule of law, democracy and human rights. Providing incredible opportunities for networking and practice development for Private Practitioners and Corporate Counsel, the IBA is a "must join".'

Alan M Kindred
Counsellor-at-law

About the Public and Professional Interest Division (PPID)

The PPID contains 17 committees, fora and other entities, including the IBA Human Rights Institute and the IBA Bar Issues Commission, which are listed on pages 16 and 17 of this programme. Between them they provide 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 in 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 PPID and all its activities is available at
http://www.ibanet.org/Committees/Divisions/Public_Professional_Interest_Div/home.aspx.

Message from the Co-Chairs of the IBA Human Rights Institute



Welcome to Vancouver from the International Bar Association's Human Rights Institute (IBAHRI).

We invite you to engage with the wideranging and complex issues relating to human rights in the 21st century at one of the IBAHRI sessions, and would like to take this opportunity to highlight to you our showcase session, which will take place on Monday 4 October at 1500. This session will examine the processes by which judges are appointed to the International Criminal Court and other international courts and tribunals and measures to prevent abuse of international judicial positions.

At the Rule of Law Symposium on Friday 8 October we will present the IBA Human Rights Award 2010, which recognises outstanding achievement by a lawyer making a substantial contribution to the promotion, protection and advancement of human rights. In addition, we are holding sessions on criminal justice reform in Southern Africa, state-sanctioned crimes against lesbian, gay, bisexual and transgender persons and terrorism and the law. Our sessions will provide an opportunity to hear leading experts in the field offer insight into these contemporary and complex issues.

In addition, we hope that you will attend the IBAHRI General Meeting, a biennial event that allows all members of the IBAHRI to learn more about the work we have been conducting and our plans for moving the IBAHRI forward. In addition, this is an opportunity for members to pose questions to the IBAHRI Council and staff.

We look forward to seeing you at the IBAHRI sessions and events here in Vancouver, and hope your conference is a successful and enlightening one.

Juan E Méndez
IBAHRI Co-Chair

Martin Šolc
IBAHRI Co-Chair

'My association with the IBA has been invaluable. I would not be able to be a human rights lawyer without its support structures.'

Beatrice Mtetwa
Human Rights Lawyers, Zimbabwe

The IBA Human Rights Institute

Established in 1995, under the Honorary Presidency of Nelson Mandela, the IBA Human Rights Institute was created to work for greater justice for greater numbers of people. Its aim is to work mainly at institutional level, with governments and national associations of lawyers, to help create national agendas to improve the infrastructure of justice in countries around the world.

We undertake projects to lobby for change, build capacity, and highlight issues of international concern to the public, the media and the legal community. We support and train judges, lawyers, and human rights campaigners, helping to strengthen the fundamental right of the world's citizens to have disputes heard and determined by an independent judiciary, and for judges and lawyers to practise freely and without interference.

For more information, visit: 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 £35 a year. To find out more about becoming a member or supporting a project, visit: www.ibanet.org/IBAHRI.aspx, or email hri@int-bar.org.

About the IBA

The International Bar Association (IBA), established in 1947, is the world's leading organisation of international legal practitioners, bar associations and law societies. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of over 40,000 individual lawyers and 197 bar associations and law societies spanning all continents. Grouped into two divisions – the Legal Practice Division and the Public and Professional Interest Division – the IBA covers all practice areas and professional interests. It provides members with professional development and networking opportunities, as well as access to leading experts and up-to-date legal information.

Bar Issues Commission

The IBA's Bar Issues Commission provides an invaluable forum for IBA member organisations to discuss all matters relating to law at an international level.

Human Rights Institute

The IBA Human Rights Institute (IBAHRI) works across the Association to promote, protect and enforce human rights under a just rule of law, and to preserve the independence of the judiciary and the legal profession worldwide.

International Criminal Court (ICC) Monitoring and Outreach Programme

The ICC Monitoring and Outreach Programme is an IBAHRI initiative, operating from an office in The Hague. The monitoring component of the programme follows and reports on the Court's work and proceedings and the implementation of the Rome Statute and other legal texts. The programme's outreach component works in partnership with bar associations, lawyers and civil society organisations to disseminate information and promote debate on the ICC in different jurisdictions across the globe.

Other IBA institutions

Other institutions established by the IBA include the Southern African Litigation Centre and the International Legal Assistance Consortium.

Join the IBA today and save money on Vancouver 2010!

Join the IBA now and you will receive a substantial discount on Vancouver 2010 registration fees, by registering at our member rate.

To become a member and register for the conference online simply go to **www.ibanet.org**.

Alternatively, fill out the enclosed conference registration form and print out the membership application form from the website, then send them together with payment to the IBA.

If you are unable to attend the conference this time, and are not a member at present we hope you will still take up the invitation to join the IBA.

Our members

IBA members include law firms, bar associations, law societies and individual legal professionals. We cover all continents, with members based in over 195 countries, from every major firm in each jurisdiction.

In addition, we have over 1,000 corporate counsel members representing hundreds of multinational corporations, including Coca-Cola, IBM, Exxon Mobil and AT&T.

'The IBA is, quite simply, a gathering of the best lawyers in the world engaged in private international law. Why wouldn't a lawyer working in this field want to be among them?'

Phillip F Zeidman
DLA Piper Rudnik Gray Cary LLP

Reasons to join the IBA

- Enjoy access to a network of the world's top lawyers, judges and corporate counsel, including partners from the world's leading firms and counsel from virtually all leading corporations.
- Generate new business and discover the best firms and lawyers to do business with from around the world.
- Discuss hot issues and keep up to date with the latest developments by attending our wide range of conferences – earn your quota of CPD/CLE points.
- Learn about key developments, new legislation and real-world issues lawyers encounter on a daily basis through our series of magazines and journals, and make use of our extensive online library of articles.
- Have your voice heard – be part of the debate on international law reform and make your own contribution to the advancement of cross-border law reform.
- Show your support for the rule of law and human rights around the world.
- Develop your knowledge and skills, interact with different cultures and make friendships that will last a lifetime.

IBA membership benefits

- Listing in, and access to, the IBA membership directory
- Unparalleled networking opportunities
- Discounted IBA conference registration fees
- Online legal library
- Monthly e-news bulletin
- Legal magazines and journals
- Discounts on IBA books and products
- Member rewards special offers programme

Open doors to a world of opportunities at the IBA Annual Conference, Vancouver 2010

- Welcome party sponsorship
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INTERNATIONAL BAR ASSOCIATION CONFERENCE
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About Vancouver



Vancouver

Vancouver is a dynamic, multicultural city set in a spectacular natural environment. As both a vital centre of international trade and business, and a home to Canadian culture, sport and outdoor activities, Vancouver promises to be another perfect venue for the International Bar Association's Annual Conference in 2010.

Vancouver Conference & Exhibition Centre (VCEC)

Two times winner of the prestigious AIPC award for the world's best convention centre, the recently expanded VCEC is perfectly located. Overlooking the harbour, in the heart of the downtown area, and just under 30 minutes away from the international airport via the 'SkyTrain' rapid transit system, delegates and guests will be perfectly placed to experience the IBA Annual Conference 2010, and all that Vancouver has to offer.

Culture

Vancouver has a number of impressive venues from which to enjoy an evening of music. Treat yourself to a symphony or opera in one of Vancouver's state-of-the-art facilities, or try the opulent and historic Orpheum Theatre, home to the Vancouver Symphony Orchestra since 1930.

For visitors, First Nations art can be a way to truly experience a unique culture. Because art was often worn or used for practical purposes – in ceremonies and storytelling, for example – First Nations art pieces provide a great deal of insight into aboriginal life. Of course, you'll find the best examples of First Nations art in Vancouver's galleries.

Getting around

Given Vancouver's unique location, there are a number of ways of getting around the city.

A network of buses, trains, skytrains, and seabus (ferries) link all parts of the city. The Vancouver Regional Transit System (Translink) is divided into three fare zones with ticket costs increasing as zone boundaries are crossed. Given that the conference centre is located in main downtown Vancouver, most of the city's sites and attractions can be reached on foot or via a short cab ride.

Weather

Warmed by Pacific Ocean currents and protected by a range of mountains, Vancouver enjoys mild temperatures year-round. From high 70s Fahrenheit (low 20s Celsius) in summer to a mild mid-40s Fahrenheit (0° to 5° Celsius) in winter, the climate is always hospitable. The average daily high temperature in October is around 14° Celsius or 58° Fahrenheit.

Food and Drink

Vancouver's location puts it in prime position to reap the fruits of the sea, and seafood is very much a part of the city's food culture. *Izakayas*, or Japanese-style tapas, have taken Vancouver by storm in recent years for their hip atmosphere and unique dishes. These pub-type bars serve up pan-fried gyoza (dumplings) and bunson-burner-seared mackerel. 'Micro' or 'local' breweries are also a feature of Vancouver's diverse culinary palette, providing visitors with a great chance to sample the truly local beers, many of which cannot be found outside of Vancouver.

Section and committee information

Legal Practice Division

Antitrust and Trade Law Section 48

The Antitrust and Trade Law Section is among the largest sections in the Legal Practice Division with over 1,280 members.

Antitrust 48

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

Trade and Customs Law 48

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 49

The Corporate Law Section has over 2,900 members from around the world.

Closely Held and Growing Business Enterprises 49

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

Corporate and M&A Law 49

The Corporate and M&A Law Committee is the principal committee covering 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 50

The Criminal Law Section has over 650 members from around the world and membership is steadily growing.

Business Crime 50

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 51

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 52

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

Arbitration 52

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 53

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

Litigation 53

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

Mediation 54

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

Negligence and Damages 55

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) 55

The Section on Energy, Environment, Natural Resources and Infrastructure Law (SEERIL) has a membership of over 2,400 lawyers in private practice, oil and mining companies, international organisations, government and academia.

Environment, Health and Safety Law 55

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 56

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

Mining Law 56

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 57

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 57

The mission of the Power Law Committee of the International Bar Association 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	58	Immigration and Nationality Law	61
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; alternative dispute resolution mechanisms; institutional issues in water resources development and distribution.		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.	
Financial Services Section	58	Insolvency, Restructuring and Creditors' Rights Section (SIRC)	62
The Financial Services Section is one of the largest sections in the Legal Practice Division, comprising over 3,700 members.		The Insolvency, Restructuring and Creditors' Rights Section (SIRC) has over 900 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.	
Banking Law	58	Intellectual Property, Communications and Technology Section	62
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.		With nearly 2,000 members, the Intellectual Property, Communications and Technology Section is one of the largest sections in the Legal Practice Division.	
Capital Markets Forum		Art, Cultural Institutions and Heritage Law	63
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.		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.	
Insurance	59	Communications Law	63
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.		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 which confront communications lawyers, their companies and clients.	
Investment Funds	59	Intellectual Property and Entertainment Law	64
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.		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, trade marks, 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.	
Securities Law	59	Media Law	64
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 & 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.		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.	
Human Resources Section	60	Space Law	65
The Human Resources Section has nearly 900 members from around the world.		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.	
Discrimination Law	60		
The committee focuses on discrimination and gender equality issues which arise in the profession and under the general law.			
Employment and Industrial Relations Law	61		
The aims of the committee are to develop and exchange knowledge of employment and industrial relations law and practice.			
IBA Global Employment Institute			
The purpose of the committee is to assist multi-nationals 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.			

Technology Law	65
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	66
The International Sales, Franchising and Product Law Section has over 1,500 members from around the world.	
International Franchising	66
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	66
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	67
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	67
The Law and Individual Rights Section has a membership of over 700.	
Family Law	67
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.	
Human Rights Law	68
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 and the position of lawyers themselves and the protection of the rights of others.	
Indigenous Peoples	69
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.	
Medicine and the Law	69
The Medicine and the Law Committee is concerned with all aspects of medicine and law including health law on a worldwide basis.	
Leisure Industries Section	69
The Leisure Industries Section comprises approximately 250 international lawyers practicing 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 practice in one of the more traditional legal fields, and provides a focused forum on issues which emerge due to the greater amount of leisure time available and the increased internationalisation of sports and gaming.	
Maritime and Aviation Law Section	70
The Maritime and Aviation Law Section has nearly 1,000 members.	
Aviation Law	70
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	71
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	72
This committee 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 Section	72
The Real Estate Committee is the only truly international forum for lawyers interested in real estate law. 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, 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	72
The Taxation Section has over 1,300 members around the world.	
Individual Tax and Private Client	73
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	73
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	43	European Regional Forum	45
<i>African Regional Forum</i>	43	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.	
<i>Arab Regional Forum</i>	43	<i>Latin American Regional Forum</i>	46
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.		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.	
<i>Asia Pacific Regional Forum</i>	44	<i>North American Regional Forum</i>	47
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.		The North American 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 practicing in North America.	
<i>Corporate Counsel Forum</i>	44		
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.			

Section and committee information

Public and Professional Interest Division

<i>Academic and Professional Development</i>	77	<i>Corporate Social Responsibility</i>	79
The Academic and Professional Development Committee aims to represent the interests of law teachers (academic and professional) as well as professional developers.		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 which confront lawyers and law firms in relation to their key stakeholders; partners, staff, clients, their professional regulator and the community in which they practice.	
<i>Anti-Corruption</i>	78	<i>Forum for Barristers and Advocates</i>	79
The Anti-Corruption Committee focuses on the effect of new anti-corruption laws around the world. 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.		The Forum for Barristers and Advocates represents those who 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.	
<i>Bar Issues Commission</i>	78		
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 and, through its Policy Committee, proposes resolutions and guidelines for approval that are of relevance to member organisations. The BIC holds an annual conference in May of each year, presents programmes at annual conferences on issues of particular interest to member organisations, has resource pages on the IBA website and provides e-bulletins for its members.			

IBA Human Rights Institute	80	Professional Ethics	82
Established in 1995 under the honorary presidency of Nelson Mandela, 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 trainings 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.		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 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.	
Judges' Forum	80	Anti-Money Laundering Legislation Implementation Working Group	83
The Judges' Forum 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.		The group tackles the practical difficulties for the legal profession presented by compliance with anti-money laundering legislation in Europe and the rest of the world. The group is in constant dialogue with the Financial Action Task Force (FATF), the European Commission, local regulatory bodies, bar associations and others to share information and encourage more coordination.	
Law Firm Management	81	Rule of Law Action Group	83
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 Rule of Law Action Group continues to address and guide the Association in its Rule of Law work.	
Multidisciplinary Practices	82	Senior Lawyers	83
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 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.		The Senior Lawyers' Committee is designed, as the name implies, to cater for the needs and interests of senior lawyers. It acts, not only within, but also outside the IBA to advance the interests of senior lawyers, particularly in issues of age discrimination.	
Pro Bono and Access To Justice	82	War Crimes	84
This committee's objectives are to foster world wide 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 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 marginalized, 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.		The IBA's War Crimes Committee is the only IBA committee of its kind focused specifically on international criminal law, a field of law which 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 Human Rights Institute to promote justice around the world, and uphold the principle of accountability.	
		Women Lawyers' Interest Group	84
		The Women Lawyers' Interest Group offers a forum for women members from Australia to Zambia to discuss topics of global significance to women practitioners.	
		World Organisations	84
		The aim of this committee is to oversee IBA contacts with the UN and other world organisations, ensuring that the relevant IBA committees and constituents are fully informed and their inputs coordinated.	
		Young Lawyers	85
		The Young Lawyers' Committee's primary goal is to further the interests and objectives of young lawyers around the world and within the IBA. It aims to help them establish themselves within the legal profession by promoting their professional skills.	

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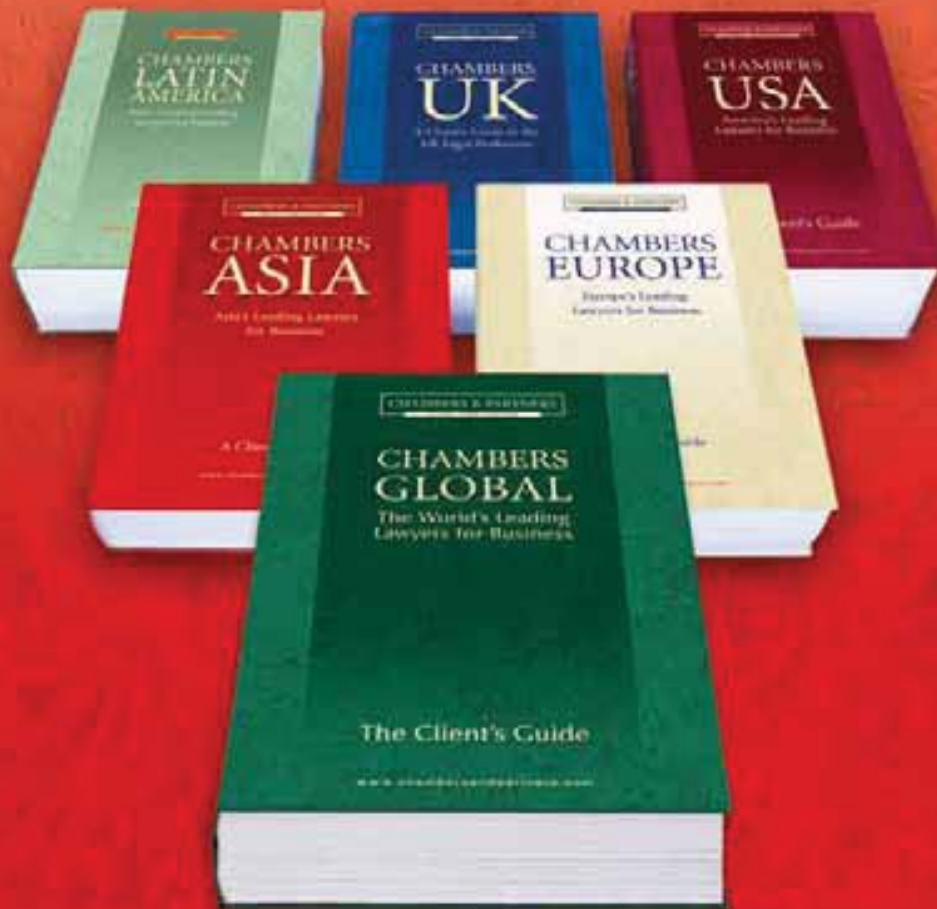
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Schedule of Sessions

Conference headquarters

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

The working language of the conference is English. This programme is provisional and subject to change. Sessions may be changed or withdrawn at any time.

Working sessions will take place from 1000 – 1300 and 1500 – 1800 at the Vancouver Convention & Exhibition Centre West.

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

Coffee and tea breaks will be held at 1115 – 1145 and 1615 – 1645.

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Section on Energy, Environment, Natural Resources and Infrastructure Law Section (SEERIL)			
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Oil and Gas		Cross-border oil and gas pipelines: geopolitics, competition and security of supply. Too much of all?	57
Water Law		If you can't pay for it, should you be able to drink it? The tension between water as a commodity and water as a basic human right	58
Financial Services Section			
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Law and Individual Rights Section Family Law	Judges' Forum	International child abduction – a mock trial of a full Hague Convention case involving North America and a European state	68
Indigenous Peoples	Human Rights Law	Protecting and preserving indigenous language and culture	69
Leisure Industries Section	Discrimination Law/Employment and Industrial Relations Law	Sex, wages and videotapes: employment and privacy issues in the hospitality industry	70
Real Estate Section		Real estate property tour	72
Taxation Section Taxes		Protection of the corporate tax base	73
PUBLIC AND PROFESSIONAL INTEREST DIVISION			
Corporate Social Responsibility		OECD Guidelines for Multinational Enterprises – what every international lawyer needs to know about possible upcoming changes	79
Law Firm Management		What's next for law firms IV – are law firm networks the answer?	81
Professional Ethics	Young Lawyers	Are employed lawyers subject to different rules?	83
War Crimes		The crime of aggression under international criminal law	84
Women Lawyers' Interest Group		Financial issues for women in the legal profession – how to make your practice more profitable and valuable for yourself and your firm	84
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Corporate Law Section			
Closely Held and Growing Business Enterprises		Corporate governance in family-owned enterprises – creating tomorrow's enterprise from today's prevention and planning	49
Dispute Resolution Section			
Arbitration		Investment treaty arbitration	52
Litigation	Asia Pacific Regional Forum	Cultural issues in litigation in the Asia Pacific region – myth or reality?	53
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Section on Energy, Environment, Natural Resources and Infrastructure Law Section (SEERIL)			
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Financial Services Section			
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		Cooperation and communication by courts in cross-border insolvency cases	62
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Law and Individual Rights Section			
Medicine and the Law		Accessing healthcare – right or privilege?	69
Public Law Section			
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Consumer Litigation		Has the consumer suffered a disadvantage in relation to the acquisition of goods or services? Competing perspectives from the manufacturer, provider and the consumer	53
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Financial Services Section Banking Law	North American Regional Forum	Acquisition finance – the North American perspective	58
Human Resources Section Immigration and Nationality Law		Sex and immigration: where taboo subjects and national laws collide	61
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Law Firm Management		What's next for law firms V – law practice technology in small and mid-size law firms: you ain't seen nothing yet	81
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	Law Firm Management	North American Regional Forum	Mental health issues in law firms: protecting your firm’s most important assets	82
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PUBLIC AND PROFESSIONAL INTEREST DIVISION				
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Legal Practice Division General Meeting

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

The Agenda for the meeting, which will be published on the IBA website prior to the Conference and in the Final Conference Programme, will include the election of LPD Council Members to serve from 1 January 2011 – 31 December 2014.

THURSDAY 1000 – 1100

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 members of the Council any questions they may have relevant to the work of the Division.

The Agenda for the meeting, which will be published on the IBA website prior to the Conference and in the Final Conference Programme, will include the election of PPID Council Members to serve from 1 January 2011 – 31 December 2014.

THURSDAY 1100 – 1200

Human Rights Institute General Meeting

All Human Rights Institute members are encouraged to attend this meeting and are invited to put to the HRI 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 Institute in 2009/10 and its planned programme for 2011.

THURSDAY 1200 – 1300

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 and 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

German Federal Bar welcome breakfast

The German Federal Bar will host a breakfast, open to all delegates, with a discussion on the topic 'Law Firms Owned by Non-Lawyers'.

TUESDAY 0830 – 0945

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NEWS

Showcase Sessions

HRI Showcase

The appointment of judges to international courts and tribunals – competence, pragmatism, reprisal?

Presented by the Human Rights Institute and the Judges' Forum.

The processes for appointing judges to the International Criminal Court and other international courts and tribunals have come under increasing criticism. On the one hand, judges may be appointed as a reward for services rendered to a government, regardless of their competence to hold the post. On the other hand, judges' decisions that the government does not like may lead to retaliation in many forms. What checks and balances are there to prevent either form of abuse of international judicial positions? A panel of distinguished international jurists will discuss this vexed question.

MONDAY 1500 – 1800

LPD Showcase

'Bailing-in': The legal and regulatory challenges for a new approach to financial institution resolution regimes

Presented by the Legal Practice Division's Financial Services Section and the IBA Task Force on the Financial Crisis.

Amid a flood of proposals to avoid future financial crises, the concept of a 'bailing-in' of the capital structure of financial institutions facing insolvency is probably the most innovative and promising. The proposition is simple and basically requires that various levels of preferred stock, debt and hybrid capital issued by a financial institution will be converted into equity and/or progressively subordinated debt, with ordinary shareholders receiving warrants which would have value as and when the newly recapitalised institution returns to profitability. Current insolvency laws in many countries provide for similar arrangements, generally in respect of commercial/industrial companies and subject to prescribed rules requiring lengthy negotiation among stakeholders with judicial oversight. This has worked reasonably well for companies flying airplanes or packaging food stuffs, but financial institutions, by definition, can only trade on their financial credibility. Worse, the current rules applicable to the Lehman restructurings in England and, even more acutely, the US, have led to results which have wildly upset prevailing expectations in the financial markets, to a point that calls into question the viability of future market consensus in favour of English and New York law as governing law and jurisdiction of incorporation of choice for capital markets transactions and participants.

What hope is there to amend insolvency laws applicable to financial institutions in order to implement recapitalisation procedures overnight – or over a weekend – in order to avoid the irrevocable devastation of a 'rush' by depositors, customers and liquidity providers, leaving all creditors open to the vagaries and delay of current insolvency laws?

This session will review in detail the objectives and implications of a 'bail-in' regime, in particular against the findings of the IBA Task Force on the Financial Crisis formed in the immediate aftermath of the Lehman's collapse. Panellists will examine the myriad of legal and regulatory issues which need to be addressed, on a domestic and cross-border basis, in order to provide for adequate safeguards allowing regulators, markets and investors to accommodate a more rational approach to financial stress in this very key sector of the global economy. In the course of the session, the Task Force on the Financial Crisis will introduce the written report of its work to the public.

TUESDAY 1000 – 1300

PPID Showcase

The future of legal aid: and justice for all?

Presented by the Public and Professional Interest Division's Bar Issues Commission, Forum for Barristers and Advocates and Pro Bono and Access to Justice Committee.

Access to justice is on the brink of becoming a major victim of the global recession: governments across the world have no alternative other than to slash their budgets and face tough choices. 'Front line services', specifically health and education, are seen as political no-go areas, resulting in potentially deeper cuts in other areas, including the justice system and, in particular, legal aid programmes.

Where does access to justice fit, in practice, in the hierarchy of human rights and what can be done to protect it? Is it generally appreciated that reductions in legal aid budgets not only impact disproportionately on the poorest and most vulnerable but also significantly increase the potential for miscarriage of justice as well as producing expensive inefficiencies in the system? This Showcase session will explore the nature and extent of the threat in a range of jurisdictions and attempt to identify both what must realistically be regarded as 'non-negotiable' and where the profession should most usefully focus its energy. Suitable targets may be lobbying, public education, the expansion of pro bono programmes and a continuing dialogue with governments and state agencies on how access to justice can be improved for the benefit of all, including taxpayers who fund the justice systems.

WEDNESDAY 1000 – 1300

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General interest

Developing your practice

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

Turn contacts into clients and referrers: Pippa's COPACABANA approach to international networking

This interactive and participative session will give you 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.

MONDAY 1500 – 1800

Increase your value to current and future clients: Pippa's RAINBOW strategy

Your clients can be your greatest ambassadors and sources of new work. We will develop strategies to:

- understand the current pressures on your clients;
- understand your clients' business;
- strengthen and deepen your relationships with your clients;
- increase the quality and quantity of work from your clients;
- meet client expectations;
- provide 'added value';
- obtain feedback on your clients' perceptions of you;
- anticipate and prevent problems;
- deal with difficult clients and complaints;
- handle challenging fee discussions;
- cross-sell between your firm and the client;
- prepare a client relationship management strategy and plan; and
- implement your client relationship strategy.

WEDNESDAY 1500 – 1800

Give a winning presentation

By the end of this session, you will have given a presentation, in which you know how to:

- win and keep the audience's attention for a wide range of audiences;
- make a complex legal lecture interesting to all;
- deliver a winning pitch presentation;
- keep to time;
- project your voice effectively;
- use your body language powerfully;
- be impressive in your personal appearance;
- handle awkward people and answer difficult questions;
- increase your confidence and overcome your nerves; and
- use your notes and visual aids effectively.

THURSDAY 1500 – 1800



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Cultural Issues Programme



Unique Art of the Northwest Coast of Canada

Explore cultural traditions of the Northwest Coast. This session invites you to enjoy a private tour of the Bill Reid Gallery of Northwest Coast Art and feast upon a First Nations cuisine luncheon.

Named after the acclaimed Haida master goldsmith, carver, sculptor, writer and spokesman, the Bill Reid Gallery is devoted to understanding and appreciating contemporary Aboriginal art. Haida art, once at the heart of its people's culture, survived with Bill Reid with a depth and intensity unrelated to any 'revival', but deriving from primary sources while also leading to daring innovations. The Gallery is homage to Bill Reid and implicitly to the art of his ancestors who inspired him and to those successors whom he inspired. The Haida Nation is indigenous to the Northwest Pacific Coast of North America.

Tickets for this event can be purchased using the Committee Social Function form which will be sent to all registered delegates.

MONDAY 1230



Tour of the Law Courts

The Law Society of British Columbia, in association with the Canadian Bar Association and Federation of Law Societies of Canada will organise a tour of the Law Courts, which are housed in an architecturally stunning building. Places will be limited and participation will be by signing up at the IBA speakers' desk.

TUESDAY 0930

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- Intellectual Property Law
- International Energy/Environmental Law
- International Law
- International Taxation
- International Trade Law
- Transportation Law

Rule of Law Action Group

Rule of Law Symposium

Friday 8 October

0900 – 1300

In Prague 2005 the IBA Council passed a Rule of Law Resolution, 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 and Madrid, the final morning of the conference in Vancouver 2010 will also be devoted to the rule of law. As a main topic the conference will address:

The state of the rule of law in Canada and the US

Distinguished speakers in the field, Chief Justice Beverley McLachlin of Canada and Justice Sandra Day O'Connor of the US, will address the delegates on these and other pertinent current issues.

While we are usually looking at the developing world in discussing rule of law issues, it is necessary also to look at leading Western democracies. Are the US and Canada setting good examples to the rest of the developed world and to emerging democracies? What are the main challenges? How are these challenges currently being met and what is to be expected in the future?

It is the duty of a democratic society based on the rule of law to take measures to prevent crime and to safeguard human rights. The difficult task to balance and reconcile the tension between those objectives rests squarely with the legal profession and the judiciary. As academics, judges, lawyers and prosecutors we all have a duty to protect and preserve fundamental rule of law principles and to monitor laws conferring executive powers which have the potential of violating fundamental human rights.

In order to fulfil this duty the legal profession requires guaranteed independence. An independent bar and an independent judiciary with impartial judges are cornerstones in a democratic society and a prerequisite for upholding the rule of law.

However, in recent years we have been reminded that the democratic system per se does not guarantee that the respect for rule of law and human rights are at hand. The legislative measures taken after the September 11 catastrophe illustrate this fact. It is apparent that new national and international legislation introduced as counter measures in the war against terror may also constitute serious derogations from fundamental rule of law and human rights principles. A fair balance between the security interest and the integrity of the individual is difficult to strike. There are many examples of how societies have failed in their duty to get the balance right resulting in an unjustified derogation of fundamental values.

The rule of law implies protection of basic human rights as defined in constitutions and conventions; it relates to the right of the individual vis-à-vis the government and authorities; it places demands on legal rules as to their form and content, their interpretation and application; the implementation of the concept requires societies to provide security for the citizen against arbitrary exercise of authority. The individual must be able reasonably to predict the legal consequences of his own behaviour and any response by society thereto must be proportionate and consistent with fundamental human rights.



Presentation of the IBA Human Rights Award 2010

The IBA Human Rights Award will be presented to the 2010 winner. The award recognises outstanding achievement by a lawyer making a substantial contribution to the promotion, protection and advancement of human rights. Previous winners include Femi Falana of Nigeria for his commitment to increasing access to justice and ending the culture of impunity in the West African region, and Maria Inés Miranda Navarro of Spain for her dedication in promoting and protecting human rights in the disputed territories of Western Sahara.

1430 – 1600

The rule of law in Haiti

In the afternoon, a session on the rule of law in Haiti will be held. The session will review the work in promoting the rule of law in Haiti after the disastrous earthquake. What steps can be taken in the future to rebuild and support the judiciary, other legal institutions and access to justice in order to uphold the rule of law and protect human rights?

Mr Christian Ahlund, Executive Director of the International Legal Assistance Consortium (ILAC) has accepted to speak. Other highly distinguished speakers will be invited.

The IBA is a founding member of ILAC. ILAC has been involved in promoting the rule of law in Haiti since 2005 and is running a nationwide legal aid programme there.

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Working Sessions

Legal Practice Division

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African Regional Forum

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Dorothy Ufot *Dorothy Ufot & Co, Lagos, Nigeria*

Desmond Williams *Werksmans Incorporating Jan S de Villers, Johannesburg, South Africa*

Chair

Jacob Saah *Saah & Company, Accra, Ghana*

Community participation in mining projects – how to regulate community involvement in new mining projects effectively?

Joint session with the Mining Law Committee. See page 56 for details.

MONDAY 1000 - 1300

Risks and threats of corruption and the legal profession

Joint session with the Anti-Corruption Committee. See page 78 for details.

MONDAY 1000 – 1300

A BREAKFAST meeting will be held for members to discuss matters of concern and interest in the African region.

TUESDAY 0830 – 1000

Criminal justice reform in Southern Africa – alternatives to pre-trial detention

Joint session with the Human Rights Institute. See page 80 for details.

TUESDAY 1000 – 1300

Making Africa work – young lawyers in Africa and African lawyers abroad

Joint session with the Young Lawyers' Committee.

This session will examine the extent to which African lawyers can and do work in other jurisdictions worldwide, and the opportunities which work across Africa presents, especially for young lawyers. Our panel will analyse what is needed to be accredited to practice, what particular skills and traits young lawyers have which make them suited to transferring into and out of Africa, and identify new areas of practice which Africa offers to lawyers from around the world.

WEDNESDAY 1000 – 1300

China in Africa

Joint session with the Asia Pacific Regional Forum.

The dramatic increase in investment in Africa by Chinese State-owned enterprises and other businesses, coupled with massive development aid from China, has created new and important strategic alliances between the largest developing economy in the world and the African continent, particularly among those African countries that possess significant energy, mineral, agricultural and other strategic resources.

This panel will address the current regulatory, investment, finance, political and other issues and implications of Chinese investment and trade in Africa. Panel members will address these matters from the perspectives of the recipient African countries, Chinese investors and third-country trading partners.

WEDNESDAY 1500 – 1800

A LUNCH will be held for conference delegates.

See page 89 for details.

THURSDAY 1300 – 1500

The rule of law and the development agenda recovering Africa's looted wealth

This session will review the various efforts put in to recover Africa's looted wealth through a cross-jurisdictional perspective. It will not only present an update on legal obstacles to seizure/forfeiture and repatriation of Heads of State's and senior officials' assets in various jurisdictions (Africa, Europe and the US), with an emphasis on the role of Western financial institutions, but also draw lessons from the various experiences of anti-corruption bodies and donors' stolen assets recovery initiatives throughout Africa. It will also review some of the major prosecutions recently initiated in Africa on corruption grounds in public contracting. It will finally, through a cross-sectoral approach, envisage potential legal actions which has (or could be) developed by civil society, human rights organisations and minority groups, to target the abusive exploitation and distribution of sensitive natural resources (minerals, oil, forests and water).

THURSDAY 1500 – 1800

Arab Regional Forum

Council Liaison Officer

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

Chair

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

Successful investment in Arab Middle East countries

Many Arab countries moved from being impervious to the rising tide of both national and international investments to a promising market due to the rapid growth of the Arab countries economy that offers huge potential for investors.

Case studies, panel discussions and networking with experts and industry leaders will give delegates an interactive, experience-driven learning opportunity to grasp the growing and changing trends in the industry with a highlight on the legal systems and regulatory frameworks in the Arab countries. With over US\$35 billion invested across the region, the challenge was to find deals in which to invest money, and exits which will offer a good return. The session will give strategic insights into the opportunities that the region has to offer along with key successful projects.

MONDAY 1000 – 1300

Risks and threats of corruption and the legal profession
Joint session with the Anti-Corruption Committee. See page 78 for details.

MONDAY 1000 – 1300

A LUNCH will be held for conference delegates.
See page 87 for details.

MONDAY 1300 – 1500

Asia Pacific Regional Forum

Council Liaison Officers

Vivien Chan *Vivien Chan & Co, Hong Kong SAR*

Masahiro Shimojo *Nishimura & Asahi, Tokyo, Japan*

Co-Chairs

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

Kimotoshi Yabuki *Yabuki Law Offices, Tokyo, Japan*

The state of the global automotive industry: how restructuring, regulation and innovation will affect the industry's future

Joint session with the North American Regional Forum. See page 47 for details.

MONDAY 1000 – 1800

Risks and threats of corruption and the legal profession
Joint session with the Anti-Corruption Committee. See page 78 for details.

MONDAY 1000 – 1300

Adding value to the bottom line: how corporate legal departments demonstrate value

Joint session with the Corporate Counsel Forum. See page 44 for details.

MONDAY 1500 – 1800

Cross-border culture: trade law faces new challenges

Joint session with the Trade and Customs Law Committee. See page 48 for details.

TUESDAY 1000 – 1300

A LUNCH will be held for conference delegates.
See page 87 for details.

TUESDAY 1300 – 1500

Foreign investment by state-owned enterprises and national security considerations of target countries

Joint session with the Inter-Pacific Bar Association (IPBA).

As Brazil, China, India and other developing markets of the Asia Pacific region continue to expand and become increasingly integrated into the global economy, the traditional net foreign investment flow into these markets is gradually reversing itself. With strong balance sheets, access to domestic finance and the encouragement of government policy, the state-owned enterprises of these developing economies are increasingly looking to invest in developed markets throughout the world in many sectors, such as energy, minerals, agriculture and infrastructure, that are strategically important to both the acquiring and the target countries. This session will address the changing legal and regulatory environment, complex issues and current developments in this increasingly important practice area. Among other matters, the panel members will discuss the model of Chinese State-owned enterprises attempting to acquire oil and mineral interests and companies abroad, successfully and

unsuccessfully, and the challenges of navigating the regulatory and political impediments in target countries such as Australia, Canada and the US in these areas, where there are real and perceived national security interests at stake. The session will be conducted in an interactive panel format and will focus on practical considerations and recent transactions as case studies.

TUESDAY 1500 – 1800

Cultural issues in litigation in the Asia Pacific region – myth or reality?

Joint session with the Litigation Committee. See page 53 for details.

WEDNESDAY 1000 – 1300

China in Africa

Joint session with the African Regional Forum. See page 43 for details.

WEDNESDAY 1500 – 1800

Trade-related developments in the Pacific Rim

Joint session with the Latin American Regional Forum. See page 47 for details.

THURSDAY 1500 – 1800

When a sale of goods goes south: freezing orders, cancellation of contract, damages, business interruption

Joint session with the International Sales Committee. See page 67 for details.

FRIDAY 1000 – 1300

Corporate Counsel Forum

Council Liaison Officers

Pii Ketvel *Marcol Europe, Luxembourg*

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

Co-Chairs

Thomas Hickey *Hess Oil & Gas SDN BHO, Kuala Lumpur, Malaysia*

Giuseppe Sanna *London, England*

The increasing risks which companies and their directors and officers face, focusing on reputational risk and the difficulties caused by local insurance requirements for a global business

Joint session with the Insurance Committee. See page 59 for details.

MONDAY 1000 – 1300

Adding value to the bottom line: how corporate legal departments demonstrate value

Joint session with the Asia Pacific Regional Forum and the Young Lawyers' Committee.

In-house counsels have long struggled to identify practical measures of the value they add to their enterprises. They know they are an affirmative asset and serve as effective business partners to internal clients, and they resent being labelled 'the sales prevention team' or dismissed as a cost centre that consumes resources without contributing to the bottom line. They rankle when their legal department is pigeonholed as a haven for pessimists, nay-sayers, risk-reducers, or young lawyers with less vision, ambition, and entrepreneurial spirit than their law firm counterparts.

In this candid discussion, panelists will address various perspectives on how in-house counsel, from junior to senior, can command greater respect for their can-do contributions – for the crucial role they play

not just in risk management, but in strategic decision-making, in leading proactive activities and initiatives, in shaping transactions and keeping regulatory wolves from the door.

Discussion also will cover various metrics for demonstrating legal department value-added, as well as how to attract top legal talent and make the legal department a highly-desirable career destination for young lawyers.

MONDAY 1500 – 1800

When M&A transactions go wrong: the resolution of disputes arising out of M&A transactions

Joint session with the Corporate and M&A Law Committee. See page 50 for details.

TUESDAY 1000 – 1300

What's next for law firms III – the future of client relationships: the client's perspective

Joint session with the Law Firm Management Committee. See page 81 for details.

TUESDAY 1000 – 1300

A LUNCH will be held for conference delegates.

See page 87 for details.

TUESDAY 1300 – 1500

Cooperation of inside and outside counsel – the value challenge: partnering between inside and outside counsel to improve the delivery of value to corporate clients

Joint session with the Closely Held and Growing Business Enterprises Committee. See page 49 for details.

TUESDAY 1500 – 1800

International corporate governance

Joint session with the Corporate and M&A Law Committee.

The recent financial crisis has sharply increased the attention given to good (and bad) corporate governance. Consequently, inside and outside lawyers are increasingly being called upon to lead business clients through an improvement of their systems of internal governance and risk management.

This session will first address the role of corporate governance in the financial crisis and consider:

- Did inadequate corporate governance fuel the financial crisis?
- What did corporate lawyers do right, and how could they improve?
- Has corporate governance taken on a higher profile during due diligence and negotiating reps and warranties?
- Also, as a profession how can we capitalise on this opportunity to improve our clients' systems of corporate governance?

The second half of the session will zero in on the development and implementation of corporate governance in emerging markets. In particular, how does corporate governance work in China, India and Brazil and other emerging markets, and how does this differ from corporate governance in other parts of the world?

WEDNESDAY 1000 – 1300

WHY CAN'T I WIN: government tendering, bid protests and remedies in national and international cross-border procurement: compliance, transparency, anti-corruption and other exciting war stories

Joint session with the International Sales Committee. See page 67 for details.

THURSDAY 1000 – 1300

Counterfeiting and piracy: new approaches to an age-old scourge

Joint session with the Intellectual Property and Entertainment Law Committee. See page 64 for details.

THURSDAY 1500 – 1800

European Regional Forum

Council Liaison Officers

Hendrik Haag *Hengeler Mueller, Frankfurt am Main, Germany; Chair, Legal Practice Division*

Tomasz Wardynski *Wardynski & Partners, Warsaw, Poland*

Co-Chairs

Søren Johansen *Kromann Reumert, Copenhagen, Denmark*

Vassily Rudomino *Alrud Law Firm, Moscow, Russia*

The state of the global automotive industry: how restructuring, regulation and innovation will affect the industry's future

Joint session with the North American Regional Forum. See page 47 for details.

MONDAY 1000 – 1800

Risks and threats of corruption and the legal profession

Joint session with the Anti-Corruption Committee. See page 78 for details.

MONDAY 1000 – 1300

A LUNCH will be held for conference delegates.

See page 87 for details.

MONDAY 1300 – 1500

Financing and private equity investment in healthcare

This session will focus on legal challenges to the key business models within the area of healthcare service provision. The traditional public finance in this sector proves increasingly insufficient. The healthcare industry is experiencing a rapidly accelerating need for increased private financing (private equity investors, insurance companies, banks, etc). Acquirers of services such as municipalities, the state or insurance companies are interested in better cost efficiency, quality and a value-based approach in the healthcare industry. These benefits can be derived from privately financed public healthcare services, privately financed private healthcare services, and private financing for identified key non-service related areas/products relevant to the healthcare service sector. With a universally ageing population, these issues become a global legal challenge, even in the traditionally diverse legal jurisdictions. This session offers a unique opportunity for the legal community to share knowledge with their colleagues in other jurisdictions. This working session will have a practical and case study based approach, covering M&A and private equity cases in healthcare.

TUESDAY 1500 – 1800

Specifics of antitrust regulation and enforcement in emerging markets of BRIC countries

Joint session with the Antitrust Committee. See page 48 for details.

WEDNESDAY 1500 – 1800

Successful models for cross-border legal practice – the economics of law firms after the recession

Joint session with the North American Regional Forum and the Law Firm Management Committee.

The panel will discuss, in roundtable format, the role of global law firms in today's cross-border legal market and will consider what role is still played by domestic law firms. Is the model of the global firm outperforming the others? How are 'national champions' faring? What about regional firms and specialist practices? What is the impact of opposition from local bars in some emerging markets towards the entry of international firms? In an environment where more and more clients demand 'more for less', what are the pricing implications for different types of competitors, and how much impact will this have on their long-term success? What are the pricing implications of different practice models? How should firms respond to the growing tendency for clients to have panels and to encourage different panel firms to compete on price? Are we likely to see a further move towards value and fixed cost pricing models?

THURSDAY 1000 – 1300

Latin American Regional Forum

Council Liaison Officers

Daniel Del Rio *Basham Ringe y Correa SC, Mexico City, Mexico*

Moirá Huggard-Caine *Tozzinfreire Advogados, São Paulo, Brazil*

Co-Chairs

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

Claudio Undurraga *Prieto y Cia Abogados, Santiago, Chile*

Risks and threats of corruption and the legal profession

Joint session with the Anti-Corruption Committee. See page 78 for details.

MONDAY 1000 – 1300

Workshop on Canadian investments and disinvestments in Latin America: lessons to learn

Canadian investments in Latin America have been substantive in the last decade, in areas as diverse as banking, mining, energy, engineering and services. This panel will focus on the most common problems and challenges that Canadian companies have faced upon disembarking in Latin America and how they have dealt with them. Furthermore, because some ventures ended up in disinvestments, the panel will also explore the reasons for such a decision, whether it was voluntary, government-oriented or government-driven. General counsels of Canadian companies and firms will share their major concerns when facing legal problems in Latin America and how they have been affected by the changes in legal, institutional and political trends in Latin America.

MONDAY 1500 – 1800

Powering the mining industry – what is the industry doing about generating energy for projects?

Joint session with the Mining Law Committee. See page 56 for details.

TUESDAY 1000 – 1300

A LUNCH will be held for conference delegates.

See page 87 for details.

TUESDAY 1300 – 1500

Developing mining projects while mitigating adverse impacts

Joint session with the Environment, Health and Safety Law Committee and the Mining Law Committee.

Mining projects involve a wide range of aspects and impacts on the jurisdictions where they are located. They usually operate for quite a long period of time and therefore a careful analysis of their impact on the environment and the local communities is required.

Each mining project has unique features and impact, although there are areas of common concern to experts in this field. In this regard, more attention has recently been paid to the social aspects of mining projects, and new terms such as 'social license' are part of the usual industry vocabulary.

This session will address the development of mining projects in different countries of the world and the different experiences and alternatives in mitigating adverse impact from a technical and social perspective, with the focus on issues such as indigenous communities, other local activities or industries, eg tourism, and the use of other scarce natural resources such as water, among other challenging topics.

TUESDAY 1500 – 1800

Private equity funds as a financing opportunity

Joint session with the Investment Funds Committee.

The 2008 economic crisis has gravely affected all sectors of the economy. As a result, during 2009, private equity funds invested more carefully, a trend which is likely to continue during 2010. Regardless of the above, the 2008 economic crisis is not the only one that private equity funds have seen. They have survived the leverage buyout industry crisis, the dot-com bubble and lately, the credit crunch, and will continue being a great financing opportunity in the future. In fact, these crises motivate private equity funds to pursue new transactions in order to invest their massive funds, and Latin America poses a great opportunity.

This panel will focus on the new opportunities that investment funds have in the region in areas such as infrastructure, real estate and retail. It will also take a look at the corporate structures followed, the tax advantages, the special legislations enacted in different countries, the capitalisation restrictions that these funds have found in different countries, and the terms and conditions that may be negotiated in order to better achieve high returns.

WEDNESDAY 1500 – 1800

Roads to growth: successful infrastructure financing in Brazil and other Latin American countries

Joint session with the Project Finance Subcommittee.

Last year's international crisis seemed to find Brazil at a very different moment in its history. Solid hard currency reserves, coupled with consistent inflation and interest rate controls, allowed the country to be one of the last to be hit, and among the first to emerge. Now, Brazil is readier than ever to begin a new growth era, and one of the first challenges is the urgent demand for major infrastructure development initiatives. Among them lies everything that will be required to service the newly discovered 'pre-salt' oil reserves, to provide energy and transportation to face the expected GDP growth and to put the country in shape to host several international mega-events. There are, therefore, enormous opportunities for foreign investors. These investments are not only vital in sectors like roads, rail, ports, airports, energy infrastructure, but also in telecoms and data transmission networks.

The financing of this ambitious investment programme requires smart application of the latest trends and techniques in both public and private sector and multilateral institutions.

A panel including regional specialists and international infrastructure development and financing specialists will discuss the solutions found in Brazil and will consider how other Latin American countries can benefit from the Brazilian experience and, vice versa, whether Brazil can learn from its neighbours.

THURSDAY 1000 – 1300

Trade-related developments in the Pacific Rim

Joint session with the Asia Pacific Regional Forum and the International Sales Committee.

As a result of the global economic crisis, trade relations among countries in the Pacific Rim have undergone many changes. This session will focus on how the different regions of the Pacific Rim are taking advantage of these changes to promote trade within the region. Lawyers from different jurisdictions will explore new procedures and mechanisms that have been developed to improve trade in the aftermath of the global economic crisis.

THURSDAY 1500 – 1800

Financing major mining projects in Latin America

Joint session with the Mining Law Committee. See page 57 for details.

FRIDAY 1000 – 1300

North American Regional Forum

Council Liaison Officers

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

David W Rivkin *Debevoise & Plimpton LLP, New York, USA*

Co-Chairs

Pierre Bienvenu *Ogilvy Renault LLP, Montreal, Quebec, Canada*

Timothy Powers *Haynes and Boone LLP, Dallas, Texas, USA*

Risks and threats of corruption and the legal profession

Joint session with the Anti-Corruption Committee. See page 78 for details.

MONDAY 1000 – 1300

The state of the global automotive industry: how restructuring, regulation and innovation will affect the industry's future

Joint session with the Asia Pacific Regional Forum and the European Regional Forum.

Two of the 'Detroit Three' automotive manufacturers have emerged from bankruptcy with uncertain prospects and with government and labour as new shareholders. Other manufacturers are engaged in substantial restructuring. All vehicle manufacturers and parts suppliers face demands to compete on a global basis while dealing with complex and varying environmental and regulatory rules, different distribution regimes and wide-ranging consumer preferences and demands for innovative vehicle design and technology.

How is the global automotive industry responding to these challenges and what does the future hold?

This all-day session will consider these questions in four mini-sessions addressing:

- the aftermath of the General Motors and Chrysler bankruptcies and how their restructuring may affect competition in the US and abroad;

- a comparative review of global motor vehicle distribution regimes in North America, Europe and Asia;
- the challenges of varying environmental and regulatory rules governing safety, fuel economy and greenhouse gas emissions; and
- the impact of technological innovation and the quest to replace petroleum fueled engines with batteries, plug-in hybrids, fuel cells and technologies yet to be invented.

MONDAY 1000 – 1800

A LUNCH will be held for conference delegates.

See page 87 for details.

MONDAY 1300 – 1500

Third parties in arbitration: what are the limits?

Joint session with the Arbitration Committee. See page 52 for details.

TUESDAY 1500 – 1800

Real estate investment opportunities resulting from the financial crisis – a picture of the real estate market in North America: why, what, where, who?

Joint session with the Real Estate Committee. See page 72 for details.

WEDNESDAY 1000 – 1300

Acquisition finance – the North American perspective

Joint session with the Banking Law Committee. See page 58 for details.

WEDNESDAY 1500 – 1800

Investment incentives and managing risk in financing new generating capacity: can and must fossil fuelled generation compete?

Joint session with the Power Law Committee. See page 58 for details.

THURSDAY 1000 – 1300

Successful models for cross-border legal practice – the economics of law firms after the recession

Joint session with the European Regional Forum. See page 46 for details.

THURSDAY 1000 – 1300

From room service to Rock Band – exploring the nexus of technology and leisure

Joint session with the Leisure Industries Section. See page 70 for details.

THURSDAY 1500 – 1800

Mental health issues in law firms: protecting your firm's most important assets

Joint session with the Law Firm Management Committee. See page 82 for details.

THURSDAY 1500 – 1800

Antitrust and Trade Law Section

Council Liaison Officer

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

Antitrust

Co-Chairs

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

Gregory McCurdy *Microsoft Corporation, New York, USA*

General counsel and antitrust enforcer round table

European and North American antitrust enforcers and prominent general counsel will discuss lessons learnt from recent cases and current hot topics.

MONDAY 1000 – 1300

Global developments involving dominant firm conduct

Unilateral conduct – the law of discounts and loyalty rebates – has been front and centre in the *Intel* cases in the EU, US and elsewhere. The law varies from jurisdiction to jurisdiction. This panel will examine the debate on these issues in light of the current cases.

MONDAY 1500 – 1800

Accessing healthcare – professional protocols and their implications in antitrust law: professional privilege?

Joint session with the Medicine and the Law Committee. See page 69 for details.

TUESDAY 1000 – 1300

Current issues in international merger policy and practice

This panel will present and discuss recent developments in competition issues involving mergers in both major jurisdictions and emerging competition regimes.

TUESDAY 1500 – 1800

Dawn raids and search powers in antitrust investigations

Joint session with the Business Crime Committee.

Dawn raids, also known as ‘unannounced inspections’ are a common tool in civil law countries, including European jurisdictions, to gather documentary evidence from companies being investigated in antitrust or other types of business crime cases. This panel will examine some common issues that arise, such as compulsory production of documents, handling implicated individuals, evidence collection, and coordinating with other jurisdictions. The speakers, both government and defence lawyers will also attempt to suggest improvements to the current procedures in antitrust and other business cases.

WEDNESDAY 1000 – 1300

Specifics of antitrust regulation and enforcement in emerging markets of BRIC countries

Joint session with the European Regional Forum.

As investors are still looking for profitability in growing markets, M&A activity in BRIC countries remains at a high level and foreign companies expand their activities in these countries. At the same time the governments of these countries continue to develop and enforce their legislation to protect competition. Antitrust enforcers

from Brazil, Russia, India and China, as well as leading competition law practitioners, have been invited to this special ‘BRIC session’ to discuss the latest developments and trends in antitrust regulation and enforcement in these jurisdictions. The panel will explore features of merger control, problems of antitrust law enforcement and the consequences for violating the competition laws. The speakers will also address the prospects for cooperation among BRIC antitrust authorities.

WEDNESDAY 1500 – 1800

Antitrust issues in the airline alliances

Joint session with the Aviation Law Committee. See page 71 for details.

THURSDAY 1000 – 1300

Antitrust regulation for natural resources

Joint session with the Mining Law Committee. See page 57 for details.

THURSDAY 1000 – 1300

Trade and Customs Law

Chair

Daniel Moulis *Moulis Legal, Canberra, Australian Capital Territory, Australia*

The modern trade lawyer: what companies want from their counsel

As the first decade of the 21st century draws to a close, both the law and practice of international trade are undergoing substantial change. In this flagship session, speakers from some of the world's leading multinational corporations will discuss how the international trade law issues that their companies are facing are changing – and how their companies’ resulting legal services needs are evolving – in this era of globalised supply chains and investment, and post-recessionary trade policy.

MONDAY 1500 – 1800

Cross-border culture: trade law faces new challenges

Joint session with the Asia Pacific Regional Forum.

National sovereignty over culture has begun to clash with international trade norms. In this joint session, we look at how measures intended to protect or promote national culture can clash with the WTO and free trade agreement obligations. The recent WTO ruling on audio-visual measures in China, cross border measures to protect moral and religious standards, and data sovereignty issues in free trade agreements will be covered.

TUESDAY 1000 – 1300

New developments in transfer pricing with respect to import/export of goods

Joint session with the Taxes Committee.

The economic downturn has forced many multinational companies to examine both pricing policies and expense allocations in connection with the sale of goods across borders. At the same time, several governments have recently announced an intention to crackdown on perceived transfer pricing abuses. This joint session will review basic transfer pricing and customs valuation concepts and recent developments in these areas through the use of a case study. The panel will concentrate on identifying issues of interest to both corporate counsel and non-tax practitioners, noting the general tension between tax and customs duty minimisation strategies.

TUESDAY 1500 – 1800

Corporate Law Section

Council Liaison Officer

Jaime Carey *Carey y Cia Ltda, Santiago, Chile*

Closely Held and Growing Business Enterprises

Chair

Robert Falvey *Minter Ellison Rudd Watts, Auckland, New Zealand*

Advising the entrepreneur who seeks to raise capital – pitching interviews and term sheet negotiation

Entrepreneurs pitching professional investors frequently seek counsel for legal and strategic advice. The venture capital industry in turn has well-defined rules as to what a professional investor expects from an entrepreneur during the – at best – 60 minutes of the initial interview and how that information is to be presented. If the interview (and its follow ups) goes well, a term sheet negotiation may follow right away. This interactive panel reviews how to advise the entrepreneur to present the company at the initial interview, the PowerPoint content, the oral presentation, the preparation for Q&A, and critical advice the entrepreneur needs for the initial phase of a term sheet negotiation.

MONDAY 1000 – 1300

Managing underperforming assets of closely held enterprises: when is it time to sell?

Joint session with the International Sales Committee. See page 66 for details.

MONDAY 1500 – 1800

Cooperation of inside and outside counsel – the value challenge: partnering between inside and outside counsel to improve the delivery of value to corporate clients

Joint session with the Corporate Counsel Forum and the Law Firm Management Committee.

The keynote speaker will discuss how inside and outside counsel look for new ways to improve the delivery of legal services to corporate clients. Breakout sessions, led by in-house and outside counsel, will then address:

- partnering: improving our relationship and trust: objectives/expectations;
- efficiency/process management: adequate workflow to drive understanding of clients' needs and increased efficiency;
- junior lawyers: getting outside junior lawyers better trained, priced reasonably, practicing on the front line and more likely to be retained;
- predictable costs: budgeting and management models: alternative best practices models for budgeting and managing fees, costs and staffing;
- metrics: measuring progress and performance;
- permanent win-win: institutionalising a win-win relationship; and
- future: fostering continuous improvement.

TUESDAY 1500 – 1800

Corporate governance in family-owned enterprises – creating tomorrow's enterprise from today's prevention and planning

Whether a family company is a giant or a small enterprise, conflicts between members may become a serious toll on the business, thereby reducing the odds of the company surviving in the long term. Historically, only 30 per cent of family businesses make a successful transition from the first generation to the next. As more baby boomers reach retirement age in the next decade, a growing number of firms will experience governance issues. Often it is common to find structures that do not separate governance of the firm from affairs of the family. Setting a clear and understood structure, procuring and managing stability through an effective board with competent, independent and outside directors with clear rules on transparency and information to shareholders and outsiders, defining a clear chain of command and decision-making process and developing clear recruitment, promotion and compensation policies may be some of the key factors crucial in creating value and preventing conflicts within these generally closely-held organisations.

This panel will discuss the core issues that usually arise within the context of these type of enterprises, addressing common issues like power, leadership and voting rights at the family table, parallel agreements and their clauses, majorities' and minorities' protection and succession planning. The panel will offer diverse perspectives, from non-lawyers deeply involved in managerial issues, in-house counsel and private practitioners providing legal advice to family-owned companies.

WEDNESDAY 1000 – 1300

Private enterprises and investments in real estate

Joint session with the Real Estate Committee. See page 72 for details.

WEDNESDAY 1500 – 1800

Curse or cure – recent variations in treatment of foreign investment

Businesses expanding beyond their home country, whether it is for the first or the fiftieth time, face many challenges in a new country, such as different culture, business practices and laws.

More subtly, a new country may treat foreign businesses differently from local enterprises. Will the expanding foreign business be limited by local laws or practices favouring domestic entities? Must it have a local partner in order to be permitted to start or conduct its business? Or to what extent is there no difference in treatment between domestic and foreign businesses?

Has the recent economic turmoil increased or decreased domestic hurdles faced by foreign businesses?

Our discussion will identify transnational issues and trends.

THURSDAY 1500 – 1800

Corporate and M&A Law

Formerly the Business Organisations Committee

Co-Chairs

Gisèle Rosselle *White & Case LLP, Brussels, Belgium*

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

Dissecting the deal

This session will run the microscope over some of the world's most significant transactions in 2009/10. Members of the firms involved will share war stories, analyse structures and strategies and share the lessons learnt from these deals.

MONDAY 1000 – 1300

When M&A transactions go wrong: the resolution of disputes arising out of M&A transactions

Joint session with the Arbitration Committee, the Corporate Counsel Forum and the Litigation Committee.

Intense M&A activity and the market downturn have highlighted the importance of managing dispute risks in M&A transactions. This session will consider issues which commonly arise in connection with M&A transactions and, in particular, disputes arising out of the most widely used contracts, concepts and clauses in both public and private M&A, including the following:

- letters of intent; non-disclosure, standstill and exclusivity pre-merger agreements;
- net working capital determinations in private M&A transactions;
- material adverse change (MAC) clauses, breach of seller's covenants and representations; and
- deal protection measures and termination rights in public M&A, such as break fees, reverse break fees, termination rights, and fiduciary outs.

While leading M&A practitioners will discuss alternative approaches to these issues, both from a common law and civil law perspective, litigators, judges and arbitrators will contribute their experience and draw lessons for the future.

TUESDAY 1000 – 1300

Deal or no deal – hard choices for troubled businesses

Joint session with the Insolvency, Restructuring and Creditors' Rights Section (SIRC). See page 62 for details.

TUESDAY 1500 – 1800

International corporate governance

Joint session with the Corporate Counsel Forum. See page 45 for details.

WEDNESDAY 1000 – 1300

Public M&A – advanced topics

This session is a follow-up to the session 'Running your first public M&A deal' at the IBA 2009 Annual Conference in Madrid. This session will be aimed at experienced practitioners and those who have an interest in advanced topics in public M&A. Join senior M&A lawyers in a discussion of innovative deal structures, deal protection provisions, effective walk-away rights including MAC clauses, and trends and tactics to be used in a competing bid situation.

WEDNESDAY 1500 – 1800

Immigration and employment issues to consider in an M&A cross-border transaction: practicalities and pitfalls

Joint session with the Immigration and Nationality Law Committee. See page 61 for details.

THURSDAY 1500 – 1800

Current Legal Developments

Chair

Jocelyn Kelley *Blake Cassels & Graydon LLP, Vancouver, British Columbia, Canada*

Emerging trends

This session will explore recent developments in law and practice and will feature contributions from a number of panellists from key jurisdictions. The session will cover the types of deals and any innovative structures applied in the current volatile environment to facilitate the completion of deals, regulatory implications, altered

strategies for private equity practice and the role of governments and measures applied in banking M&A transactions.

MONDAY 1500 – 1800

Private Equity

Chair

Christian Hoedl *Uria Menéndez, Madrid, Spain*

Managing portfolio companies

In the current economic climate, sponsors and management teams require expert legal advice on issues ranging from refinancing and restructuring to directors' liabilities, the realignment of the interests of sponsors and managers, new equity injections and add-on investment opportunities. The session will analyse these topics from a practical, multijurisdictional perspective.

FRIDAY 1000 – 1300

Criminal Law Section

Council Liaison Officer

Almudena Arpón de Mendivil *Gómez-Acebo & Pombo Abogados, Madrid, Spain; Assistant Secretary-Treasurer, Legal Practice Division*

Competing jurisdictions and international prosecution policy in criminal cases – where are the guidelines to decide which country prosecutes?

There are many transnational crimes where more than one country has jurisdiction to prosecute defendants. This could be in the area of business crime and regulatory offences, under a variety of international conventions or under the general criminal law. There is a clear lack of consistent guidance as to what criteria should be applied in selecting the jurisdiction for criminal process.

This panel for this session will be made up predominantly of prosecutors from around the world. It will encourage a full and open debate on the issues facing prosecutors in major jurisdictions, the challenges posed by international crime, and the arrangements both at a formal and informal level for ensuring the efficient investigation and prosecution of defendants across jurisdictions.

MONDAY 1000 – 1300

Business Crime

Co-Chairs

Gail Shifman *Shifman Group Attorneys, San Francisco, California, USA*

Jan M Sjöcrona *Sjöcrona Van Stigt Advocates, The Hague, the Netherlands*

The increasing risks which companies and their directors and officers face, focusing on reputational risk and the difficulties caused by local insurance requirements for a global business

Joint session with the Insurance Committee. See page 59 for details.

MONDAY 1000 – 1300

Environmental crimes: case study

The panel will address the international ramifications of (alleged) environmental crimes. Issues to be covered include:

- the international regulatory framework, enforcement and the weakest link, eg criminal provisions in the MARPOL and Basel Conventions, and Regulation No (EC) 1013/2006 on shipments of waste;
- limits on evidence gathering abroad and mutual legal assistance;
- the role of non-governmental bodies (eg Greenpeace);
- attempting to achieve prosecution under the European Convention on Human Rights, eg ECHR cases *Öneryildiz v Turkey* and *Budayeva v Russia*;
- immunity from prosecution for government bodies? Influencing and silencing the media (and MPs);
- 'super-injunctions' in the UK and libel actions against the BBC et al;
- interaction of civil and criminal cases; and
- letting the prosecutor do the job.

Among the case studies that will be presented is Probo Koala, which made international headlines in September 2006 when it was alleged that the waste from that vessel caused multiple deaths in Côte d'Ivoire and eventually the resignation of its Government. The criminal investigation in Côte d'Ivoire ended with a settlement of €152 million. A class action suit, brought on behalf of over 30,000 people who allegedly fell ill, was settled in London for £30 million. The only criminal trial concerning events in Europe will take place in the Netherlands, where a local government body is also being prosecuted.

TUESDAY 1000 – 1300

Tax offences in cross-border cases: evasion or avoidance?

Joint session with the Taxes Committee.

This panel will address jurisdictional differences in the light of tax violations that deserve to be punished (or not): one country's avoidance or fraud is another's evasion. What does that mean for specific exchange of information versus generic requests, including taxpayer's rights and safeguards (eg Switzerland now exchanging information with the US and modifying its tax treaties). How does all this reflect on the position of tax advisors, prosecutors and defence in cross-border cases?

WEDNESDAY 1000 – 1300

Dawn raids and search powers in antitrust investigations

Joint session with the Antitrust Committee. See page 48 for details.

WEDNESDAY 1000 – 1300

Tax crimes: cross border cases – evasion or avoidance, cross-border sharing of information on tax cases, defence of cross-border criminal tax cases

Joint session with the Taxation Section.

This all day session will consist of three panels. The first will address when tax planning crosses from legitimate avoidance to activity considered to be criminal under the laws of various jurisdictions. Particular focus will be on defining criminal activity and the hallmarks of criminal activity that reaches across borders. Recent cases where criminal prosecutions have been pursued will be described. The next panel will consider the various tools used by various jurisdictions to investigate possible tax violations with particular reference to information exchange provisions of treaties and their possible role in overrides of local law limitations on investigations. The final panel will provide practical insights into the defence of alleged criminal activity from the standpoint of the procedures and substantive rules of various jurisdictions. These insights will pertain to strategies for asserting, maintaining, and waiving privileges, cooperation and resistance, bargaining with prosecutors, use of experts, and marshalling of facts in support of applicable defences.

THURSDAY 0900 – 1830

Criminal Law

Co-Chairs

Rod Fletcher *Russell Jones & Walker, London, England*

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

Developing trial and advocacy tactics and techniques

Topics will include:

- using pre-trial motions to avoid a trial altogether;
- obtaining disclosure and investigating the issues;
- preparing for trial;
- handling the media and using them to your client's advantage;
- tricks for selecting the best jury;
- opening statements that dazzle;
- closing arguments that win the case;
- developing captivating direct examinations;
- the art of effective cross-examination; and
- admissible evidence and use of experts.

MONDAY 1500 – 1800

Investigation of criminal cases, including MLA requests

Jurisdictions have very different investigative procedures. This session will examine and highlight those differences, choosing various topics, eg powers of search, powers to require production of documents, legal professional privilege, process for surveillance, interviewing suspects, detention before trial. Thereafter, the session will consider requests for mutual legal assistance from one State to another and how those requests are carried out, ie according to the laws and process of the requested State.

TUESDAY 1500 – 1800

Seeking justice worldwide: an examination of whether criminal defendants across the globe can receive a fair trial

This session will examine the following key issues regarding criminal justice systems in different nations across the world and their impact on criminal defendants receiving a fair trial:

- What is an internationally agreed upon definition of a 'properly functioning' criminal justice system?
- State-funded defence legal services vary worldwide – which systems have merit and which systems are in need of improvement?
- Western nations are exporting their criminal justice systems to war-torn and developing nations. Will this trend ultimately help criminal defendants receive a fair trial?
- Corruption in the judiciary: how can nations fight the corrosive problem of judicial corruption?

WEDNESDAY 1500 – 1800

Dispute Resolution Section

Council Liaison Officers

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

Nicola Mumford *Wragge & Co LLP, London, England*

The art and science of persuasion

Whether it is in a negotiation, a mediation, an arbitration or a courtroom, the ability to persuade is a required skill for an international lawyer.

But what does it take to 'persuade'? How does an international lawyer cause an arbitrator, judge, businessperson or other lawyer, to willingly reach the desired conclusion? Research indicates that the process is complex. To complicate matters, international lawyers operate across legal traditions. Beyond differences in legal culture, even social cultural differences can be important when attempting to persuade.

This programme will feature some of the world's top civil and common law advocates, judges and arbitrators as well as non-lawyer experts such as jury trial consultants/psychologists expert in the art and science of persuasion.

MONDAY 1000 – 1300

Arbitration

Co-Chairs

Judith Gill QC *Allen & Overy LLP, London, England*

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

Arbitration and insolvency

Joint session with the Insolvency, Restructuring and Creditors' Rights Section (SIRC).

When a party to arbitral proceedings becomes insolvent in the country of the seat of the arbitration, issues arise as to the effect of the insolvency proceedings on the arbitration agreement, the conduct of the arbitral proceedings, the claims that can be considered by the arbitral tribunal and the effect of the arbitral award. When such a party becomes insolvent elsewhere, additional issues arise, including with respect to the recognition and effect of the 'foreign' insolvency proceedings.

National responses to these issues vary and are, to some extent, harmonised by the UNCITRAL Model Law on Cross-Border Insolvency which has been implemented by some 20 nations and in the EU by the EC Regulation on Cross-Border Insolvency.

MONDAY 1500 – 1800

When M&A transactions go wrong: the resolution of disputes arising out of M&A transactions

Joint session with the Corporate and M&A Law Committee. See page 50 for details.

TUESDAY 1000 – 1300

Third parties in arbitration: what are the limits?

Joint session with the North American Regional Forum.

International arbitration, particularly in the area of investment disputes, has recently received pressure from a variety of third parties for greater transparency and access to the proceedings. Players such as NGOs, the Commission of the European Union, and First Nations as well as third-party funders have achieved various degrees of success. However, legal circumstances in which third-party participation can arise are varied and no consensus on generally applicable rules has emerged.

This session will review recent developments in third-party participation in international arbitration including:

- *amicus curiae* participation;
- participation by international or parastatal entities;
- rights of intervention by State parties;
- procedural challenges (confidentiality, due process, equality of arms, costs); and
- the impact and implications of third party participation on international arbitration.

TUESDAY 1500 – 1800

The IBA Rules on the Taking of Evidence in International Arbitration: A presentation of the 2010 revised text

This breakfast meeting will mark the formal presentation of the 2010 revised text of the IBA Rules on the Taking of Evidence in International Arbitration. Since their issuance in 1999, the IBA Rules have gained wide acceptance within the international arbitral community. The revised text has been developed by the members of the IBA Rules of Evidence Review Subcommittee, assisted by members of the 1999 Working Group. The breakfast meeting will provide an opportunity for participants to gain an understanding of the changes made.

WEDNESDAY 0830 – 1000

Investment treaty arbitration

This workshop will address threshold issues in investment treaty arbitrations. Speakers will explore whether and what limits may be implied on the concept of investor and investment under the ICSID Convention; the notion of admissibility defenses and ripeness of claims, including whether a claimant must have suffered a discrete loss; whether waiting periods act as a jurisdictional bar; whether 'fork in the road' provisions operate to bar treaty arbitration claims and in what circumstances; whether denial of benefit provisions in treaties matter; whether allegations of fraud, illegality or bribery should be addressed as jurisdictional issues or on the merits; and whether ICSID Arbitration Rule 41(5) will work to eliminate frivolous claims.

WEDNESDAY 1000 – 1300

Hot topics in international arbitration

This session will address recent cutting-edge developments in the law and practice of international arbitration. First, the session will examine whether the arbitration landscape is changing in light of recent developments in arbitration legislation from several jurisdictions and progress in revisions to some of the most widely used international arbitration rules. Secondly, the session will consider whether recent developments call into question the effectiveness and enforceability of arbitration awards against States.

WEDNESDAY 1500 – 1800

The arbitral tribunal: revisiting established practices

Arbitral independence and impartiality is of paramount importance in international arbitration. Appropriate disclosure, and the ability to challenge, ensures the integrity of the process. However, disclosure forms vary widely, and scope remains controversial. Disclosure guidelines are multiplying, but have they helped or added to the confusion?

Ongoing impartiality remains an issue. Should tribunals disclose their thinking to facilitate settlements or provoke reactions? Is impartiality affected when the tribunal surfaces provisional views? Can the tribunal 'switch hats' and become mediator? Is impartiality called into question if the tribunal rejects irrelevant evidence or arguments, or issues provisional measures? The issue of ex parte contacts by counsel/parties with the tribunal has received renewed attention.

Dissenting opinions have also stirred renewed debate. Finally, challenge processes differ between institutions and jurisdictions. Are there challenge best practices? Should the institutions reason their decisions on challenges? These issues will be addressed in light of the most recent developments and case law.

THURSDAY 1000 – 1300

Ideology in international arbitration: a debate

Recent publications on philosophical aspects of international arbitration justify exploring some of the sources and underpinning concepts of modern arbitration. What is the source of the arbitrator's far-reaching powers, including those to decide on his or her own jurisdiction and to determine the procedure to be followed or the rules applicable to the dispute? Is it the laws of individual states or an '*ordre juridique arbitral*' independent of such laws? What are the limits of these sources? Is the concept of a global legal framework overarching arbitration ideology or reality? What practical impact does ideology have on international arbitration? The panel will be comprised of a number of leading arbitrators, who will explore the ideological and legal framework which regulates international arbitration.

THURSDAY 1500 – 1800

New York Convention workshop

This annual workshop will present the latest developments in cases and legislation relevant to the New York Convention from around the world.

FRIDAY 1000 – 1300

Consumer Litigation

Chair

John P Brown *McCarthy Tétrault LLP, Toronto, Ontario, Canada*

Has the consumer suffered a disadvantage in relation to the acquisition of goods or services? Competing perspectives from the manufacturer, provider and the consumer

The primary objective of this session will be to provide a critical examination of the relative rights, duties and obligations as exist amongst providers, manufacturers and consumers. Further, the session will seek to identify the extent to which regulators do, and/or should, adopt a paternal approach to the protection of consumers and to what extent such a paternal approach is likely to have negative impacts upon providers and/or manufacturers. In this context the session will have a multijurisdictional litigation and governmental panel examining and debating issues such as:

- non-delivery of services and misleading/deceptive conduct;
- injury/death from defective goods;
- ascertaining and/or apportioning liability;
- the reasonable versus unreasonable regulatory action(s) of the consumer protection agency;
- what remedies are available to the consumer?
- what is the appropriate forum to litigate? and
- internet fraud.

WEDNESDAY 1500 – 1800

Cross-border mass claims and collective redress: are we on the road to an international multijurisdictional litigation panel?

With the emergence of the many forms of collective redress, including class actions, in countries around the world, it is becoming urgent to develop ways to coordinate the mass claims that are brought. A multijurisdictional litigation panel that would address jurisdictional, enforcement and related issues, like the US MDL Panel, may still be beyond the horizon. What mechanisms can be developed now to enable cross-border collective redress actions to meet the needs of parties and legal systems alike? How can we ensure that compensation for claimants is adequate, that suppliers of goods and services can obtain closure and that the integrity of the regulatory system in each country affected is maintained? Lawyers and jurists from around the world will consider these issues in an interactive discussion of model scenarios with audience members.

THURSDAY 1000 – 1300

Litigation

Chair

Markus Koehnen *McMillan LLP, Toronto, Ontario, Canada*
Michael Novicoff *Liner Yankelevitz Sunshine & Regenstreif LLP, Los Angeles, California, USA*

When M&A transactions go wrong: the resolution of disputes arising out of M&A transactions

Joint session with the Corporate and M&A Law Committee. See page 50 for details.

TUESDAY 1000 – 1300

Defending the (alleged) devil

Banks fail, products kill, lies are told and insurance doesn't pay. Some defendants in civil litigation have always presented their lawyers with special challenges, but such issues have grown considerably more complex in recent years, as media attention from all quarters has increased exponentially and the rise of the internet have made everyone – including the plaintiffs themselves – into a publisher. The spread of class actions, conditional fee arrangements and other litigation reforms throughout the world has likewise transformed and multiplied the challenges involved in defending parties who are popularly regarded as villains. In this programme, expert plaintiff and defence lawyers from around the world will present, discuss and debate all of these issues and present practical advice for litigators involved in these high-profile, high-stakes matters.

TUESDAY 1500 – 1800

Cultural issues in litigation in the Asia Pacific region – myth or reality?

Joint session with the Asia Pacific Regional Forum.

It is commonly suggested that for cultural reasons the Asian approach to dispute resolution differs significantly from that in Australasia, Europe, North and South America. This panel will debate whether that proposition holds true. Issues which will be considered include:

- whether there is such a thing as cultural reluctance or predisposition to sue;
- the importance of 'saving face' and apologies in resolving disputes;
- whether particular forms of dispute resolution work best in different parts of the region for cultural or procedural reasons; and
- the extent to which the approach of Western countries to dispute resolution is influencing the approach in Asia and South America, as their legal systems and markets develop.

WEDNESDAY 1000 – 1300

2020 vision – building the litigation department of the future

With dramatic increases in technology, widespread concern about costs and growing possibilities to outsource work, the structure and functions of litigation departments is being challenged as never before. How should departments be structured now to provide the same quality of advice but take advantage of the opportunities offered by technology, outsourcing and other tools. What problems arise in practice with these new ideas? How can common and civil law jurisdictions learn from each other in grappling with the need to improve efficiency?

This will be a practical workshop designed to appeal to litigators from all jurisdictions who wish to enhance the competitiveness and efficiency of their firms. The latest technologies and techniques will be introduced and ideas and practical experience will be exchanged.

WEDNESDAY 1500 – 1800

Mediation

Chair

Jon Lang *Jon Lang Mediation, London, England*

Mediation – pushing the boundaries

Negotiation in volatile, politically charged and dangerous circumstances is not for the faint-hearted. Given the ever-increasing array of situations where expert negotiators and mediators familiar with such extreme circumstances are called for, it is perhaps timely to hear from some of them.

This interactive session will look at negotiation and mediation techniques used in situations beyond the purely commercial, where lives may depend on the skill and success of the negotiator or mediator. The panel will include former ambassadors, hostage negotiators as well as leading commercial mediators.

MONDAY 1500 – 1800

Corporate perspectives on business conflict management

Though once considered an alternative to litigation, ADR is increasingly recognised as a management tool in its own right, used by companies affirmatively to create shareholder value rather than merely to avoid the courts. This session offers the views of corporate representatives from around the world, who have designed and administer systems and protocols to manage the risk of B2B conflicts for the same reason other contingencies are managed – for efficiency and value creation. These approaches may involve early case assessment; early neutral intervention through fact-finding or evaluation; fee-based incentives for early resolution of claims; online processes for rapid and efficient conflict resolution; use of the office of Institutional Ombudsman and Dispute Boards; formal employment dispute management systems; and the use of metrics to hold attorneys and managers accountable for their performance. The session is aimed at senior personnel within corporations who are charged with managing disputes, as well as outside counsel who are engaged to assist those executives.

TUESDAY 1000 – 1300

The resolution of disputes in the world of travel – time for a fresh look?

Joint session with the Leisure Industries Section.

In the world of Twitter, Expedia and others to follow, where powerful web browsers and a stack of RAM have revolutionised the way an entire industry operates, where mega-sized airplanes promise to be the luxury cruise ships of the future, where fast trains will soon be replaced with supersonic trains and where leisure travel to space is just around the corner, are the old tools of conflict resolution still relevant?

Will there be more room for arbitration and mediation? The rising costs of litigation and the increase in complex multinational consumer claims (involving air transport and rail travel) have led the industry and legislators around the globe to look at new ways to resolve disputes. Examples include Germany, where major internet travel portals have set up a mediation board and Switzerland, where an ombudsman mediates certain transport-related claims throughout the EU. Is this a new trend, and where will it take this truly international industry? The panel will include a variety of international speakers.

THURSDAY 1000 – 1300

Mediation in international family law

Joint session with the Family Law Committee. See page 68 for details.

FRIDAY 1000 – 1300

Mediation Techniques

Co-Chair

Patricia Barclay *Bonaccord Ecosse Limited, Edinburgh, Scotland*
Nikolaus Pitkowitz *Graf & Pitkowitz Rechtsanwälte GmbH, Vienna, Austria*

Energising mediation

In the first part of this session, mediation experts from different backgrounds will discuss techniques to start, continue, and successfully complete mediation. These will include techniques to bridge hurdles, to break deadlocks, to revive the process, and when and how to apply caucusing. Special attention will be given to innovative solutions for the endgame, ie techniques for reaching a result even in situations where the parties themselves are unable to find a solution.

The second part of the session, moderated by a professional mediation trainer, will be devoted to the practical demonstration of specific energising techniques. This part will also actively involve the audience and enable them to apply and personally experience the techniques.

THURSDAY 1500 – 1800

State Mediation

Co-Chair

Anna Joubin-Bret *United Nations Conference on Trade Development, Geneva, Switzerland*
Barton Legum *Salans & Associés, Paris, France*

Investor-State mediation

As a follow-up to our subcommittee's first two meetings in Buenos Aires (2008) and Madrid (2009), and building on the discussions, findings and practical relevance of modern mediation to disputes involving international investors and sovereign States, this session will seek to advance our work into identifying practical responses to key issues through three panels.

Panel 1 will assess available rules or devise a set of simple and flexible rules, taking into account the specificity of the involvement of a sovereign State as a party, time, costs and other issues.

Panel 2 will discuss the need for a conducive, domestic and international framework that provides the necessary predictability and security to a mediation process applied to investor-State cases.

Panel 3 will discuss the need for criteria to propose a select but non-exclusive roster of experienced and qualified mediators relevant in the investor-State context. This session will build bridges between practitioners of international arbitration and international mediation with a particular focus on issues of acceptability.

The expected outcomes are:

- terms of reference for a set of simple and nimble rules for State mediation or the availability and possible use of UNCITRAL rules in different venues;
- concrete elements for availability of mediation and a domestic and international framework for its implementation in the investor-State context; and
- criteria for a roster of competent mediators acceptable to both investors and States.

WEDNESDAY 1000 – 1300

Negligence and Damages

Chair

Edmund Hinkson *Charlton Chambers, Bridgetown, Barbados*

Damages for medical malpractice

Joint session with the Medicine and the Law Committee.

Negligent treatment of patients resulting in injury, damages or loss has arisen as an important source of damages. In this session, a panel of experts will analyse the latest trends worldwide on a topic of increasing interest from both the legal and the medical practice standpoints. A study of the various amounts of monetary compensation awarded in different jurisdictions will be presented.

MONDAY 1500 – 1800

Limitation of liability clauses in contracts: is it possible to go beyond?

The discussion during this session will focus on the usefulness or ineffectiveness of the presence of limitation of liability clauses in contracts. Speakers will analyse the concepts of liquidated damages and of enforcement of penalty clauses as they each apply in different jurisdictions, as well as the possibilities of obtaining an award of damages beyond the limit pre-determined by the contractual parties.

TUESDAY 1500 – 1800

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

Council Liaison Officers

J Alan B Dunlop *Hess Corporation, Houston, Texas, USA*
E T Hunt Talmage III *Chandler & Thong-ek Law Offices Ltd, Bangkok, Thailand*

Environment, Health and Safety Law

Chair

Claus-Peter Martens *Murawo, Berlin, Germany*

Health and safety in the workplace – know the rules! A practical guide for managers

Joint session with the Employment and Industrial Relations Law Committee. See page 61 for details.

MONDAY 1000 – 1800

Overcoming the problems with transmission – reliability and capacity

Joint session with the Power Law Committee. See page 57 for details.

MONDAY 1000 – 1300

Decommissioning

Joint session with the Oil and Gas Law Committee. See page 57 for details.

MONDAY 1500 – 1800

Powering the mining industry – what is the industry doing about generating energy for projects?

Joint session with the Mining Law Committee. See page 56 for details.

TUESDAY 1000 – 1300

Developing mining projects while mitigating adverse impacts

Joint session with the Latin American Regional Forum. See page 46 for details.

TUESDAY 1500 – 1800

Extraterritorial application of domestic law – case study on cross-border pollution considering the Niger Delta region and *TECK Cominco v US EPA*

It is a fact that air and water pollution do not respect national boundaries. One country's pollution can easily become another country's hazardous crisis. A prominent example is *TECK Cominco v US EPA*. A Canadian corporation, operating and polluting in Canada, is affecting US citizens by polluting the US coastline of the upper Columbia River. Countries may also be affected by multinationals, which cause environmental damage due to a lack of national environmental regulation. One example is the Niger Delta region where multinationals are exploiting the oilfields. Allegedly, this causes major environmental damage as regulation and supervision by the Nigerian government is inadequate.

This full-day session will explore options to deal with these problems. Could a Canadian corporation be targeted by US environmental law or should cross-border pollution be solved by diplomacy and international relations? Are home countries obliged to exert some control over the activities of affiliates operating in developing countries to ensure that they abide by some minimum environmental standards? And how could that be achieved from a legal point of view? These and more questions will be discussed to comprehend and address this current international problem.

WEDNESDAY 1000 – 1800

Fish versus fishermen – who will be extinct first?

Many nations support international efforts to regulate fishery in coastal waters, their exclusive economic zones and the high seas in order to ensure sustainable management of marine resources. Despite good intentions, such regulation often results in fishing fleets seeking new fishing grounds outside regulated and monitored zones. In addition, modern fishing methods considerably increase the size of catches, including by-catch, thereby threatening reproduction and inadvertently depleting natural resources. Thus, it is only a matter of time until either the fish or the fishermen will be extinct. We will discuss these issues with an panel of international experts, including the UN Food and Agricultural Organisation, the EU, and fishing industry representatives.

THURSDAY 1000 – 1115

Post Copenhagen – final turning point in fighting global warming

At the end of 2009, the Member States of the UN Framework Convention on Climate Change (UNFCCC) gathered in Copenhagen to discuss the challenges of climate change. Under the Bali Roadmap, the participants intended to agree on binding rules about how to reduce global warming. Yet, the result of this conference was disappointing: not only was the 'Copenhagen Accord' not passed unanimously; the parties merely recognised climate change as one of the greatest challenges of the present day. They also stated that measures should be taken to keep temperature increases to below two degrees compared to the pre-industrial era. The result was heavily criticised, since the final document in no way met the high expectations. The challenge is now whether the result of future conferences on climate change, which will take place in Bonn (Germany) and Mexico City in 2010, will be binding rules on how to fight climate change. This session will examine possible results and limits of such conferences from different perspectives.

THURSDAY 1145 – 1300

International Construction Projects

Co-Chairs

Roberto Hernandez *COMAD SC, Mexico City, Mexico*
Mark Lane *Pinsent Masons, London, England*

Delivering PPPs after the global financial crisis – do they have a future?

This session will deal with the challenges of delivering public private partnership projects in the economic conditions prevailing after the global financial crisis. Issues which will be considered include the contractual risk allocation being adopted in projects put to market and closed since the onset of the GFC, changes to government procurement strategies to meet the challenges of the market conditions, and financing options for PPP projects.

These issues will be considered in relation to both developing and developed economies in Africa, North and South America, Asia, Australasia and Europe.

MONDAY 1000 – 1300

Defects in construction projects

This session will explore many recurrent problems arising due to design and construction defects discovered either during construction or after taking over of the works. Issues relating to responsibility, burden of proof and the remedies available will be debated in a mini-hearing by lawyers from a range of jurisdictions.

MONDAY 1500 – 1800

Construction dispute resolution – is it broken or can it be fixed?

Joint session with the Forum for Barristers and Advocates.

This session will debate current challenges in construction dispute resolution and consider possible alternatives. Is 21st century arbitration too much like litigation? Is it failing to deliver cost effective and timely decisions? Should arbitration be more like adjudication? Should tribunals have more inquisitorial powers? Is disclosure necessary in every arbitration? Should arbitrators be able to direct what evidence is heard? Who owns the process and who should own it: the clients, the lawyers, the arbitrator or the institutions? Is there a way forward?

TUESDAY 1500 – 1800

'The big risk game' – an interactive experience

In this session the audience will get actively involved in analysing risks in connection with a large infrastructure project (a metaphor for construction projects in general). The participants will debate risk mitigation methods, the division of responsibilities, as well as the probability and impact of any residual issues connected to such risks. The end result of this session will be a first version of a risk register and a heightened level of awareness as to the theory and practice of risk allocation.

WEDNESDAY 1000 – 1300

Latest developments in construction

This session will consider new developments in international construction practice and will also include planning for future International Construction Projects Committee activities.

THURSDAY 1500 – 1800

Mining Law

Chair

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

Community participation in mining projects – how to regulate community involvement in new mining projects effectively?

Joint session with the African Regional Forum and the Indigenous Peoples Committee.

Community relations is one of the most important issues to be considered when developing a mining project and sustainable mining operations. The way community and mining companies regulate their relations may vary significantly from one country or region to the other. In many places there is no set of statute regulations, leaving the communities and companies to auto-regulate their relations by mean of agreements. In other places there is some sort of statute regulations which impose certain legal obligations to mining companies and communities. Many jurisdictions set the rules within the environmental or social licensing process of mining projects. This session intends to discuss the different approaches to deal with the issue community relations in mining projects.

MONDAY 1000 – 1300

Powering the mining industry – what is the industry doing about generating energy for projects?

Joint session with the Environmental, Health and Safety Law Committee, the Latin American Regional Forum and the Power Law Committee.

The mining industry is currently one of the most important consumers of energy for their processes. Using conventional sources of energy is becoming more and more difficult due to its scarcity and pricing, as well as due to the huge environmental concerns. Mining companies are now facing the challenge of finding new and renewable energy sources which will allow them to be more efficient, cost-effective and more environmentally friendly. This topic is intended to reveal what the mining companies are doing to face this situation and to discover the current trends for new energy sources.

TUESDAY 1000 – 1300

Developing mining projects while mitigating adverse impacts

Joint session with the Latin American Regional Forum. See page 46 for details.

TUESDAY 1500 – 1800

Antitrust regulation for natural resources*Joint session with the Antitrust Committee.*

The mining industry changed a lot in the first decade of the 21st century. There has been a trend for cross-border consolidation in the mining industry. Sales price has been a hot topic and subject to many disputes among all parties involved. There have been nationalistic debates regarding ownership of mining reserves. The environmental standards have changed. There is an ever-growing demand for royalties and corporate social responsibilities. But what has changed in the industry from a competition standpoint? What new elements are now present in the scenario? Specialists in the area will discuss recent cases, concerns and what to expect.

THURSDAY 1000 – 1300

Cowboys from Calgary and Denver – natural resource companies' corporate and social accountability*Joint session with the Corporate Social Responsibility Committee. See page 79 for details.*

THURSDAY 1500 – 1800

Financing major mining projects in Latin America*Joint session with the Latin American Regional Forum.*

Due to the international financial crisis it has been increasingly difficult during the last year to obtain financing for new mining projects. However, the slow recovery of the markets, and especially the increase of metal prices, has re-opened the possibility of going ahead with many major mining projects in different parts of the world. Taking advantage of the fact that Canada is known for its mining specialised stock exchanges, but also that many of the new mining projects are being developed by Asian companies with financing from that continent, this panel will analyse the trends, developments, challenges and new requirements linked to the financing of major projects around the world, trying to understand how all these changes could affect the future of mining development.

FRIDAY 1000 – 1300

Oil and Gas Law*Chair***Luis Alberto Erize** *Abeledo Gottheil Abogados SC, Buenos Aires, Argentina***Decommissioning***Joint session with the Environment, Health and Safety Law Committee.*

This session will discuss legislative requirements regarding abandonment, decommissioning and clean-up, especially in the UK, which has set a benchmark for others to follow. We will examine the need for a decommissioning security agreement among partners in joint ventures or other parties using facilities, especially in LNG hubs. We will discuss types of security including funds in a trust account, parent company guarantees, and letters of credit, evaluating the pros and cons of each in facing decommissioning expenses. We will also discuss timing of contributions, and posting of security. Aging plants around the world and depletion of reserves present a complex environment in which the lack of resources may pose additional problems, such as default or insolvency of a party and the remedies of other parties. Asset deals are hampered by concerns over decommissioning, as it remains uncertain which companies are to shoulder the costs and liabilities of abandoning old fields. We will discuss all of this and more.

MONDAY 1500 – 1800

Corruption in the oil and gas and extractive industries*Joint session with the Anti-Corruption Committee. See page 78 for details.*

TUESDAY 1000 – 1300

Cross-border oil and gas pipelines: geopolitics, competition and security of supply. Too much of all?

Pipelines, and especially natural gas pipelines, are regarded as strategic assets. They are complex to plan, with long lead times, frequent cost overruns, and a particular need for a stable legal framework and cooperation between different countries. They are planned shoulder-to-shoulder with national governments, in a dangerous mix of economics and powers.

Competition and politics sometimes result in superimposed pipelines, risking underutilisation, as well as presenting serious environmental threats, public opposition and other perils. But they constitute the nerves and veins of the energy grid. Open access and open season complete the picture of the challenge pipelines face today.

TUESDAY 1500 – 1800

The co-existence within one country of different legal frameworks for oil and gas operations, and the impact on the oil and gas market

Oil regulatory frameworks oscillate between development and welfare goals: choosing either open market policies or a differential treatment on account of social needs. At the same time, their co-existence with prior regimes poses a number of problems. Brazil's dual track policies will set forth imprecise boundaries between new projects and current concessions (however confirmed, but near-to-extinct in the long run), risking discrimination concerns.

The new production sharing model for pre-salt areas, controlled by a new state-owned company, and the redefinition of the role and stake of the state-controlled operator, intend to allocate resources to welfare, but pose restrictions for JOAs, and raise concerns regarding dilution because of the capitalisation of Petrobras.

These issues have parallels in many other countries, providing an opportunity for us to showcase these challenges and the oil industry's adaptation to them around the world.

THURSDAY 1500 – 1800

Power Law*Co-Chairs***Linda Evans** *Clayton Utz, Sydney, New South Wales, Australia*
Richard Farmer *Fulbright & Jaworski LLP, New York, USA***Overcoming the problems with transmission – reliability and capacity***Joint session with the Environment, Health and Safety Law Committee.*

This session will cover the management of intermittent renewable energy sources across a transmission network, securing investment in network extensions and capacity enhancements, the particular locational problems of renewable generation, its impact on transmission networks, and the role of smart grids.

MONDAY 1000 – 1300

Powering the mining industry – what is the industry doing about generating energy for projects?*Joint session with the Mining Law Committee. See page 56 for details.*

TUESDAY 1000 – 1300

Investment incentives and managing risk in financing new generating capacity: can and must fossil fuelled generation compete?

Joint session with the North American Regional Forum.

This session will cover the requirements for incentives in order to permit renewable energy to compete, particularly the need for consistency and extension of incentives. We will also cover whether there is a need for fossil fuelled generation. Can gas and coal compete with renewable generation in the new regulatory environment?

THURSDAY 1000 – 1300

Water Law

Chair

Eric L Garner *Best Best & Krieger LLP, Los Angeles, California, USA*

Water sector privatisation and public private partnerships: good, bad or evil?

With economies struggling around the world, governments are increasingly looking to private companies to fund water supply, water quality and waste water projects and to take over public water sector facilities. This panel will consider whether corporate funding of water sector projects and privatising the water sector's treatment facilities is:

- an innovative and efficient way to meet 21st century water and waste water treatment infrastructure needs;
- a short-term fix that will inevitably fail when pressure for profits collides with fundamental public needs; or
- a private takeover of the world's most precious resource, which could result in an ugly gamble with fatal health issues.

TUESDAY 1000 – 1300

If you can't pay for it, should you be able to drink it? The tension between water as a commodity and water as a basic human right

Water shortages are becoming more frequent in almost every part of the world. One suggestion for dealing with shortages is allowing market conditions to determine the price of water. However, unlike gold, oil or any other commodity, people die without water. In what promises to be a provocative debate, this panel will examine the tension between allowing free market forces to set the price of water and people's basic survival need for water.

TUESDAY 1500 – 1800

Watershed management and water basin planning: myth or reality?

Many countries are trying to manage their water resources at the watershed or basin level instead of just by individual right or concession holder. How does it work, or not work, across State and national boundaries and is it working at all? Are the laws governing basins sufficient to allow current engineering and management techniques to be fully implemented? In what is sure to be a lively session, speakers will answer these questions and more.

THURSDAY 1500 – 1800

Financial Services Section

Council Liaison Officers

Lisa Curran *Allen & Overy LLP, Rome, Italy*

Jaap Willeumier *Stibbe, Amsterdam, the Netherlands*

SHOWCASE: 'Bailing-in': The legal and regulatory challenges for a new approach to financial institution resolution regimes

Presented by the Legal Practice Division and the IBA Task Force on the Financial Crisis. See page 35 for details.

TUESDAY 1000 – 1300

Banking Law

Co-Chairs

Gwendoline Godfrey *DMH Stallard LLP, Crawley, England*

Tarja Wist *Waselius & Wist, Helsinki, Finland*

Demystifying financial products

Joint session with the Insolvency, Restructuring and Creditors' Rights Section (SIRC). See page 62 for details.

MONDAY 1000 – 1300

Mobile payment – the next generation of financial services: challenge for market participants, protection for customers

Joint session with the Communications Law Committee. See page 63 for details.

MONDAY 1500 – 1800

Aircraft finance structures in today's market

Joint session with the Aviation Law Committee.

This session will address the aircraft finance structures being used in today's challenging market, how they relate to other asset finance structures in current use, the effect of limited bank and capital market liquidity, emerging trends and what structures are likely to be used to meet the huge capital requirements of coming years.

TUESDAY 1500 – 1800

Acquisition finance – the North American perspective

Joint session with the North American Regional Forum.

Leveraged finance transactions for company acquisitions slowed down dramatically in the financial crisis but what new opportunities arose, what lessons have been learnt, and how is the market shaping up now? Panellists will look at these issues and other recent developments, and compare and contrast the way in which the relevant legal issues are dealt with in Canada, England and the US. Audience participation will be welcomed.

WEDNESDAY 1500 – 1800

Air and space financing on the basis of the UNIDROIT Protocols to the 2001 Cape Town Convention

Joint session with the Space Law Committee and the World Organisations Committee (WOC).

The International Institute for the Unification of Private Law (UNIDROIT) has been designated as the Depositary of the 2001 Convention on International Interests in Mobile Equipment ('Cape Town Convention'). The Convention is designed to create a new legal regime for the taking of security over high-value mobile

equipment. For each category of such equipment, the Convention is intended to be implemented by an equipment-specific protocol. The Aircraft Protocol entered into force on 1 March 2006, along with an International Registry for aircraft objects. Based on similar principles, UNIDROIT has also supported the considerable progress of the draft 'Space Protocol' in order to facilitate financing of space assets. During an interactive and interdisciplinary session, we will analyse the draft Space Protocol in comparison to the Aircraft Protocol, including issues of creditor's remedies against space assets and state interests in ensuring the continuity of the performance of services secured by space assets.

THURSDAY 1500 – 1800

Project Finance

Chair

Jaap Koster *Clifford Chance LLP, Amsterdam, the Netherlands*

Roads to growth: successful infrastructure financing in Brazil and other Latin American countries

Joint session with the Latin American Regional Forum. See page 46 for details.

THURSDAY 1000 – 1300

Insurance

Chair

Margaret Campbell *Reed Smith LLP, London, England*

The increasing risks which companies and their directors and officers face, focusing on reputational risk and the difficulties caused by local insurance requirements for a global business

Joint session with the Business Crime Committee and the Corporate Counsel Forum.

As global markets expand, and criminal law and financial regulation extend their international reach, companies face an ever-increasing danger that they will become subject to investigation as a result of the actions of one of their subsidiaries, officers, employees or agents. Such investigations carry great risks of disruption to business, reputational damage and potential penalties at both the national and international level.

Using a hypothetical scenario, the panel will analyse these risks and how to manage them through the use of internal procedures, insurance protection, public relations advisors, external lawyers and others.

MONDAY 1000 – 1300

The cruise industry – tales from Davy Jones' locker

Joint session with the Maritime and Transport Law Committee. See page 71 for details.

WEDNESDAY 1000 – 1800

Insurance coverage disputes – claims handling and loss adjustment in emerging markets

This session will aim at providing a comparative analysis of claims handling and loss adjustment processes in emerging markets with those of Europe, the UK and the US.

The speakers will share their expert knowledge in respect of the impact of local law and regulations on claims handling and loss adjustment. The following issues will be discussed:

- choice of law and jurisdiction;

- policy interpretation and construction;
- duties of the insured and effect of breach;
- exclusions clauses and coverage defences;
- the operation of claims control and claims cooperation;
- the interpretation of warranties and condition precedents;
- dispute resolution mechanisms;
- adapting to the different legal and market cultures and bridging the gap between international and local market practices; and
- pitfalls – dos and don'ts!

THURSDAY 1000 – 1300

Investment Funds

Co-Chairs

David Dillon *Dillon Eustace Solicitors, Dublin, Ireland*

Stephen Etkind *Minter Ellison, Sydney, New South Wales, Australia*

Regulatory convergence of asset classes – Europe, the US and globally

This session will consider the blurring of the distinctions between asset classes which traditionally would have been classified as mutual funds, hedge funds, private equity, private funds, and how regulation of all these categories is converging.

MONDAY 1500 – 1800

Buy side exposures – the risks

This panel will consider the risks and pitfalls which investors should be conscious of in ever-increasing complex trading strategies including existence, valuation, and collateral.

WEDNESDAY 1000 – 1300

Private equity funds as a financing opportunity

Joint session with the Latin American Regional Forum. See page 46 for details.

WEDNESDAY 1500 – 1800

Securities Law

Co-Chairs

Pere Kirchner *Cuatrecasas Gonçalves Pereira, Madrid, Spain*

Jonathan Ross *Bell Gully, Auckland, New Zealand*

Clearing and settlement – a systemic risk for capital market lawyers?

For many years capital market lawyers have ignored or undervalued the clearing and settlement side of the transactions on which they worked. The sudden collapse of Lehman Brothers, however, has put the market's focus – again – on some highly relevant issues in connection with the structuring and documentation of transactions. Who after all is the legal holder of a financial instrument – the clearing organisation, the financial intermediary maintaining the customer's account, or the customer? What are my remedies if a transaction is blocked in a clearing system due to the bankruptcy of my counterparty? How are OTC-trades settled? Why is there not a central counterparty for all transactions, in particular credit derivatives?

This session will discuss the particular risks inherent in the clearing and settlement, regulatory activity in this systemically important area and practical consequences for capital markets lawyers.

MONDAY 1000 – 1300

New capital markets products

One of the effects of the financial crisis of 2008 was to reduce or eliminate the availability of some of the most common types of financial products, including syndicated bank financings and securitisations, as a result of changes in risk perception, investor appetite and regulatory structures. This session will explore the development over the past 18 months of new capital market products, including secured high-yield bonds, project finance bonds and government-backed bonds, designed to replace or supplement popular methods of financing that are no longer available. Panel participants will include finance lawyers and bankers who will discuss both the structure of new products and related legal issues and how the markets and products are expected to develop over the coming 18 months.

TUESDAY 1500 – 1800

The use of derivatives in M&A

Over the last few years, derivatives have been increasingly used in public M&A transactions. In particular, cash settled instruments have triggered some controversy. Court rulings such as CSX in the US and Perry Corporation in New Zealand have addressed legal issues that arise in this context. Regulations have been promulgated in a number of jurisdictions, including the UK and Switzerland. However, in many countries, the legal situation remains uncertain.

In this session, representatives of investment banks, regulators and M&A lawyers will explain the techniques used, present some of the cases, describe the most relevant issues and discuss the way to deal with the legal problems when using derivatives in M&A transactions.

WEDNESDAY 1000 – 1300

Ethics for the deal lawyer

It is commonplace among deal lawyers that rules governing attorney conduct are written primarily by and for litigators, with transactional practice treated as an afterthought. This panel brings together speakers from different cultures and practice areas to discuss case studies highlighting the special ethical considerations faced by transactional counsel. The panel will address not only traditional issues in this area (eg representation of multiple clients, and conflict waiver), but also on newer rules governing matters such as the prevention of money laundering and corruption. In addition, the panel will more broadly aim at exploring different ethical considerations as manifestations of local legal culture, thereby contributing to a better understanding of the range of sensitivities that manifest themselves in cross-border practice.

THURSDAY 1500 – 1800

Human Resources Section

Council Liaison Officer

Christopher Rees *Herbert Smith LLP, London, England; Associations and Committees Liaison Officer and Website Officer, Technology Law Committee*

Discrimination Law

Chair

Dirk Jan Rutgers *DLA Piper, Amsterdam, the Netherlands*

Health and safety in the workplace – know the rules! A practical guide for managers

Joint session with the Employment and Industrial Relations Law Committee. See page 61 for details.

MONDAY 1000 – 1800

International justice in a human rights era: the application of human rights law in domestic courts

Joint session with the Human Rights Law Committee. See page 68 for details.

TUESDAY 1000 – 1300

Sex, wages and videotapes: employment and privacy issues in the hospitality industry

Joint session with the Leisure Industries Section. See page 70 for details.

TUESDAY 1500 – 1800

Lesbian, Gay, Bisexual and Transgender Issues (LGBT) Working Group

LGBT Issues Working Group Officer

Ramyar Moghadassi *Moghadassi & Associates, London, England*

Human rights crisis: state-sanctioned crimes and violence against lesbian, gay, bisexual and transgender persons

Joint session with the Human Rights Institute, the Human Rights Law Committee and the Judges' Forum.

State-sanctioned violence against – and murder of – lesbian, gay, bisexual and transgender ('LGBT') persons continues around the world, with some countries introducing new legislation criminalising and punishing same-sex relationships and conduct, causing LGBT persons to live in hiding and terror. This session looks at the pernicious effects of these laws, the horrific human rights abuses being perpetrated on the basis of sexual orientation and gender identity, and the role of lawyers in stopping the violence.

WEDNESDAY 1000 – 1300

Employment and Industrial Relations Law

Chair

Pascale Lagesse *Bredin Prat, Paris, France*

Health and safety in the workplace – know the rules! A practical guide for managers

Joint session with the Discrimination Law Committee and the Environment, Health and Safety Law Committee.

This session will provide an overview of the health and safety rules and regulations that companies with global operations should be aware of, including tips and best practices for ensuring compliance.

The first part of the session will look at the role of corporate social responsibility and labour and discrimination laws to ensure that environmentally safe working conditions are achieved in companies with global operations. The second part of the session will discuss how the economic downturn has resulted in a rise in employee stress and workplace violence. What are the consequences on minorities? What is the role of company health and safety committees? What are the responsibilities of employers regarding workplace health and safety? To what extent is an employer liable for an employee's violent acts? Panellists will provide responses to these and other questions.

MONDAY 1000 – 1800

Executive compensation – where are we now?

This session will look at recent changes to executive pay practices and discuss how global corporations are reacting to the new executive compensation landscape. How are companies balancing the need to comply with new rules and regulations while at the same time attracting and retaining key employees? What are the challenges faced by multinationals when implementing global practices locally? How are companies dealing with works councils and other considerations as they pertain to compensation practices? What is the fallout from the broad government actions regarding executive bonuses? Panellists from a variety of jurisdictions will discuss these and other timely issues and provide best practices and practical advice on how to successfully navigate the changing landscape.

TUESDAY 1000 – 1300

Sex, wages and videotapes: employment and privacy issues in the hospitality industry

Joint session with the Leisure Industries Section. See page 70 for details.

TUESDAY 1500 – 1800

Unions today

This session will look at key international labour/union issues affecting multinational companies following the economic crisis and into the recovery. In the recent economic crisis, many unions worked side-by-side with companies to reach compromise in order to keep companies afloat. But what will be the payback in the aftermath/recovery time? Will unions seek concessions? Will more employees become unionised? What is the impact on employers? We will discuss global labour strategies of unions and how these can bring multinationals into conflict with national law, international trade agreements, various global labour initiatives under different countries' administrations, and corporate social responsibility in the era of economic recovery. Panellists from a variety of jurisdictions and from both labour and management will comment on these issues and provide a look into the future.

WEDNESDAY 1000 – 1300

Immigration and Nationality Law

Chair

Gary Simon Eisenberg *Eisenberg & Associates, Cape Town, South Africa*

Global business immigration update

This panel will seek to present immigration legal and policy trends in a selection of jurisdictions, with a view to providing comparative analysis, benchmarking and best practices. Immigration lawyers tend to evaluate the efficiency of immigration administrations in their jurisdictions in isolation, rather than on a comparative scale. The presentations of the panellists will enable them to combine their work in a single paper to be published.

MONDAY 1000 – 1300

Sex and immigration: where taboo subjects and national laws collide

The panel will discuss how different countries deal with sex-related matters in the context of immigration law, including common law spouses, conjugal partners, same-sex relationships, prohibited relationships, protection of victims of sexual exploitation and violence, sex workers, and alternative relationships.

WEDNESDAY 1500 – 1800

Immigration policy making: private interests and public implications

This panel will explore the manner in which immigration policy and law are formulated in a selected number of jurisdictions. It will examine how private interests are served through the lobbying process, how the public is involved in immigration law-making, and the manner in which research and academic analysis contributes to this process.

THURSDAY 1000 – 1300

Immigration and employment issues to consider in an M&A cross-border transaction: practicalities and pitfalls

Joint session with the Corporate and M&A Law Committee.

This panel will examine immigration issues relating to corporate due diligence and compliance with respect to mergers & acquisitions, as well as employment law and tax-related aspects of corporate transfers and local employment-based work permits. The negotiation of expatriate executive agreements will be discussed, including immigration status, pension protection, tax protection, governing law, home leave, housing, schooling, social security, health insurance, repatriation, restrictive covenants, etc. The oversight responsibility of corporate counsel relating to these issues will also be examined.

THURSDAY 1500 – 1800

Insolvency, Restructuring and Creditors' Rights Section (SIRC)

Council Liaison Officers

Pii Ketvel *Marcol Europe, Luxembourg*

David W Rivkin *Debevoise & Plimpton LLP, New York, USA*

Co-Chairs

Carsten A Ceutz *Bech-Bruun, Copenhagen, Denmark*

Leonard H Gilbert *Holland & Knight LLP, Tampa, Florida, USA*

Demystifying financial products

Joint session with the Banking Law Committee and the Judges' Forum.

CD, CDS, CDO, CMO, CMBS, RMBS; swaption, repo, repackaging, collar – acronyms and buzz words have been a prominent feature in the financial world of late. What do they mean? How do derivatives, securitisation and similar financial products work? Who is involved and why? What effects have they had on behaviour both in the normal course and in distressed situations? This jargon-busting session will assist those unfamiliar with these products to understand them. It will then examine their impact in a wider context, and bring together the experiences of those who draft and use the documents for such products with those who have to interpret them and understand their possible consequences when events have not played out as expected

MONDAY 1000 – 1300

Arbitration and insolvency

Joint session with the Arbitration Committee. See page 52 for details.

MONDAY 1500 – 1800

Insolvency and restructuring issues in the resource and commodity sectors

With the downturn in the global economy, oil and gas prices have fluctuated and the demand for commodities tied to the housing industry has dropped. Certain minerals have been winners and others have been losers.

What issues will arise for the various stakeholders in a meltdown of the core commodities and resource sectors? Owners, stakeholders, bondholders, workers and counterparties will all be impacted. The purpose of this session is to discuss the insolvency issues specific to the resource and commodity sector.

TUESDAY 1000 – 1300

Deal or no deal – hard choices for troubled businesses

Joint session with the Corporate and M&A Law Committee.

For many insolvency professionals and their corporate clients, the decision to file for bankruptcy instead of pursuing some form of restructuring is one not easily made. Shutting down and liquidating a once-thriving business is a hard decision. Creditors of a debtor corporation hoping to recover as much as possible of a doubtful debt also don't resort lightly to bankruptcy proceedings. Generally a distressed debtor, its creditors and other stakeholders will work hard to avoid bankruptcy, and will make utmost efforts to restructure the debt and/or the debtor in a manner with an outcome more favourable than that which a bankruptcy is likely to produce. The unfortunate reality sometimes is that the best solution to the financial woes of a corporation may be to file for bankruptcy instead of attempting to restructure, and it is important for insolvency

practitioners to know and to be able to identify when enough is enough, and when the best way to go is the path of bankruptcy. The advantages and disadvantages of the available processes for the various stakeholders involved in a financially distressed corporation will be examined in this session which every insolvency practitioner advising corporations should attend.

TUESDAY 1500 – 1800

Cooperation and communication by courts in cross-border insolvency cases

Judicial cooperation is increasingly viewed as essential to the efficient and effective conduct of cross-border insolvency cases (UNCITRAL notes on Cooperation, Communications and Coordination in Cross-Border Insolvency Proceedings). Legislative authority for that cooperation can be found in the UNCITRAL Model Law, where Arts 25 and 16 authorise direct communications between courts and insolvency representatives. But the Model Law is not presently of universal application, and in any event contains no guidelines on how that communication should occur. Much is left in practice to the courts themselves to formulate approaches to the problems and the issues that arise.

Some assistance can be found in the American Law Institute's 'Court to Court Guidelines', in the CoCo Guidelines prepared by INSOL Europe, the IBA's Cross-Border Insolvency Concordat and in the use of cross-border insolvency agreements. This session will look at the current state and future direction of judicial cooperation and the development of appropriate procedures for cooperation and administration of cross-border insolvency cases, with particular attention to the difficult issues that face courts and practitioners.

WEDNESDAY 1000 – 1300

Intellectual Property, Communications and Technology Section

Council Liaison Officers

Almudena Arpón de Mendivil *Gómez-Acebo & Pombo Abogados, Madrid, Spain; Assistant Secretary-Treasurer, Legal Practice Division*

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

Round the tables – a degustation menu of hot topics in the Intellectual Property, Communications and Technology Section

This lively and always well-attended session enables you to select from a menu of hot topics in the IP, communications, media and technology areas sectors and to participate in a lively roundtable discussion. The format is interactive networking, and topics are selected to be of current interest and likely to stimulate a lively debate. Moderators at 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, the participants move around the tables to the next topic of their choosing.

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 Vancouver will include green IT, 'cloud' computing, social networking and legal liability, issues in the Google sphere, digital liability issues, new electronic media issues, and distressed technology companies. Discussion usually revolves around the interface of law, business and technology, with a global focus.

The session will provide you with a convenient opportunity to get to know many other lawyers with similar interests 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 Vancouver 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.

MONDAY 1000 – 1300

New forms of liability in the digital age

With the internet spreading so rapidly over the globe, driven in large part by the near-universal access to broadband services, there has been a related spike in cases throughout the world relating to the liability of developers, the IT companies hosting and operating these systems and even the end-users, particularly large corporations. The growth of blogs, Twitter and social networks has created a new intersection of technology and legal liability: collective intelligence and user-generated content are now words in common usage, but it still remains problematic as to who is responsible for the misconduct associated with these phenomena.

This session explores these emerging fields of IT liability and the specific challenges and issues associated with online forms of traditional legal liability, such as online defamation and online infringement of rights, and new forms of vicarious liability.

The cross-border nature of the internet and these disputes will be an underlying theme to these discussions, with particular reference to causation, jurisdiction and enforcement. Topics to be discussed include:

- The liability of the ISP in new models for conducting business, eg e-marketplace, forums, social media, social networks:
 - the massive personal databases accruing in the net and the principles of data protection;
 - the right to obviousness and cancellation of data;
 - portability of data: use of data in case of sale of assets/transfer of profiles;
 - profiling activities and behavioural advertising;
 - keywords including third party brands, eg the Google adwords cases;
- The liability of the ISP for third party misconduct beyond its control:
 - web-based IP infringements such as the sale of counterfeit goods and user generated content infringing third party IP rights;
 - new means for creating information: blogs, Twitter and UGC-based online magazines;
- Other forms of vicarious liability:
 - liability of the employer for misconduct through the company server;
 - parent liability;
- Looking to the future:
 - from mere conduit to a publisher's liability? What is the regulatory framework for social media, webTV and IPTV?
 - which jurisdiction applies: where the server is located or where the user resides?
 - which enforcement authority: the regulatory authority or the courts?
 - the self-regulatory system: does it work?

TUESDAY 1000 – 1800

Art, Cultural Institutions and Heritage Law

Chair

Jean-Marie Vulliemin *Froriep Renggli, Geneva, Switzerland*

Merchandising and art : limits, regimes and new perspectives

Merchandising (reproduction, adaptation, etc) is an important way for museums, collectors, artists, their heirs and, recently, cultural and ethnic communities striving for revenue from artistic creations held and/or managed by them.

This session will analyse the perspectives, limits and regimes of such merchandising, raising specific questions, providing practical guidelines and exploring new perspectives.

- What is protected (is an artistic skating gesture, a montage or a collage protected)?
- Who is protected (may the commercial exploitation of cultural heritage be controlled by the community, the museum, the collector, the gallery, the artist, or their heirs)?
- To what extent is artistic creation protected (remixes, 'mash-ups' of digitalised reproduction, multimedia, compilations, samples)?
- What are the cornerstones and pitfalls (exclusivity, scope, right to alter an artwork, sub-licenses, distribution, etc) in drafting merchandising contracts?

An updating workshop will present, as short segments, the latest breaking news regarding some of the most relevant art law issues (public-private partnership between collectors and museums, provenance, restitution, title in international transactions, etc).

WEDNESDAY 1000 – 1800

Communications Law

Co-Chairs

Dirk Stolz *Heuking Kühn Lüer Wojtek, Cologne, Germany*

Alexandre G Verheyden *Jones Day, Brussels, Belgium*

Mobile payment – the next generation of financial services: challenge for market participants, protection for customers

Joint session with the Banking Law Committee.

Developing technology and growing competition on the payment services market contribute to a swift dissemination of 'mobile payments'. They are becoming easy to use, safe and quick, which should please customers. However, this simplicity masks a complex network of business entities behind every transaction, intricate reciprocal legal relationships and technology comprehensible only to those in the know. Worldwide expansion of m-payments will depend on their standardisation, both in the technological and regulatory sense of the term.

Representatives of various business entities present on the payment services market will share their experience in implementation of m-payments, will evaluate their present operating status (amongst others, in view of the EU Directive on Payment Services) and will assess their prospects.

MONDAY 1500 – 1800

Green IT and communications: how sustainability is changing the IT and telecom industries

Joint session with the Technology Law Committee. See page 66 for details.

THURSDAY 1000 – 1800

Intellectual Property and Entertainment Law

Co-Chairs

Peter Brownlow *Bird & Bird, London, England*

Rosemary Wallis *Baldwins, Auckland, New Zealand*

Sport and intellectual property rights – personality rights, ambush marketing and other issues in a sporting world

This session will use case studies from the 2010 FIFA World Cup to explore how companies can tackle ambush marketing and what types of advertising competitors to official sponsors can get away with. What types of enforcement strategies are employed by the event organisers and how do companies try to circumvent them? In some jurisdictions, laws have been specifically introduced to prevent unauthorised association with events: the session will compare these and the likelihood of these being extended to other events and jurisdictions. The session will also explore the protection of sportsmen and women's personality and privacy rights, as well as examining issues faced by organisations with regard to sports rights exploitation agreements, for example, with FIFA and UEFA.

MONDAY 1500 – 1800

Multijurisdictional enforcement of business method patents

This session will explore the enforcement strategies and remedies available to patent owners when the steps of a business method are performed by two or more parties. There will be particular focus on situations where these parties are based in different jurisdictions.

Patentability of business methods and software implemented inventions globally

You can't patent that! The patentability of business methods and related software implemented inventions often evokes strong emotion in many lay persons familiar with patent matters. Even among practitioners most are sharply divided, with some being strongly in favour and some strongly against. With the proliferation of handheld 3G and 4G devices and the 'apps' executable thereon, this controversial topic becomes even more important. The panel will explore on a global basis the wide diversity of legal standards relating to the patentability of business methods. From the US Supreme Court's recent decision in *In re Bilski* to Europe's 'technical effect' test, the panellists will compare and contrast these standards using actual and hypothetical examples.

WEDNESDAY 1000 – 1800

Transfer of technology – difficult issues in licensing

This session will look at technology transfer and how competition law is used as a means of balancing the over-protection and under-protection of intellectual property rights. An owner of IP rights is free to choose how to exploit them but it is important to ensure they do not unduly bind business partners and restrict third parties' capacity for innovation and development. The session will also review how competition law treats technology transfer agreements and will look at the approach of the competition authorities of different countries, such as the EU's exemption regulation of 27 April 2004 on technology transfer agreements.

THURSDAY 1000 – 1300

Counterfeiting and piracy: new approaches to an age-old scourge

Joint session with the Corporate Counsel Forum.

One of the major problems trademark and copyright owners have in dealing with counterfeiting and piracy is the cost associated with conducting IP enforcement programmes. Such programmes represent significant non-income producing costs to rights holders, and these costs limit the actions which can be taken. This session will provide an update on trends in dealing with counterfeiting and piracy, including discussing methods infringers are using to market their counterfeit or pirated goods (including via the internet), new cost-efficient ways of tackling these problems, and legal trends and remedies that help IP owners establish enforcement programmes that are self-sustaining.

THURSDAY 1500 – 1800

The IP/antitrust interface debate

What are the risks and opportunities for IP rights holders under antitrust rules?

Microsoft, Rambus, Qualcomm, Intel/AMD and IPCom are just a few names which form part of the ongoing IP/antitrust interface debate. On the one hand, this session will consider the imposing of severe fines and the questioning of entire business models by competition regulators because of what they consider exclusionary practices and misuse of IP rights. On the other hand, the session will examine the private litigants who test how effective antitrust rules are on the IP battle field. Against this background a distinguished panel of IP/antitrust specialists will tackle practical questions. Have international competition regulators provided sufficient guidance for dominant players to effectively avoid abuse challenges in the IP world? Can litigants use antitrust grounds to achieve a benefit beyond simply embarking on a complex and risky adventure?

FRIDAY 1000 – 1300

Media Law

Chair

Kelli Sager *Davis Wright Tremaine LLP, Los Angeles, California, USA*

Open justice in the 21st century: information and access to courts in the internet age

Fifteen years after the OJ Simpson murder trial riveted the world, does the public have more or less information about what happens in court proceedings?

This panel will consider the approaches taken by various jurisdictions on electronic coverage of the courts, gag orders, and closure/sealing of court proceedings, as news reports about court proceedings and records adapt to the era of blogs, Twitter, and YouTube.

THURSDAY 1000 – 1300

Personality and rights of publicity: international legal issues and approaches to limiting liability

From coffee cans to video games, posters to magazines, celebrities and non-celebrities alike have pursued claims for the alleged uses of their 'personality' rights across the globe. How can media companies, advertisers, videogame producers, and product manufacturers protect themselves from these increasingly popular claims?

THURSDAY 1500 – 1800

Space Law

Chair

Karl Eisermann *European Space Agency, Paris, France*

Procurement in major space and other technology projects: approaches taken in the European Union and European Space Agency and learning from the rest of the world

Joint session with the Public Law Committee.

This session will focus on the procurement aspects of flagship space programmes, which are undertaken in close cooperation between the European Union, the European Space Agency and other technology programmes. This concerns in particular the programme of the global navigation system 'Galileo' and the earth observation programme 'GMES' with the aim of providing services related to the environment, climate change, resource management, security and global issues. The panellists will evaluate the legal aspects and the procurement approaches followed in these programmes, and will examine how approaches in other parts of the world for similar projects may differ and what lessons can be learnt.

MONDAY 1500 – 1800

Air and space financing on the basis of the UNIDROIT Protocols to the 2001 Cape Town Convention

Joint session with the Banking Law Committee. See page 58 for details.

THURSDAY 1500 – 1800

Technology Law

Co-Chairs

Harry Rubin *Ropes & Gray LLP, New York, USA*

Vagn Thorup *Kromann Reumert, Copenhagen, Denmark*

Human Genome Project

The mapping and sequencing of the human genome has been one of the great contributions of life sciences over the past decade. In fact, UNESCO has declared that the Human Genome Project is a 'heritage of humanity'. For all the celebration of this profound scientific breakthrough, the Human Genome Project raises a plethora of commercial, ethical and legal challenges. Topics to be explored on this panel include:

- What is the impact of the UNESCO Declaration?
- The commercialisation of the human genome: should human gene sequences be patentable and if so, should an international framework/treaty apply?
- What are the legal and ethical limits of genetic and reproductive enhancement? Who decides these limits? What bioethics framework should apply?
- Emerging trends in privacy regimes applying to personal genetic information.
- What role will genetic information have in tracing rights in restitution, reparations or other forms of justice for past wrongs?

MONDAY 1500 – 1800

Legal issues arising from GPS-based mobile advertisements

Joint session with the Product Law and Advertising Committee. See page 67 for details.

TUESDAY 1000 – 1300

Technology rights and distressed companies

The current economic climate has produced an exponential growth in transactions involving distressed technology providers and user/licensees. This session will discuss key salient issues, risks and IP management strategies available to technology providers in dealing with distressed user/licensees of their technology, and to technology licensees/users in dealing with distressed technology providers. Moreover, it is key to have a strategic perspective on approaches and requirements for the acquisition of technology assets from insolvent companies, particularly when using insolvency as a threat in major technology deals. This session will be structured as a roundtable, with discussions focusing on the following clusters of issues in order to draw on the comparative perspective of each participant:

- Distressed technology providers
 - Can user/licensees ensure continued use of the technology?
 - What are the legal and practical risks and best practices to ensure continuity of use?
 - Are escrows enforceable and reliable?
 - What will the bankruptcy trustee/receiver do?
 - Contractual protections.
- Distressed technology users/licensees
 - What are the risks to the technology when the user/licensee becomes insolvent?
 - How can the technology provider safeguard its rights?
 - Can it terminate the agreement and recapture the technology?
 - Are security interests in the technology a viable option?
- How to acquire technology assets from distressed companies
 - Key diligence aspects;
 - Negotiation techniques and strategies; and
 - Pricing issues.
- Playing the insolvency threat: when bankruptcy becomes an option in large technology projects gone sour
 - When does this scenario occur?
 - How is it played by customer and provider?
 - What defences are available to customer and provider?

WEDNESDAY 1000 – 1300

'Cloud' computing: opportunities and risks

The major recent trend in IT processing and storage is what has become known as 'cloud' computing. Its proponents claim above all else that it can cut computing costs by anywhere from 30-75 per cent. These are big numbers. In essence, 'cloud' computing involves using virtualised server-based resources to process, host and store information remotely via the internet. This is compared to the more conventional approach to computing via the company's sturdy (and costly) on-site data centre, where traditionally IT infrastructure, software and data reside. It is also often contrasted to conventional sourcing arrangements which may, on the one hand, be carefully defined, negotiated and documented, but, on the other hand, are laborious and costly to establish, and difficult and expensive to change. Appealing as it may be, 'cloud' computing brings with it a variety of commercial and legal challenges. This session will address a number of these issues, including:

- What is 'cloud' computing? Is it here to stay?
- Business models for the 'cloud': will suppliers finally be able to deliver on the promise of computing on demand? How disruptive will this be to established outsourcing and service provider models?
- Security and privacy in the 'cloud'.
- Private, public or hybrid 'clouds'? How 'cloud-ready' are most company IT systems?
- Governmental and other public sector 'cloud' initiatives (such as Apps.Gov) and their implications for the private sector.
- Beyond the retail 'cloud'.

'Cloud' computing has produced a new set of non-traditional IT vendors. It is hoped to have speakers from Microsoft, Amazon.com and/or Salesforce.com to discuss both the development of the 'cloud' and the way in which these new players are prime movers in providing IT as a service.

WEDNESDAY 1500 – 1800

Green IT and communications: how sustainability is changing the IT and telecom industries

Joint session with the Communications Law Committee.

Environmental sustainability is fast becoming an integral driver of change in the IT and telecom industries. This session will review how both sectors are evolving to reflect green principles. It will examine changes being made to procurement documents and to IT and telecom agreements to advance the goal of environmental sustainability, and some ways of leveraging public sector procurement to accelerate the clean tech economy. This session will also be the opportunity to discover virtualisation from a green perspective, explore smart networks and face the pertaining security threats. Finally, this session will put a new light on the challenges of ICT regulations to shape our world in green.

Among the topics to be discussed are:

- how the IT and telecom sectors are evolving to reflect green principles;
- smart and safe networks are the key to thinking about sustainability in a different way; and
- the challenges faced by ICT regulation to shape tomorrow's green world.

THURSDAY 1000 – 1800

From room service to Rock Band – exploring the nexus of technology and leisure

Joint session with the Leisure Industries Section. See page 70 for details.

THURSDAY 1500 – 1800

International Sales, Franchising and Product Law Section

Council Liaison Officer

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

Hot topics in international sale of goods, product law and international franchising

This informal session involves the International Sales, Franchising and Product Law Section of the IBA, comprising three committees. Nominated moderators from each of these committees will host tables that will interactively discuss important 'hot topics'. The 'speed-dating' format ensures close and quick contact between participants who attend. Participants will move from one table to another, covering about six to eight hot topics of current interest and, in the process, actively discuss issues with other participants and the moderators. Each moderator will prepare issues arising from a topic of international significance. In addition to meeting other lawyers with similar practice interests, the session will be used to collect ideas for future sessions and activities.

MONDAY 1000 – 1300

International Franchising

Chair

Penelope Ward *Baker & McKenzie, Sydney, New South Wales, Australia*

Use of social media in franchise systems

Twitter, Facebook, YouTube and other social media phenomena are increasingly used by brand owners, their customers and their employees. How can or should this be managed in a franchising context? What is the role of the franchisees in this?

TUESDAY 1000 – 1300

The right to compensation for goodwill on termination or non-renewal

Who owns the goodwill in a franchise system? Are there any circumstances in which a franchisee is entitled to be compensated for the value of their business if their agreement terminates or expires?

WEDNESDAY 1000 – 1300

Franchising in North America and the Caribbean

This session will compare and contrast franchise regulation in the US, Canada, Mexico and the Caribbean nations.

WEDNESDAY 1500 – 1615

News from around the world

This session will review 'hot' issues in franchising around the globe.

WEDNESDAY 1645 – 1800

International Sales

Co-Chairs

Karen Larsen *Kyed & Jybaek, Copenhagen, Denmark*

Bennet Hugh Silverman *Katz Wittenberg Levine & Silverman Esqs, New York, USA*

Managing underperforming assets of closely held enterprises: when is it time to sell?

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

The session will explore the alternatives available to the owner-manager when its business starts to founder, with an emphasis on how to protect the owner-manager's equity value through sale or selective disposition of assets. A private equity manager will speak to the issue, to be followed by an interactive case study workshop.

MONDAY 1500 – 1800

Managing your supply chain – understanding payment and shipping terms and documents when moving goods from factory to vessel through ports and beyond

Meeting in Vancouver, British Columbia, a major North American port of entry, provides an exceptional opportunity to examine payment and shipping terms and the documents used in the movement of goods across borders when using multiple forms of transport. This session will consider the practical application of bodies of rules such as Incoterms, the Convention on the International Sale of Goods (CISG) and the Uniform Customs and Practice for Documentary Credits (UCP), as well as the interplay of bills of lading and other shipping documents with letters of credit and documentary payment mechanisms. Particular attention will be given to the rights and

remedies of buyers, sellers and intermediaries if the deal goes 'sideways' while the goods are in transit.

TUESDAY 1500 – 1800

Structuring the international sales contract: when the boilerplate bursts

This programme will examine 'standard' provisions in international contracts – often considered boilerplate – and discusses the pitfalls of relying on form language. Clauses such as force majeure, limitations of damages, arbitration clauses, choice of law and choice of forum clauses, assignment clauses, severability and others form the focus. The format will be a form contract with presentation on the clauses, with presentations on the clauses, but with interactive panel questions and answers, and may include a mock negotiating session to explore the types of clauses and variations in more detail.

WEDNESDAY 1500 – 1800

WHY CAN'T I WIN: government tendering, bid protests and remedies in national and international cross-border procurement: compliance, transparency, anti-corruption and other exciting war stories

Joint session with the Anti-Corruption Committee and the Corporate Counsel Forum.

Government procurement procedures have become increasingly complex to ward off corruption, ensure transparency, avoid the use of influence and at the same time balance the need for effective and quick decision-making; not to mention appreciation of merit and fulfillment of policy objectives. Bureaucracy and politics adapt to judicial challenges with novel means to achieve their objectives as against private interests and legitimate expectations of the tendering parties. A wealth of global precedents, statutes, procedures and wisdom demonstrates the need for an effective debate to appreciate these competing interests and genuine but common problems faced across the world.

The United Nations Commission on International Trade Law (UNCITRAL) proposed a model law on Procurement of Goods, Construction and Services in 1994, one that requires appreciation in the context of countries that have adopted it since then and other countries that have established their own procedures.

A panel of speakers will consider common problems and solutions, best practices, mechanisms to improve transparency, prevent corruption (and conflict of interest) and dispute avoidance. Two-minute war stories will be solicited from panel members and from the audience.

Part of the session will consider a typical international procurement procedure from three different jurisdictions aimed at selling nuclear power plant equipment and turbines (or other complex products) to a country that is struggling to avoid corruption but desperately needs to import the equipment.

THURSDAY 1000 – 1300

Trade related developments in the Pacific Rim

Joint session with the Latin American Regional Forum. See page 47 for details.

THURSDAY 1500 – 1800

When a sale of goods goes south: freezing orders, cancellation of contract, damages, business interruption

Joint session with the Asia Pacific Regional Forum.

Panelists will explore various litigation recourses. There will be two panels: the first panel will explore various recourses for the seller in the international sale of goods, including freezing or repossessing the goods sold, and the second panel will explore the various recourses of the buyer, particularly in relation to reversing payment or obtaining

possession of goods bought. This session will be an interactive discussion between the chair and the panellists, and will include responding to potential litigation from the adverse party.

FRIDAY 1000 – 1300

Product Law and Advertising

Chair

Colin Loveday *Clayton Utz, Sydney, New South Wales, Australia*

Legal issues arising from GPS-based mobile advertisements

Joint session with the Technology Law Committee.

This session will look at the numerous legal issues arising from mobile advertising based on GPS-based geo-localisation. The use of GPS-data in advertising raises issues concerning advertising regulation, privacy and data protection. Wireless carriers have information about the location of their subscribers. Now, due to the GPS-functionality of many web-based mobile phones, advertisers have the capacity to easily piece together a profile based on mobile web surfing and online activities from these increasingly powerful web-based phones. Ad servers act like decision engines, figuring out when and what advertising messages to send to individuals based on ad category, time of day, the user's GPS-derived location and search queries and keywords they have entered. In addition to the web, mobile carriers provide advertisers with the possibility of sending GPS-based advertising directly to mobile devices.

TUESDAY 1000 – 1300

Legal trends and developments in consumer product warranties and indemnities

Many countries have statutory warranties for consumer products and regimes prescribing disclaimers and indemnities for the sale and purchase of consumer products. They are designed to protect consumers, control unconscionable conduct and promote product safety. In some countries these provisions date back over 100 years. To what extent are these legal regimes effective in promoting product safety standards and controlling unconscionable conduct in consumer sales? Do they provide uniform protection? This session will examine the legal trends and developments in this area both in terms of legislative reform and consumer product claims.

WEDNESDAY 1000 – 1300

Law and Individual Rights Section

Council Liaison Officers

Michael Greene *A & L Goodbody, Dublin, Ireland; IBA Treasurer*
Jon Grouf *Duane Morris LLP, New York, USA*

Family Law

Chair

Anne-Marie Hutchinson OBE *Dawson Cornwell, London, England*

Honour-based violence, child brides and forced marriage – protection of human rights

Joint session with the Human Rights Law Committee.

Honour-based codes that determine the rights and lives of women are attracting increasing attention. The practice of honour killings has

now been identified as an unacceptable cultural practice that occurs in a number of jurisdictions, including, Afghanistan, Canada, Denmark, France, Germany, Italy, Pakistan, Spain, Sweden, Turkey and the UK. Many legal systems have created statutes and common law provisions to deal with the issues that arise to protect victims from the human rights abuses that arise from such practices. The practice of child brides and forced marriage is all too prevalent. This session will be attended by leading practitioners and charity workers in this field and will include the testimony of victims. This session will also to be attended by relevant government department representatives.

MONDAY 1000 – 1300

Coming and going I: focus on coming – pre-immigration strategies for the private client

Joint session with the Individual Tax and Private Client Committee. See page 73 for details.

MONDAY 1500 – 1800

Coming and going II: focus on going – exit strategies for the private client. Is getting up and going a good solution?

Joint session with the Individual Tax and Private Client Committee. See page 73 for details.

TUESDAY 1000 – 1300

International child abduction – a mock trial of a full Hague Convention case involving North America and a European state

Joint session with the Judges' Forum.

Following the hugely successful mock trial in Madrid this session will be a full trial covering the issues and laws that are essential to a successful Hague Convention application for the return of a child. This session will provide essential guidance to those who represent both pursuing and left behind parents from an international prospective, and will cover the law on rights of custody, habitual residence and the main defences. The trial will be presided over by experienced Hague trial judges from a number of jurisdictions and will be conducted by internationally renowned practitioners in this field.

TUESDAY 1500 – 1800

A BREAKFAST meeting will be held for members to discuss matters of concern and interest to family law practitioners.

WEDNESDAY 0830 – 1000

Inter-country adoption – a child's right to family life

Throughout the world parents are unable to provide care for their children whether because of death, poverty, natural disasters or armed conflict. The issue of inter-country adoption continues to cause moral and legal debate. A balance has to be struck between a child's right to a family and a child's right to his culture and nationality.

The Hague Inter-Country Adoption Convention has sought to address these issues. This session will examine the international law and practice relating to inter-country adoptions. This session will be interactive and will draw on the experiences from a number of jurisdictions.

WEDNESDAY 1500 – 1800

Mediation in international family law

Joint session with the Mediation Committee.

This role play session will deal with international mediation in child custody/child abduction disputes involving non-convention States with particular reference to Islamic States. The role play will draw on the experience of Reunite in its mediation programmes which have taken place in Egypt and Pakistan. This session will be presented by experienced international mediators and the Reunite International Child Abduction Centre.

FRIDAY 1000 – 1300

Human Rights Law

Chair

Anita F Hill *Brandeis University, Waltham, Massachusetts, USA*

Honour-based violence, child brides and forced marriages – protection of human rights

Joint session with the Family Law Committee. See page 67 for details.

MONDAY 1000 – 1300

International justice in a human rights era: the application of human rights law in domestic courts

Joint session with the Discrimination Law Committee and the Indigenous Peoples Committee.

Presenters will discuss the following:

- applicability of international human rights law within their respective domestic courts and/or jurisdictions;
- examples of cases in which human rights issues had arisen, or could arise in the future, in domestic courts;
- how to resolve conflicting human rights interpretations and avoid diverging jurisprudence; and
- how international organisations as well as international courts and tribunals themselves deal with their own alleged human rights violations.

TUESDAY 1000 – 1300

Open committee business meeting

An open meeting of the Human Rights Law Committee will be held to discuss the committee's future plans and activities.

TUESDAY 1300 – 1400

Protecting and preserving indigenous language and culture

Joint session with the Indigenous Peoples Committee. See page 69 for details.

TUESDAY 1500 – 1800

Human rights crisis: state-sanctioned crimes and violence against lesbian, gay, bisexual and transgender persons

Joint session with the Lesbian, Gay, Bisexual and Transgender Issues (LGBT) Working Group. See page 60 for details.

WEDNESDAY 1000 – 1300

Indigenous Peoples

Chair

Russell Raikes *Cohen Highley LLP, London, Ontario, Canada*

Community participation in mining projects – how to regulate community involvement in new mining projects effectively?

Joint session with the Mining Law Committee. See page 56 for details.

MONDAY 1000 – 1300

The growth of the aboriginal tourism industry

Joint session with the Leisure Industries Section. See page 69 for details.

MONDAY 1500 – 1800

International justice in a human rights era: the application of human rights law in domestic courts

Joint session with the Human Rights Law Committee. See page 68 for details.

TUESDAY 1000 – 1300

Protecting and preserving indigenous language and culture

Joint session with the Human Rights Law Committee.

Language is an essential component of any culture but especially for those peoples who depend on oral histories. This programme will look at the importance of language and culture and the steps which can be taken to preserve language and culture of indigenous people in a world which is ever more globalised. We will look at what is being done and what can be done to preserve aboriginal language and culture.

TUESDAY 1500 – 1800

Medicine and the Law

Chair

Neil Kirby *Werksmans Attorneys Incorporating Jan S de Villers, Johannesburg, South Africa*

Damages for medical malpractice

Joint session with the Negligence and Damages Committee. See page 55 for details.

MONDAY 1500 – 1800

Accessing healthcare – professional protocols and their implications in antitrust law: professional privilege?

Joint session with the Antitrust Committee.

Among various healthcare professional disciplines, codes of conduct or agreed healthcare protocols are commonplace as a means of ensuring standardised, good quality, safe and efficacious healthcare delivery to patients. These codes of conduct and protocols are more often than not based on best-evidence principles, and pre-suppose and require cooperation among both practising and academic healthcare practitioners. However, how do such codes of conduct and protocols sustain scrutiny from an antitrust law point of view? This session examines the awkward relationship of healthcare codes of conduct and protocols and antitrust law, and whether or not there is a case for exempt collision.

TUESDAY 1000 – 1300

Accessing healthcare – right or privilege?

Increasingly, patients and prospective patients are required to make decisions about their healthcare on the basis only of their financial means, but is there simply a right to health? Public healthcare systems and private healthcare funding options characterise the dual nature of healthcare systems in a number of jurisdictions whether or not there is a legal right to healthcare. This session will discuss:

- how a right to healthcare is realised from the law's point of view;
- the legal role of national healthcare insurance schemes as a means to provide greater number of people with access to healthcare; and
- whether or not a right to access healthcare exists and if so, whether it is adequately realised through the existence of a national health insurance system.

WEDNESDAY 1000 – 1300

Accessing healthcare – the availability of generic medicines in the healthcare marketplace: price and prejudice

The complex interaction in the marketplace of generic medicines and branded or allopathic medicines is often the focus of legal control. This session will examine the legal instruments used in various jurisdictions to control the availability of generic medicines, whether or not such legal measures are effective in making generic medicines available, and the role of such legal measures in promoting the availability of medicines in the cause of promoting access to healthcare services in healthcare in general.

THURSDAY 1000 – 1300

Accessing healthcare – the role of complementary and alternative medicines in promoting access to healthcare: the legal position of the traditional healer?

Joint session with the Public Law Committee.

The use of complementary and alternative medicines or CAMS among patients is widespread across the globe. This session will examine whether or not CAMS require or should require formal legal control, through legislative or other means, and the most appropriate legal control or such substances in order to promote access to healthcare services.

THURSDAY 1500 – 1800

Leisure Industries Section

Council Liaison Officer

Moria Huggard-Caine *Tozzini Freire Advogados, São Paulo, Brazil*

Chair

John M Vernon *The Vernon Group PLLC, Dallas, Texas, USA*

The growth of the aboriginal tourism industry

Joint session with the Indigenous People Committee.

Be it casinos, golf courses, fishing and hunting lodges, or wilderness guided treks, there is little doubt that aboriginal communities and businesses are changing the face of the tourism industry. In fact, there is a growing sector of the recreation and leisure industry that involves indigenous peoples, their lands, cultures and resources. This expert panel will explore how the unique issues of aboriginal law, land claims and self-government affect both the users and providers in this emerging area. Speakers from Australia, Canada and the US will compare the laws and their impact in their respective jurisdictions in an effort to highlight the myriad of interesting legal issues that often involve the application of legislation, court decisions and treaties.

MONDAY 1500 – 1800

Sex, wages and videotapes: employment and privacy issues in the hospitality industry

Joint session with the Discrimination Law Committee and the Employment and Industrial Relations Law Committee.

Using a series of factual scenarios based on reported (and unreported) cases our expert panel of lawyers, including in-house counsel, will discuss everything you should know to reduce the stress factor when managing HR issues in whatever country your client operates. The panel will discuss selection and management of employees, employment agreements and restrictive covenants intended to protect assets, employment policies and handbooks that protect your company and employees, sexual harassment claims and investigations, surveillance of employees and guests, handling of private information and wage and hour issues.

TUESDAY 1500 – 1800

The cruise industry – tales from Davy Jones' locker

Joint session with the Maritime and Transport Law Committee. See page 71 for details.

WEDNESDAY 1000 – 1800

The resolution of disputes in the world of travel – time for a fresh look?

Joint session with the Mediation Committee. See page 54 for details.

THURSDAY 1000 – 1300

From room service to Rock Band – exploring the nexus of technology and leisure

Joint session with the North American Regional Forum and the Technology Law Committee.

The technological age continues to shape the way we live, work and engage in leisure activities. Movies, games and other entertainment are now available in flight, in our hotel rooms, and on our phones. But what are the legal challenges in making our entertainment available and at the click of a button? And given the inherent global nature of these innovative technologies, any misconduct by the leisure seeker raises interesting and complex jurisdictional issues. Moreover, some content providers are moving towards innovative approaches to liability that see the hotels and airlines not as conduits but potential parties in third party misconduct. This session will focus on the nexus between technology and leisure, including licensing, intellectual property concerns in a global market, venue-driven entertainment models, digital distribution, virtual worlds, online gaming and gambling.

THURSDAY 1500 – 1800

Maritime and Aviation Law Section

Council Liaison Officer

Desmond Williams *Werksmans Attorneys Incorporating Jan S de Villers, Johannesburg, South Africa*

Aviation Law

Chair

Regina Lynch *Xavier Bernardes Braganca Sociedade de Advogados, São Paulo, Brazil*

Pitfalls on the acquisition of aircraft and its financing: legal and tax issues

Joint session with the Taxes Committee.

This session will address the myriad legal and tax issues involved in the acquisition and financing of commercial and business aircraft in several jurisdictions across the world, including the issues and taxes arising in connection with the importation of the aircraft to the country of registration. It will also examine tax benefits extended to airlines and other operators in certain jurisdictions in connection with the acquisition of aircraft.

MONDAY 1000 – 1300

Business aircraft: ownership and operation

This session will examine the ownership structures most commonly used in business aviation, as well as the regulatory issues which frequently arise in connection with the operation of business aircraft.

TUESDAY 1000 – 1300

Aircraft finance structures in today's market

Joint session with the Banking Law Committee. See page 58 for details.

TUESDAY 1500 – 1800

Mediation of complex aviation accident wrongful death claims

This dynamic session is a simulated mediation of wrongful death claims arising out of a fatal mass air disaster during a commercial airline coast-to-coast trip. Defendants will include the air carrier and the aircraft manufacturer. The first part of the mediation will address liability issues, such as liability of the airline (including whether a passenger's transportation on the domestic accident flight should be considered international transportation under Art 1(3) of the Montreal Convention 1999), liability of the aircraft manufacturer, punitive damages claims, and proportionate fault of the defendants. The second part of the mediation will address the compensatory damages claims brought by the estates of several passengers from different places and various walks of life.

WEDNESDAY 1500 – 1800

Antitrust issues in the airline alliances*Joint session with the Antitrust Committee.*

In a moment of evident consolidation of the airline industry, antitrust authorities are focusing their attention on potential damages to consumers and ways to enforce competition laws without further disrupting an already difficult segment heavily affected by the economic crisis. Currently several airlines are seeking approval for cooperative alliances in various jurisdictions from the antitrust and aviation authorities. This panel will examine these antitrust issues and the policy and business advantages and disadvantages of permitting such alliances.

THURSDAY 1000 – 1300

Aviation roundtable

This session will provide ample opportunity for audience participation in the discussion of current issues of aviation law. Whereas certain topics will be introduced by selected speakers, anyone in the audience should feel free to introduce topics of interest related to regulatory, litigation or finance issues arising in connection with aviation in general.

FRIDAY 1000 – 1300

Maritime and Transport Law*Chair***Peter Appel** *Gorissen Federspiel Kiergaard, Copenhagen, Denmark***Rotterdam Rules – a new regime for liability for carriage of goods**

The Rotterdam Rules are the result of intergovernmental negotiations that took place between 2002 and 2009 within the United Nations Commission for International Trade Law (UNCITRAL) after the Comité Maritime International (CMI) had prepared a basic draft for the Convention.

The Rotterdam Rules are the first rules governing the carriage of goods by sea and connecting or previous transport by land. This land leg used to require separate contracts. Responsibility and liability during the whole transport process are clearly demarcated. The thought is that if the same law applies all over the world, this will facilitate international trade by making its underlying contracts and documentation more efficient and clearer.

Several states have signed the Convention and it will come into force once 20 of the signed countries have ratified it.

MONDAY 1500 – 1800

The cruise industry – tales from Davy Jones' locker*Joint session with the Insurance Committee and the Leisure Industries Section.*

This case study will follow the grounding and sinking of a cruise ship. The panel will discuss the liability exposures and applicable limitation regimes arising from the grounding and sinking of a cruise ship on an international voyage from Alaska to Canada with a variety of nationalities, including European passengers, on board. The discussion will also include how various insurance products would or would not cover the liabilities that may arise.

WEDNESDAY 1000 – 1800

Recent developments in maritime law

This ever-popular session endeavours to select topics of current interest to practitioners, incorporating various recent developments in maritime law around the world. In addition to giving presentations, the internationally-renowned panel will also participate in a roundtable discussion with participation from the audience on a wide range of subjects, including arrest and damages.

THURSDAY 1000 – 1300

Marine insurance – a legal and market update

How have the financial crisis, piracy, and terrorism affected the marine insurance market? The session will deal with a wide range of issues that faces the marine insurance industry. It will include an analysis of how such claims have been dealt with by the courts of the different jurisdictions; the interpretation of marine insurance policies, in particular marine warranty clauses, in the different jurisdictions; and recent updates in the law and ICC wordings. These issues will be discussed from the perspective of the insurer and the insured, and the P&I clubs and its members.

THURSDAY 1500 – 1800

Restructuring in shipping – how the financial crisis has affected shipowning companies and led to the restructuring of these entities

As the shipping industry faces its strongest challenges due to the turbulences of the financial markets and the shipping markets, more than a few shipping companies may end up in financial distress. This session considers various aspects on first measures to be taken by the management of shipping companies, financiers and other creditors to safeguard their interest in saving the shipping company from insolvency.

FRIDAY 1000 – 1300

Land Transport*Chair***Dieter Armbrust** *Lebuhn & Puchta, Hamburg, Germany***Logistics in the supply chain**

The session will provide an overview of contemporary forms of logistics operations and how they are tailored to meet the needs of supply chain management. Besides the legal problems flowing from the use of the internet for the purpose of accessing information and concluding contracts, the speakers will address special liability risks of logistics providers resulting from their diverse range of services and the need for insurance. The session will be rounded off by a discussion of pertinent contractual provisions of framework agreements for contract logistics.

MONDAY 1000 – 1300

Public Law Section

Council Liaison Officer

Jaap Willeumier *Stibbe, Amsterdam, the Netherlands*

Chair

John Kettle *Mason Hayes + Curran, Dublin, Ireland*

Sectoral tribunals, due process and facts: do the non-lawyers have too much say?

This session will focus on sectoral tribunals such as national competition authorities, utility regulators and the like. It asks whether non-lawyers such as economists and engineers have too much input into ultimate legally binding decision-making affecting legal rights of industry and government, and whether they get it right.

MONDAY 1000 – 1300

Procurement in major space and other technology projects: approaches taken in the European Union and European Space Agency and learning from the rest of the world

Joint session with the Space Law Committee. See page 65 for details.

MONDAY 1500 – 1800

Quotas, minorities, government and the private sector: how far should government regulate working and commercial life?

This session asks whether state legislatures and courts are interfering too much in private relationships in business and public life in an effort to deal with, for example, current or historic inequities, whether due to discrimination, prejudice, graft or corruption, and will include issues such as whether all discrimination is necessarily unfair.

WEDNESDAY 1000 – 1300

Accessing healthcare – the role of complementary and alternative medicines in promoting access to healthcare: the legal position of the traditional healer?

Joint session with the Medicine and the Law Committee. See page 69 for details.

THURSDAY 1500 – 1800

Real Estate Section

Council Liaison Officer

Daniel Del Rio *Basham Ringe y Correa, Mexico City, Mexico*

Chair

Carolina Zang *Zang Bergel & Viñes Abogados, Buenos Aires, Argentina*

Real estate and anti-money laundering regulations: what a real estate lawyer should know

This session will focus on how AML regulations are changing quickly the shape of the client-attorney relationship. Why? Because in many countries, governments are introducing regulations aimed at making sure that lawyers collaborate with authorities when dealing with transactions which might be linked with money laundering or terrorist financing. In fact, several jurisdictions impose on lawyers a duty to report – in certain cases – ‘suspicious transactions’ to local authorities. Quite often – regulators say – money launderers use real estate transactions as a cover up for their illicit activities, using the

services of lawyers who are unaware of the illicit activities in which they are assisting. What it is that a real estate lawyer should know about this complex and delicate issue?

TUESDAY 1000 – 1300

Real estate property tour

Following its huge success in Buenos Aires and Madrid, the Real Estate Committee has organised its third 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 Vancouver (at least if you're a lawyer with any interest in real estate projects...). An expert in the Vancouver 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 Vancouver.

TUESDAY 1500 – 1800

Real estate investment opportunities resulting from the financial crisis – a picture of the real estate market in North America: why, what, where, who?

Joint session with the North American Regional Forum.

This session will focus on the impact of the financial crisis on real estate investments in Canada, Mexico and the US, and what opportunities will arise, or have arisen, from the ashes.

WEDNESDAY 1000 – 1300

Private enterprises and investment in real estate

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

This session will focus on the still-rewarding relationship between private wealth and real estate investments. Despite the turmoil affecting all markets, private wealth still values real estate as profitable investment, and the session will strive to describe and explain investors' screening and decision-making process as well as the roles and responsibilities of all parties involved in the investment process. The topic will also cover the specifics of legal advice related to such projects.

This session will bring together leading family office experts, real estate consultants, real estate lawyers and private bankers. The speakers will offer a wide range of relevant experience and expertise. The different backgrounds of the speakers will enable in-depth and detailed coverage of the topic as well as provide insight into the different aspects of private real estate investments.

WEDNESDAY 1500 – 1800

Taxation Section

Council Liaison Officer

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

Tax crimes: cross border cases – evasion or avoidance, cross-border sharing of information on tax cases, defence of cross-border criminal tax cases

Joint session with the Business Crime Committee. See page 51 for details.

THURSDAY 0900 – 1830

Individual Tax and Private Client

Chair

Leigh Alexandra Basha *Holland & Knight LLP, McLean, Virginia, USA*

Coming and going I: focus on coming – pre-immigration strategies for the private client

Joint session with the Family Law Committee.

This session will address pre-immigration planning with a focus on North America and will include:

- moving in and out of common law and civil law jurisdictions;
- tax issues;
- what happens to social security and equalisation agreements;
- the effect of a client's marital regime on planning; and
- visa/immigration considerations.

MONDAY 1500 – 1800

Coming and going II: focus on going – exit strategies for the private client. Is getting up and going a good solution?

Joint session with the Family Law Committee.

The panel will consider issues affecting the private client who is leaving a jurisdiction temporarily or permanently, including exit tax and other tax ramifications to existing structures and estate planning, the effect of marital regime, immigration issues, and practical consideration of the modifying trusts, wills and companies.

TUESDAY 1000 – 1300

Nuts and bolts of trust mechanics

The panel will cover the basic considerations in establishing a trust, including the use of trusts (when are they the appropriate vehicle), choosing a jurisdiction, a trustee, a trust protector, the tax considerations and much more.

WEDNESDAY 1500 – 1800

Taxes

Co-Chairs

Peter Blessing *Shearman & Sterling LLP, New York, USA*

Carola van den Bruinhorst *Loyens & Loeff, Amsterdam, the Netherlands*

Transfer pricing and attribution of profits: current challenges and future trends

As experience has been gained with transfer pricing rules, numerous substantive changes are finding their way into the rules governing the testing of prices under the arm's length principle. Moreover, interpretations of the transfer pricing rules by taxpayers and tax administrations are leading to unproductive controversies and uncertainties as to the application of existing rules. Differences are driven by pricing issues as businesses seek to obtain greater levels of efficiency and cost savings through restructuring transactions that delocalise functions and risks to low cost jurisdictions and result in specialised and centralised operating units. Tax administrations, on their side, bear a greater strain on tax collection, to the extent that they must control the growing deficit of their public accounts. In this context, acknowledging the risk of greater uncertainty and litigation, international organisations and initiatives such as the OECD or the European Union Joint Transfer Pricing Forum seek to achieve consensus on essential transfer pricing matters such as the validity of the 'arm's length principle', the scope and contents of the comparability analysis, the use of transactional methods or the application of Advance Pricing Agreements.

In this panel, relevant representatives of the OECD, the European Union Joint Transfer Pricing Forum, tax administrations, global MNEs and tax lawyers will discuss the new initiatives, the hot areas of debate and future prospects.

MONDAY 1000 – 1300

Pitfalls on the acquisition of aircraft and its financing: legal and tax issues

Joint session with the Aviation Law Committee. See page 70 for details.

MONDAY 1000 – 1300

Holding companies under attack

Revenue authorities around the world have challenged the use of intermediary holding companies formed in order to access favourable tax treaties. This session will update attendees on challenges based on beneficial ownership (eg the *Prevost* and *Velcro* cases in Canada), general anti-avoidance (eg the *MIL Investments* case in Canada), need for substance (eg recent challenges by China) and common law central management and control (eg the UK). The trend to add limitation on benefit clauses (eg the Fifth Protocol to the Canada-US Treaty) will be discussed.

MONDAY 1500 – 1800

Best practices for evaluating uncertain tax positions

The financial accounting rules, particularly under US GAAP, impose strict standards on publicly traded corporations regarding the disclosure and valuation of tax positions. Counsel are called upon to participate in the assessment of tax assets or liabilities. The terms used to signify the degree of certainty of an opinion have become an arcane science puzzling to most outside the US (and many inside as well). Whether such advice must be disclosed to tax authorities also has become an issue in some jurisdictions. The panel will review best practices for evaluating uncertain tax positions considering the interaction of financial accounting, procedure and legal privileges, the terms used in opinions and exposures assumed by counsel in rendering opinions, the insistence of financial accounting auditors on reviewing tax opinions and the potential loss of privilege, and the desirability and availability of early determination procedures under local law to eliminate accounting uncertainty.

TUESDAY 1000 – 1300

Protection of the corporate tax base

In times of the financial crisis, fiscal authorities all over the world are concerned about declining tax revenue. However, declining tax revenue in high tax countries is not only caused by the crisis but also by tax efficient structures. Taxpayers and tax advisors are very creative in inventing structures to reduce the taxpayers' tax burden. Creative structures may involve the shifting of profits from high-tax countries to low-tax countries, the use of tax-privileged investments, and the exploitation of timing differences among jurisdictions to achieve an interest advantage. All these structures lower the corporate tax base in high-tax countries. The governments and fiscal authorities of high tax rate countries have taken various measures to curtail taxpayers efforts to reduce taxes. These measures include new withholding taxes on deductible payments, limitations on the deductibility of business expenses such as interest payments, limitations on the use of loss carry forwards, aggressive enforcement of CFC rules, withholding taxes, transfer pricing rules, etc. These measures not only cover the protection of the corporate tax base in cases of tax avoidance, but increasingly affect fair-minded taxpayers. In essence, the governments aim at taxing based on a sense of entitlement rather than on traditional concepts used to measure and source income. The panel will address how to cope with several of these measures when they threaten fair-minded but crisis-ridden taxpayers.

TUESDAY 1500 – 1800

New developments in transfer pricing with respect to import/export of goods

Joint session with the Trade and Customs Law Committee. See page 48 for details.

TUESDAY 1500 – 1800

Focus on resource exploitation

This panel will focus on selected issues that are unique to taxation of natural resource exploitation with a particular focus on natural resources companies operating across international borders. Topics will include the special provisions pertaining to natural resources contained in double taxation conventions (including permanent establishment treatment and treatment of taxes under double tax provisions), special rules relating to offshore sea activities, the taxation of business interests unique to natural resource exploitation such as royalties, production sharing agreements, and special taxes that may be encountered by natural resource businesses including 'privately negotiated' taxes.

WEDNESDAY 1000 – 1300

Tailoring dispute resolution strategies for tax positions involving multiple jurisdictions

From the standpoint of six different jurisdictions this panel will focus on challenges by one authority of a tax position that involves multiple jurisdictions. The panel will address when to seek competent authority, how to approach competent authorities, when and how to keep limitation periods open, what actions in one jurisdiction may give rise to an adverse admission in another jurisdiction, whether and how a case may be settled in one jurisdiction without limiting access to competent authority and the nature of any limitation, how the newly adopted country-to-country arbitration provisions may change the calculus of particular procedural remedies, and the significance of foreign country legal advice on the sustainability of local positions, eg the US compulsory tax regulations.

WEDNESDAY 1500 – 1800

Service permanent establishments under double tax conventions

In certain treaties, including the US-Canada treaty, the permanent establishment definition dispenses with a fixed place of business limitation on the taxation of services if a certain temporal threshold is met. This panel will explore the rationale, variations, and practical implications of these provisions as well as the measurement of attributable profits, including the relevance of intangibles such as goodwill.

THURSDAY 1500 – 1800



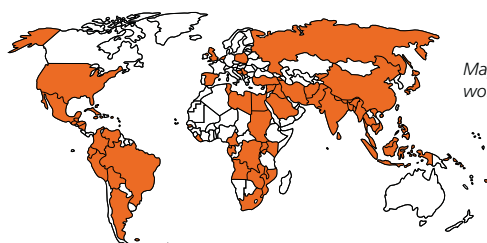
The IBA's Human Rights Institute

The International Bar Association's Human Rights Institute (IBAHRI), established in 1995 under the Honorary Presidency of Nelson Mandela, has become a leading global force in setting governments' agendas in human rights, supporting judges, lawyers and human rights campaigners and promoting respect for the rule of law worldwide. The IBAHRI runs training and workshops, capacity building projects, fact-finding missions, trial observations, technical assistance, thematic reports and guidelines and many other projects in pursuit of these goals.

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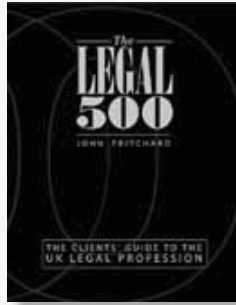
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Map illustrating the IBAHRI's work around the world



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Public and Professional Interest Division

Academic and Professional Development Committee

Council Liaison Officer

Neil Gold *University of Windsor, Windsor, Ontario, Canada*

Co-Chairs

Frank Astill *University of Sydney, Sydney, New South Wales, Australia*

Tony King *Clifford Chance LLP, London, England*

'Skid row': poverty law and pro bono work by lawyers

Joint session with the Pro Bono and Access to Justice Committee.

Vancouver has a claim to the original 'skid row'. A local lawyer who practices nearby and is knowledgeable about the changing face of Vancouver's poverty-level clientele will introduce the session. Thereafter, there will be presentations on poverty law and the role of lawyers, and how pro bono programmes can partner with legal literacy programmes such as Street Law, law clinics, university practical legal skills courses and vocational training courses. Speakers drawn from academia and legal practice will provide examples of pro bono partnership programmes between practitioners and law schools.

This session will end with an interactive exercise in which practitioners and academics will have an opportunity to discuss how they could partner in pro bono programmes.

MONDAY 1000 – 1300

Managing the younger generations in law firms

Much has been written about the different career expectations and aspirations of the young lawyers now joining the profession.

What are they? Has the current economic climate changed those expectations? Is Generation Y a global phenomenon? How can firms manage younger lawyers in ways that meet their aims and the business needs of the firms? How can work be resourced creatively by capitalising on their aspirations and making use of the global talent pool of lawyers? Will the 'centre of gravity' be in the West or will it move East, and if so, with what implications?

This session will look at these questions and issues in the light of increasing pressure on fees and the need to resource work cost-effectively.

TUESDAY 1000 – 1300

Management training for lawyers: developing firm leaders

In the context of changes in the professional legal services global market, with increased competition and new economic balances, both large and small firms require effective leadership and management to succeed.

Managing partners, practice group leaders, members of management committees, indeed most lawyers, are typically ill-prepared for these important roles.

How should lawyers be trained in order to acquire wider management awareness and expertise? This session will explore training needs and provide suggestions for meeting them in three key areas:

- strategic planning: design and implementation;
- finances: budgeting for profit and understanding the types of financial information that have to be available; and
- leading people: motivating groups and individuals, mentoring and coaching partners, and resolving interpersonal conflicts.

WEDNESDAY 1000 – 1300

A BREAKFAST meeting will be held to discuss matters of concern and interest in the academic and professional development field.

This breakfast meeting is an opportunity for IBA members and local lawyers involved in teaching and professional development, who are interested in the work of the Academic and Professional Development Committee, to attend, meet, and share ideas.

Proposals for future IBA sessions and feedback from current ones are encouraged.

THURSDAY 0830 – 1000

Ethical competence: preparing lawyers for substantial client responsibility

Joint session with the Professional Ethics Committee.

This session will explore how law schools, professional education providers, professional development programmes, law firm managers, and lawyers with special responsibility for promoting ethical compliance can learn to collaborate in producing ethically competent lawyers who are ready to assume major client responsibility.

When lawyers begin to have substantial client responsibility, it is critical that they have proven competence in ethical decision-making (such as identifying and properly resolving ethical issues) and professional judgement (for example, recognising where discretion needs to be exercised in advising and representing clients).

What are current best practices from around the world for training lawyers for such responsibility and assessing their competence? What innovative approaches are possible?

THURSDAY 1000 – 1300

Anti-Corruption Committee

Council Liaison Officer

Robert A Stein *University of Minnesota, Gray Plant Mooty, Minneapolis, Minnesota, USA; Chair, Public and Professional Interest Division*

Chair

Homer E Moyer Jr *Miller & Chevalier, Washington DC, USA*

Risks and threats of corruption and the legal profession

Joint session with the IBA Regional Fora.

This session focuses on the role lawyers play in international corruption, and on how the longarm of international and extraterritorial legislations apply to their practice. The session will open with the presentation of the first IBA Anti-Corruption Report on the awareness and perceptions of lawyers regarding international corruption. Then, a roundtable of experts will comment and discuss on the findings of the Report, focusing on what lawyers must do to fully comply with anti-corruption laws and standards. The session is highly recommended for all those practitioners dealing with foreign clients in high risk transactions and sectors such as natural resources, pharmaceuticals, technology and infrastructure.

MONDAY 1000 – 1300

Corruption in the oil and gas and extractive industries

Joint session with the Oil and Gas Law Committee.

More than any other industry, the oil and gas and extractive industries have been subject to enforcement actions relating to the US Foreign Corrupt Practices Act and other anti-corruption laws. Consequently, the oil and gas and extractive industries have been pioneers in developing anti-corruption compliance programmes and initiatives to prevent corruption. The panel will discuss corruption risks associated with oil, gas, and mining projects and methods for dealing with those risks.

TUESDAY 1000 – 1300

Open committee business meeting

An open meeting of the Anti-Corruption Committee will be held to discuss future activities.

TUESDAY 1300 – 1400

Global update on anti-corruption enforcement

Speakers from different regions of the world will give updates on developments in anti-corruption enforcement that have occurred in the last year in their respective regions. Reports may include major enforcement actions, ongoing investigations, new legislation, treaty implementation, national initiatives, recovery of looted assets, and exposés of high level corruption by the media and NGOs. Objectives of the session are information-gathering and information-sharing, so the format will be an open forum, with opportunity for contributions and discussion from the floor.

WEDNESDAY 1000 – 1300

WHY CAN'T I WIN: government tendering, bid protests and remedies in national and international cross-border procurement: compliance, transparency, anti-corruption and other exciting war stories

Joint session with the International Sales Committee. See page 67 for details.

THURSDAY 1000 – 1300

Bar Issues Commission

Chair

Michael Kutschera *Binder Grösswang Rechtsanwälte GmbH, Vienna, Austria; Council Member, Public and Professional Interest Division*

BIC welcome meeting and Open Forum

The Bar Issues Commission (BIC) Officers invite new and existing BIC members to join them at a welcome meeting to enable bar leaders to meet each other at the beginning of the conference week and be briefed about the programme for bar leaders.

This meeting will also discuss current and future BIC projects and conference topics. Business items listed in the IBA Council agenda will also be discussed.

WEDNESDAY 0800 – 1000

SHOWCASE: The future of legal aid: and justice for all?

Presented by the Public and Professional Interest Division's Bar Issues Commission, the Forum for Barristers and Advocates, and the Pro Bono and Access to Justice Committee. See page 35 for details.

WEDNESDAY 1000 – 1300

Client/lawyer relationships: what role do bar associations play in helping lawyers with their client relationships?

The Bar Issues Commission will hold three roundtable sessions, looking at topics that are key to maintaining a well-balanced and fruitful client relationship.

Each discussion will take place between a panel of eight pre-selected 'active participants' with experience of the situations being addressed. All delegates are invited to ask questions and provide their own input into the debate.

The BIC will appoint a rapporteur for each session, and summaries will be available on the IBA website after the conference.

All sessions will have simultaneous translation provided for French and Spanish speakers.

Money, money, money – the array of client fee arrangements

Fee arrangements are not only a matter to be agreed upon between lawyers and clients. They are subject to regulation, and such regulation reflects the characteristics of different legal systems. This series of sessions will provide an overview of current issues and trends, both for experienced players and developing bars which are in the process of setting up a legal profession. It will address the following topics:

- What types of fee arrangements are in the client's best interest for which cases (hourly rates, tariffs, caps, flat fees, discounts, outcome-oriented or contingent fees)?
- What protection do non-sophisticated clients need and get when entering into fee arrangements with lawyers?
- Who protects lawyers in that regard in relation to powerful clients such as providers of legal costs insurance?
- Is a sound economical basis a prerequisite for a legal profession fulfilling its tasks?
- What limits apply to fee arrangements in different jurisdictions and for what reasons (prohibitions of certain types of fee arrangements such as contingent fees, tariff systems, transparency and antitrust issues, general requirements of fairness)?
- Do success-oriented or contingent fee arrangements jeopardise the lawyer's independent judgement or do they promote access to justice?
- Class actions with and without (i) contingent fee arrangements and (ii) reimbursement of attorney's fees to the winner.

WEDNESDAY 1500 – 1800

Lawyer liability

Lawyers who provide legal advice across borders expose themselves to legal liability for malpractice in the foreign jurisdiction (where malpractice insurance may or may not be available). Arbitrators also attract such exposure. This panel will look at some of the recent situations where claims have been made and will discuss the issues involved.

THURSDAY 1000 – 1115

May or must a lawyer lie for the benefit of the client?

One of the most striking features regarding legal assistance is where to establish the ethical boundaries of lawyers' practice. May the defendant lie to courts? Is the lawyer supposed to encourage his or her client to be economical with the truth? May the lawyer allow his client not to tell the full truth? May he assist him thereby and plead accordingly? How different or similar is perjury in common law and the right to full defence in the civil law? Where does the truth end and the lie begin? Must the lawyer disclose to the court the whole truth in civil claims based on the Roman-Germanic system? Is there a difference between criminal and civil procedures concerning the search for the truth? What are the differences in disclosure rules in both systems? This panel will address these challenging aspects.

THURSDAY 1145 – 1300

The Bar Issues Commission is introducing simultaneous translation for all its sessions for French and Spanish speakers. Please collect a headset on arrival at the session. You will need to leave some form of security for the headset such as a credit card.

Rule of Law Symposium

See page 41 for details.

FRIDAY 1000 – 1300

Bar Executives lunch meeting

The Law Society of British Columbia, will host a workshop (with lunch) for bar executives with a discussion entitled 'The media, government and public perception – what you don't know can hurt you', led by Kimanda Jurzegiak, a public affairs, media and government relations expert and President of Ascent Public Affairs in Victoria, British Columbia.

FRIDAY 1300 – 1500

Corporate Social Responsibility Committee

Council Liaison Officer

Charles Lawton CMS Cameron McKenna LLP, London, England

Co-Chairs

Craig Phillips Allens Arthur Robinson, Melbourne, Victoria, Australia

John Sherman Mossavar-Rahmani Center for Business and Government, John F Kennedy School of Law, Harvard University, Cambridge, Massachusetts, USA

OECD Guidelines for Multinational Enterprises – what every international lawyer needs to know about possible upcoming changes

Are the OECD Guidelines for Multinational Enterprises still relevant to today's global economy? Do they provide adequate guidance to companies? Does their complaint process work? What are the proposals for their reform? This session will attempt to answer these and other questions.

The Guidelines were last revised in 2001, and cover a wide range of business conduct in such areas as disclosure, employment, environment, anti-corruption, consumer interest, science and technology, competition and taxation. They are now being scrutinised for changes in response to concerns that they are outdated and don't reflect the concerns of the current global economy in a variety of areas, including human rights, supply chains, distance selling, climate change, and anti-corruption, among others. In addition, National Contact Points (NCPs) – appointed in each OECD country to resolve allegations that companies have violated the Guidelines – have been criticised as underutilised and ineffective.

An IBA Working Group has submitted comments both to the UK NCP and to the OECD to revise the Guidelines and improve the NCP process. Other groups, including business, labour, and civil society, have filed their own comments.

This session presents an invaluable opportunity for international lawyers to learn more about the OECD Guidelines and how any revisions might affect their clients.

TUESDAY 1500 – 1800

Cowboys from Calgary and Denver – natural resource companies' corporate and social accountability

Joint session with the Mining Law Committee.

The Special Representative to the UN Secretary General for Business and Human Rights characterised the initial operations of North American mining companies in the Andes Region of Latin America as being run 'by cowboys who thought they'd never left Denver or Calgary' who 'made a mess of things' until they were forced to change their practices. The corporate and social accountability of natural resource companies have therefore been under increasing global scrutiny. Some companies have learned the hard way that securing a legal license to operate does not include the social license also necessary to operate. Canada, for example, is engaged in a vibrant and robust national debate on the accountability of Canadian mining companies for their operations in developing countries, whose content has business and legal significance for natural resource companies worldwide. Other extractive industries face similar challenges, including calls for the creation of an ombudsman office to investigate and assess complaints for violations, the enactment of eligibility criteria for government political and financial support, and the imposition of sanctions, among others. This panel will address these and other related highly timely issues, using the Canadian debate as a starting point.

THURSDAY 1500 – 1800

Forum for Barristers and Advocates

Council Liaison Officer

Jacqueline Leong QC Hong Kong Bar Association, Hong Kong SAR

Co-Chairs

Chantal-Aimée Doerries QC General Council of the Bar of England and Wales, London, England

Paul Sreenan SC Bar Council of Ireland, Dublin, Ireland

Construction dispute resolution – is it broken or can it be fixed?

Joint session with the International Construction Projects Committee. See page 56 for details.

TUESDAY 1500 – 1800

SHOWCASE: The future of legal aid: and justice for all?

Presented by the Public and Professional Interest Division's Bar Issues Commission, the Forum for Barristers and Advocates, and the Pro Bono and Access to Justice Committee. See page 35 for details.

WEDNESDAY 1000 – 1300

Human Rights Institute

Co-Chairs

Juan E Méndez *President of the International Centre for Transitional Justice and former Special Advisor for the Prevention of Genocide to the UN Secretary-General, Washington DC, USA; Council Member, Public and Professional Interest Division*

Martin Šolc *Kocián Šolc Balaščík, Prague, Czech Republic; Council Member, Public and Professional Interest Division*

SHOWCASE: The appointment of judges to international courts and tribunals – competence, pragmatism, reprisal?

Joint session with the Judges' Forum. See page 35 for details.

MONDAY 1500 – 1800

Criminal justice reform in Southern Africa – alternatives to pre-trial detention

Joint session with the African Regional Forum and the Open Society Initiative for Southern Africa (OSISA).

OSISA has embarked on a project that looks at alternatives to pre-trial detention in Malawi, Mozambique and Zambia. In most instances, people wait in detention for 15-24 months for trial, frequently for petty theft. The project works towards alternatives to pre-trial detention. Leading speakers from the region will discuss pre-trial procedures and alternatives, and the HRI will produce the findings of its report on pre-trial detention in Brazil. This will be used to encourage debate by all the participants at the session.

TUESDAY 1000 – 1300

Human rights crisis: state-sanctioned crimes and violence against lesbian, gay, bisexual and transgender persons

Joint session with the Lesbian, Gay, Bisexual and Transgender Issues (LGBT) Working Group. See page 60 for details.

WEDNESDAY 1000 – 1300

Terrorism and the law – has anything improved in the last five years?

This session will launch the second edition of the Human Rights Institute's book 'International Terrorism: Legal Challenges and Responses'. A distinguished panel of speakers will discuss recent developments, improvements and shortcomings in the attempt to balance public safety and human rights.

WEDNESDAY 1500 – 1800

HRI General Meeting

The HRI General Meeting occurs every two years. It is open to all HRI members, who will have the opportunity to raise any issues about HRI with the HRI Co-Chairs and HRI staff.

THURSDAY 1200 – 1300

Judges' Forum

Council Liaison Officer

John H Morrison *Kirkland & Ellis LLP (retired), Evanston, Illinois, USA*

Co-Chairs

Justice Michelle May *Family Court of Australia, Brisbane, Queensland, Australia*

Hon Sheila M Murphy *Rothschild Barry & Myers, Chicago, Illinois, USA; Council Member, Public and Professional Interest Division*

Demystifying financial products

Joint session with the Insolvency, Restructuring and Creditors' Rights Section (SIRC). See page 62 for details.

MONDAY 1000 – 1300

SHOWCASE: The appointment of judges to international courts and tribunals – competence, pragmatism, reprisal?

Joint session with the Human Rights Institute. See page 35 for details.

MONDAY 1500 – 1800

International child abduction – a mock trial of a full Hague convention case involving North America and a European state

Joint session with the Family Law Committee. See page 68 for details.

TUESDAY 1500 – 1800

Human rights crisis: state-sanctioned crimes and violence against lesbian, gay, bisexual and transgender persons

Joint session with the Lesbian, Gay, Bisexual and Transgender Issues (LGBT) Working Group. See page 60 for details.

WEDNESDAY 1000 – 1300

Canadian judges, joined by First Citizens of Canada: explaining restorative justice by the use of 'circles' for dispute resolution and sentencing

This session continues the discourse on restorative justice that was initiated in Singapore in 2007, and furthered in Buenos Aires in 2008 and Madrid in 2009. Frances Burton will present a paper on global efforts by judges who have courageously brought restorative justice to courts. Mary Frances Edwards, a renowned judicial educator, will follow. She will assist judges in developing plans for their courts. Canadian judges have been leaders in bringing restorative justice practices to their nation, often in the form of 'talking circles' instead of the common law practice of the judge being in an absolute hierarchy.

This session will exhibit how restorative practices bring greater trust and esteem to the courts and judges who heroically lead the way.

WEDNESDAY 1500 – 1800

Law Firm Management Committee

Council Liaison Officer

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

Chair

Norman Clark *Walker Clark LLC, Fort Myers, Florida, USA*

What's next for law firms I – profitable pricing of legal services in the 2010s

Is hourly billing finally dead? How can law firms, particularly those that are active in the global legal market, continue to set fees that are competitive but also profitable? What are the proactive pricing strategies that law firms will need to adopt to continue to enjoy traditional profitability levels?

MONDAY 1000 – 1300

Growing older – thinking harder

Joint session with the Senior Lawyers' Committee. See page 83 for details.

MONDAY 1000 – 1300

What's next for law firms II – profitability and capitalisation in the 2010s

What factors will have the greatest impact on law firm profitability over the next ten years? This session will investigate the risks that small and mid-size firms must manage in the changing legal markets of the 2010s, with particular focus on capitalisation, indebtedness, and long-term financial commitments.

MONDAY 1500 – 1800

What's next for law firms III – the future of client relationships: the client's perspective

Joint session with the Corporate Counsel Forum.

Client needs and expectations are always changing; and they will continue to change in the 2010s. A group of in-house counsel from major international corporations will discuss emerging trends such as the role of procurement professionals in the purchase of legal services, the general counsel's changing role, and how small and mid-size law firms can make a general counsel look good to the Board of Directors and CEO.

TUESDAY 1000 – 1300

What's next for law firms IV – are law firm networks the answer?

Are law firm networks the ultimate 'silent competitive advantage' for mid-size and large law firms? Is the law firm network concept inherently superior to a global law firm?

A panel of representatives from leading global and regional law firm networks will lead an interactive discussion about the advantages and disadvantages of law firm networks, compared to strategic alliances and 'best friend' relationships.

TUESDAY 1500 – 1800

Cooperation of inside and outside counsel – the value challenge: partnering between inside and outside counsel to improve the delivery of value to corporate clients

Joint session with the Closely Held and Growing Business Enterprises Committee. See page 49 for details.

TUESDAY 1500 – 1800

What's next for law firms V – law practice technology in small and mid-size law firms: you ain't seen nothing yet

The practice of law has been fundamentally transformed by technology over the past ten years. What lies ahead? How will technology become the 'equaliser' in the competition between small and large firms? How will this expand the role of the law firm partner from a provider of legal services to a worldwide manager of intellectual capital?

WEDNESDAY 1500 – 1800

What's next for law firms VI – managing the international law firm

Since the 1990s, the international law firm has become a standard business structure in the legal profession. International legal management will become even more complex and challenging in the 2010s.

How will mid-size and large firms make better decisions about whether to open, expand, or close a foreign office? How will continued internationalisation drive changes in traditional governance and profit-sharing structures? What will large and mid-size law firms need to do to establish and keep a credible presence in a foreign legal jurisdiction?

WEDNESDAY 1500 – 1800

Managing partners' breakfast

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 about the work of the committee.

THURSDAY 0830 – 1000

How to write a marketing plan

Every lawyer knows that a marketing plan is a valuable tool to improve the financial performance of one's practice. Few lawyers, however, have actually ever written one. This session presents intellectual structures, components, formats, and practical advice on how to write a marketing plan for one's firm or for oneself.

THURSDAY 1000 – 1300

Climbing the ladder – how to progress in a law firm

Joint session with the Young Lawyers' Committee. See page 85 for details.

THURSDAY 1000 – 1300

Successful models for cross-border legal practice – the economics of law firms after the recession

Joint session with the European Regional Forum. See page 46 for details.

THURSDAY 1000 – 1300

Mental health issues in law firms: protecting your firm's most important assets

Joint session with the North American Regional Forum.

The environments of today's law firms impose stresses that were almost unknown 15 years ago. Not everyone copes well.

Many firms respond with wellness programmes and other support for work-life balance. Other firms minimise the problems and disclaim responsibility for managing them. People can be reluctant to seek help because of the stigma that depression and other mental health issues still carry.

Mental health professionals who work with lawyers and law firms will describe the early signs of and appropriate responses to serious workplace mental health problems. They will be joined by a group of law firm managers who will apply their firms' programmes and experiences to practical case studies.

THURSDAY 1500 – 1800

Law firm visits

Officers of the IBA's Law Firm Management Committee will lead a group of IBA delegates to visit a number of Vancouver 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. Tickets (which are complimentary) must be obtained from the IBA speakers' desk at the conference.

FRIDAY 1000 – 1300

Multidisciplinary Practices Committee

Council Liaison Officer

Geraldine Clarke *Gleeson McGrath Baldwin, Dublin, Ireland; Chair, Client Protection Subcommittee*

Chair

Daniel Rybnik *EnterPricing, Buenos Aires, Argentina*

Alternative business structures – advancing an international perspective

The 'Commission on Ethics 20/20', recently created by the American Bar Association, is charged with re-examining the regulation of the legal profession in view of globalisation and technological advances. One issue to be addressed is whether American lawyers should be permitted, contrary to current US law, to engage in multidisciplinary practices, in law practices with non-lawyer managers/owners, or to work in incorporated or publicly traded law firms. The IBA Multidisciplinary Practices Committee will be researching the global landscape regarding such alternative business structures for lawyers and expects to prepare a report to the commission. At this working session, the committee will present its work and gather additional international experience for inclusion in its final report.

THURSDAY 1000 – 1300

Pro Bono and Access to Justice Committee

Council Liaison Officer

Peter D Maynard *Peter D Maynard & Co, Nassau, Bahamas; Vice-Chair, Public and Professional Interest Division*

Chair

Robin Sully *Canadian Bar Association, Ottawa, Ontario, Canada*

'Skid row': poverty law and pro bono work by lawyers

Joint session with the Academic and Professional Development Committee. See page 77 for details.

MONDAY 1000 – 1300

Pro bono: service for nothing and experience for free!

Joint session with the Young Lawyers' Committee.

Volunteering your professional services to meet the legal needs of low income and marginalised individuals or community and charitable organisations contributes to the wellbeing of your community, your profession and your career. The session will look at the importance of pro bono and how participating in pro bono activities can advance your legal career. Speakers will provide examples of domestic and international opportunities for pro bono and explain how to become engaged. They will also tell you how to develop and nurture a culture of pro bono in your law firm that will encourage and value your pro bono initiatives.

TUESDAY 1000 – 1300

SHOWCASE: The future of legal aid: and justice for all?

Presented by the Public and Professional Interest Division's Bar Issues Commission, the Forum for Barristers and Advocates, and the Pro Bono and Access to Justice Committee. See page 35 for details.

WEDNESDAY 1000 – 1300

Professional Ethics Committee

Council Liaison Officers

Daniel Ferrere *Ferrere, Montevideo, Uruguay; Co-Chair, Professional Ethics Committee*

John Moorhouse *Attorneys Fidelity Fund, Cape Town, South Africa*

Co-Chairs

Adrian Evans *Monash University, Melbourne, Victoria, Australia*

Daniel Ferrere

Hot topics in professional ethics

This half-day session will address issues such as:

- How to act when rules differ? We will discuss generic ethical principles and their relationship to disclosure rules, obligations to courts and conflicts of loyalty. Experience has shown that ethics rules may differ between common law and civil law jurisdictions, between continental and Latin American civil law countries, and in other situations. Issues like discovery, factual misinformation to the courts, and limits on what lawyers can or cannot do or say seem to be slightly different in different jurisdictions. The session will address these differences and will try to determine whether common ground can effectively exist even in these cases.
- Should a lawyer be allowed to practice if he cannot compensate for malpractice? There are different systems for covering the risk of malpractice. But not all are mandatory, and in many places a lawyer can still practice without proper insurance. The session will discuss whether there is an independent duty to disclose this fact, and whether there is an ethical duty to be able to compensate for malpractice.

- The role of outside counsel in the enforcement of proper governance. Sarbanes-Oxley and similar legislation have provoked much discussion on how in-house counsel must act in case of improper corporate governance. But are those rules equally applicable to outside counsel? And is there a difference between the outside counsel of large and small companies? Are rules the same in all cases, or are there differences?

MONDAY 1000 – 1300

Are employed lawyers subject to different rules?

Joint session with the Young Lawyers' Committee.

This session will focus on:

- Lawyer's independence: how does it work for employed lawyers? Ethics rules say that a lawyer must remain independent at all times. But employment rules say that an employee must follow the commands and instructions of the employer. How does this work in the case of employed lawyers? Which principle prevails, or can the two be reconciled? Does the tension impose an ethical obligation on employers?
- Do lawyers have an independent duty to clients in case of misconduct within the firm? What are the duties of employed lawyers in case of malpractice, overbilling or other improper professional behaviour? Do Sarbanes-Oxley type rules apply? What is the limit? Is resigning enough? Should an employed lawyer respond only to his employer, or does he/she have an independent responsibility towards the client or court?

TUESDAY 1500 – 1800

Open committee business meeting

An open meeting of the Professional Ethics Committee will be held to discuss matters of interest and future activities.

TUESDAY 1800 – 1900

Ethical competence: preparing lawyers for substantial client responsibility

Joint session with the Academic and Professional Development Committee. See page 77 for details.

THURSDAY 1000 – 1300

Anti-Money Laundering Legislation Implementation Working Group

Chair

Stephen Revell *Freshfields Bruckhaus Deringer, London, England*

The lawyer's role in anti-money laundering

How many questions does a lawyer need to ask with regard to the source of funds in connection with a transaction he is advising upon? What if he is suspicious? What is the appropriate 'customer due diligence' lawyers need to do when taking on a client in the first place? What evidence is there for lawyers being 'unwittingly' involved in money laundering? What evidence is there to show that lawyers can help in the fight against money laundering?

Irrespective of the philosophical arguments as to whether or not lawyers should, given their position in the justice system, have any obligations with regard to investigating and reporting potential acts of money laundering what is the rationale for involving lawyers? Does the rationale bear any scrutiny and/or does the imposition of burdens on lawyers provide any measurable benefits particularly taking into account a reasonable cost/benefit analysis?

How do we improve training to the profession in this area? This session will examine the practical and difficult position that lawyers are faced with in many jurisdictions where anti-money laundering legislation both exists and has been extended, in line with the Financial Action Task Force (FATF) Recommendations, to include lawyers. We will review in particular the FATF guidance on customer due diligence now that a 'risk based' approach is encouraged.

We will also discuss the continuing challenges around the world that have been made to such laws and in particular their extension to lawyers. Are the FATF Recommendations and the laws that have implemented them sufficiently clear in the dividing line between providing bona fide advice that should be the subject of client confidentiality and privilege, and turning a blind eye to the 'obvious' intentions of clients to launder money? When does and when should the duty to 'whistleblow' arise, if at all?

MONDAY 1500 – 1800

Rule of Law Action Group

Council Liaison Officer

Anne Ramberg *Swedish Bar Association, Stockholm, Sweden; Co-Chair, Rule of Law Action Group; Council Member, Human Rights Institute*

Co-Chairs

Justice Richard J Goldstone *Former Justice of the Constitutional Court of South Africa, Sandton, South Africa*
Anne Ramberg

Rule of Law Symposium

See page 41 for details.

FRIDAY 1000 – 1300

The rule of law in Haiti

See page 41 for details.

FRIDAY 1430 – 1600

Senior Lawyers' Committee

Council Liaison Officer

Horacio Bernardes-Neto *Xavier Bernardes Bragança, São Paulo, Brazil; Vice-Chair, Bar Issues Commission*

Chair

Ronnie Fox *Fox, London, England*

Growing older – thinking harder

Joint session with the Law Firm Management Committee.

This session will deal with the question of succession – how the law firm can build continuity and succession while the senior lawyers are still in place. The session will consider which methods should be used: training, building up careers, management skills, etc.

MONDAY 1000 – 1300

Climbing the ladder – how to progress in a law firm

Joint session with the Young Lawyers' Committee. See page 85 for details.

THURSDAY 1000 – 1300

Joint dinner/music social event

The Senior Lawyers' Committee and the Women Lawyers' Interest Group are organising a joint social event.

All conference delegates are welcome and tickets can be booked using the Committee Social Function form which will be sent to all registered delegates.

TUESDAY EVENING

War Crimes Committee

Council Liaison Officer

Daniel Ferrere *Ferrere, Montevideo, Uruguay; Co-Chair, Professional Ethics Committee*

Co-Chairs

Stuart Alford *Former UN Prosecutor, East Timor; Chambers of Frances Oldham QC, London, England*

Cecile Aptel *International Center for Transitional Justice, Washington DC, USA*

The crime of aggression under international criminal law

When the statute for the International Criminal Court (ICC) was agreed in 1998, 'aggression' was included as a crime in the jurisdiction of the Court. However, the definition for that crime could not be agreed.

Since 2002 a special working group has been attempting to agree a definition for a crime of aggression. Their work will be presented to the Rome Statute Review Conference, in Kampala in May 2010, with a view to aggression becoming a crime prosecuted at the ICC.

This session will provide an up-to-date analysis of aggression as an international crime and will consider what place it will have in the future of the ICC.

TUESDAY 1500 – 1800

The cases for the defence at international criminal trials

A panel session discussing the strategy and presentation of defence cases at international criminal courts and tribunals.

As a part of the War Crimes Committee's ongoing project, this session will consider the approach taken to the defence of international crimes of genocide, crimes against humanity and war crimes at the International Criminal Court, and the tribunals for the Former Yugoslavia, Rwanda, Sierra Leone and Cambodia.

THURSDAY 1000 – 1800

Women Lawyers' Interest Group

Council Liaison Officer

Gabrielle H Williamson JD *Heuking Kühn Lüer Wojtek, Brussels, Belgium and Düsseldorf, Germany; Secretary-Treasurer, Public and Professional Interest Division; IBA Assistant Treasurer; Secretary-Treasurer and Council Member, Human Rights Institute*

Co-Chairs

Roxana Kahale *Kahale Abogados, Buenos Aires, Argentina*

Stella Ugboma *Stella Ugboma & Associates, Lagos, Nigeria*

What firms and corporations can do to ensure the retention of female talents in their establishments – is affirmative action necessary?

Law firms are highly dependent on the value of their attorneys. Retention of talent is a key point in management. In legal practice and regarding women lawyers some particular issues should be addressed.

This session aims to cover different strategies to retain women lawyers at different stages of their legal career and personal life. Practical measures which can be taken by organisations to promote women's legal careers and how to create the right conditions for them to flourish will be considered.

MONDAY 1000 – 1300

A LUNCH will be held for conference delegates

See page 87 for details.

MONDAY 1300 – 1500

Financial issues for women in the legal profession – how to make your practice more profitable and valuable for yourself and your firm

It is generally believed that women lawyers are very reserved about money, particularly when it comes to billing and asking for adequate remuneration for work done. They are always very modest in charging fees.

This session will look at the financial independence of women lawyers, how to help them develop their financial situation and make them top earners in the legal profession.

TUESDAY 1500 – 1800

Joint dinner/music social event

The Senior Lawyers' Committee and the Women Lawyers' Interest Group are organising a joint social event.

All conference delegates are welcome and tickets can be booked using the Committee Social Function form which will be sent to all registered delegates.

TUESDAY EVENING

World Organisations Committee

Council Liaison Officer

Graeme Kirk *Gross & Co, Bury St Edmunds, England*

Co-Chairs

Hans Corell *Former Under-Secretary-General for Legal Affairs and Legal Counsel for the United Nations, Stockholm, Sweden; Vice-Chair, Rule of Law Action Group; Council Member, Human Rights Institute*

John Heaps *Eversheds LLP, London, England; Council Member, Public and Professional Interest Division*

Open committee business meeting

An open meeting of the World Organisations Committee will be held to discuss matters of interest and future activities.

TUESDAY 1000 – 1300

Air and space financing on the basis of the UNIDROIT Protocols to the 2001 Cape Town Convention

Joint session with the Banking Law Committee. See page 58 for details.

THURSDAY 1500 – 1800

Young Lawyers' Committee

Council Liaison Officer

Alberto Perez Cedillo *Alberto Perez Cedillo Spanish Lawyers and Solicitors, London, England*

Chair

Eric Rieger *European Chemicals Agency, Helsinki, Finland; Newsletter Editor, Environment, Health and Safety Law Committee*

Young lawyers' introductory meeting

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

MONDAY 1000 – 1300

Adding value to the bottom line: how corporate legal departments demonstrate value

Joint session with the Corporate Counsel Forum. See page 44 for details.

MONDAY 1500 – 1800

Pro bono: service for nothing and experience for free!

Joint session with the Pro Bono and Access to Justice Committee. See page 82 for details.

TUESDAY 1000 – 1300

Are employed lawyers subject to different rules?

Joint session with the Professional Ethics Committee. See page 83 for details.

TUESDAY 1500 – 1800

Making Africa work – young lawyers in Africa and African lawyers abroad

Joint session with the African Regional Forum. See page 43 for details.

WEDNESDAY 1000 – 1300

Climbing the ladder – how to progress in a law firm

Joint session with the Senior Lawyers' Committee and the Law Firm Management Committee.

This joint session will focus on how practitioners can excel and shine in the law firm environment.

Senior lawyers will offer insights based on their personal experiences of promotion in both large and small law firms, whilst young lawyers will have an opportunity to identify particular challenges they face.

The session will address important questions such as:

- How does one measure progress in a law firm, and how does this contrast with other organisations?
- What factors do (and should) law firms consider when promoting associates and partners?
- What personal qualities and skills make young lawyers ideal for promotion?
- How does changing firms affect one's prospects of promotion? What are the advantages and disadvantages of lateral hires for firms?
- What attributes set lawyers apart and enhance their prospects for promotion?
- What personality traits do senior partners in firms exhibit?
- What challenges are inherent in being involved in the management structure of the firm?
- How can firms nurture and develop leadership?
- How to build a personal brand inside and outside the firm.
- How to market to new clients and rain-making.

THURSDAY 1000 – 1300

Establishing national young lawyers' associations

In previous years, the IBA Young Lawyers' Committee collaborated with other young lawyers' associations, notably the ABA Young Lawyers' division and AIJA, in creating guidelines for establishing a presence of young lawyers' associations or committees in countries where young lawyers have not hitherto been acknowledged as a particular constituency. These guidelines were approved by the IBA Council in May 2008, and they are considered to provide direction in the development of associations, such as is currently planned in a number of countries worldwide. Implementation of the guidelines in these countries has given their respective legal communities opportunities to review, discuss, change and strengthen the framework of their legal profession.

Following last year's presentation of the first success stories of the application of the guidelines, we plan to turn this session into a workshop on utilising modern communication tools to reach out to an association's members. Some of the topics we plan to cover include:

- how to shape a website that really matters to young lawyers;
- where to look for content and how to involve members in its generation; and
- connecting to Facebook, Twitter and other platforms to enhance visibility – potential gains and pitfalls.

Besides interested colleagues from young lawyers' groupings, we expect all of our National Representatives to attend this workshop to liaise and exchange experiences and information. Moreover, we also invite all Website Officers from other IBA Committees to join us in this informal gathering and to discuss how to create interesting websites with a real added value.

THURSDAY 1500 – 1800

Young Lawyers' night out

A night out is being organised by the Young Lawyers' Committee.

For further information please contact:

Adam Goodman, Events Officer, Young Lawyers' Committee
agoodman@heenan.ca.

THURSDAY

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A D V O G A D O S

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Social Programme

Social function tickets will **NOT** be confirmed until full payment is received at the IBA office. If full payment is not received by **Friday 3 September**, then tickets will be released without further notice. 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.

Ticket amendments and returns

All social function ticket bookings must be finalised by close of business on **Wednesday 22 September**. After this date all amendments, returns and purchases of social function tickets will only be possible upon arrival at the conference. Please note that new ticket purchases will be subject to availability at the conference. Refunds (subject to a 15 per cent administration charge) for returned tickets will only be made if the ticket is resold. All refunds will be made from the London office after the conference.

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.

Committee socials

A full list of committee social functions and a booking form will be sent to all delegates.

Dress code

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

Sponsorship

For details of all sponsorship opportunities at this conference, e-mail sponsorship@int-bar.org.

All prices are in Canadian dollars.

Sunday

1800 – 1930

*Opening Ceremony

Vancouver Convention & Exhibition Centre West

1930 – 2230

*Welcome party

Vancouver Convention & Exhibition Centre West

Set against the fabulous backdrop of mountains and harbour, this party will be a celebration of all things Canadian. Food, wine and entertainment will highlight the regional specialities and live cooking stations with expert chefs will create a true gourmet experience. The evening will culminate in a firework display on the harbour.

Sponsored by 

Monday

1300 – 1500

Arab Regional Forum lunch

Vancouver Convention & Exhibition Centre West

Price: CAD\$75

1300 – 1500

European Regional Forum lunch

Vancouver Convention & Exhibition Centre West

Price: CAD\$75

1300 – 1500

North American Regional Forum lunch

Vancouver Convention & Exhibition Centre West

Price: CAD\$75

1300 – 1500

Women Lawyers' Interest Group lunch

Vancouver Convention & Exhibition Centre West

Price: CAD\$75

1830

*Newcomers' reception

Vancouver Convention & Exhibition Centre West

Tuesday

0830 – 0945

German Federal Bar welcome breakfast

Vancouver Convention & Exhibition Centre West

The German Federal Bar Association will host a breakfast open to all delegates with a discussion on the topic 'Law Firms owned by Non-Lawyers'.

0830 – 1000

African Regional Forum breakfast

Vancouver Convention & Exhibition Centre West

1300 – 1500

Asia Pacific Regional Forum lunch

Vancouver Convention & Exhibition Centre West

Price: CAD\$75

1300 – 1500

Corporate Counsel Forum lunch

Vancouver Convention & Exhibition Centre West

Price: CAD\$75

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practice areas, enabling us to match the best thinking to your
specific need. Osler, Hoskin & Harcourt LLP. Our clients know.

OSLER

Tuesday continued

1300 – 1500

Latin American Regional Forum lunch

Vancouver Convention & Exhibition Centre West

Price: CAD\$75

1930

Host Committee event

Further information will be distributed together with conference acknowledgements and available from the website.

Wednesday

1300 – 1500

Legal Practice Division lunch

Vancouver Convention & Exhibition Centre West

Price: CAD\$75

Thursday

Morning

IBA golf day

Mayfair Lakes Golf course

There is a very limited number of places for this event therefore early booking is strongly advised.

Price: CAD\$265

Golf club hire will be available closer to the event.

1300 – 1500

African Regional Forum lunch

Vancouver Convention & Exhibition Centre West

Price: CAD\$75

1300 – 1500

Public and Professional Interest Division lunch

Vancouver Convention & Exhibition Centre West

Speaker

Justice Sandra Day O'Connor *Retired Associate Justice, US Supreme Court, Washington DC, USA*

Price: CAD\$75

Afternoon

IBA football match

Once again the famous IBA World Cup football match will challenge the collective team spirits of the Americans, the Latins, the North and Southern Europeans and the wider world. After the huge success of last year's tournament at Real Madrid's training camp, arrangements for a Vancouver tournament are in the planning. The cost is likely to be between CAD\$50 and CAD\$100, 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) or Pablo Vergara del Carril (p.vergara@zbv.com.ar). All spectators will be welcome.

1830

*Young Lawyers' reception

Vancouver Convention & Exhibition Centre West

Friday

2000 – 2300

Closing party

Pan Pacific Hotel

A fitting farewell in a wonderful setting. Mingle with your colleagues in the stunning atrium of the Pan Pacific or out on the terrace. Sample the excellent food and wine that is the hallmark of Vancouver.

Price: CAD\$110

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



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Conference information

Registration

To register for the conference, please complete the enclosed registration form and send it by **22 September**, together with your payment, to:

International Bar Association
10th Floor, 1 Stephen Street
London W1T 1AT, United Kingdom
Fax: +44 (0)20 7691 6545
E-mail: confs@int-bar.org

You can also register online at www.ibanet.org/conferences/vancouver2010/. Your registration will be acknowledged by e-mail upon receipt of full payment and all registration and joining details will be available from the 'My IBA' section of the IBA website.

Social functions

Social function tickets will **NOT** be confirmed until full payment is received at the IBA office. If full payment is not received by **Friday 3 September** tickets will be released without further warning.

As numbers may have to be limited for certain functions, tickets will be allocated on a first come, first served basis. Requests for tickets for unregistered accompanying persons will only be granted at the discretion of the Head of Conferences.

Accompanying persons

No member of the legal profession may be registered as an accompanying person. Only registered accompanying persons (ie those paying the fee of CAD\$350) are eligible to participate in the social programme and excursions, except with the prior agreement of the Head of Conferences.

Accompanying persons may not attend working sessions. However, tickets for the Cultural Issues programme on Monday can be purchased (see page 39 for details).

Important dates

Friday 16 July

Early registration fee and preliminary list of participants – registration forms and payment must be received at the IBA office by **Friday 16 July**. The preliminary list of participants will be available to all registered delegates at www.ibanet.org/conferences/vancouver2010/ by the end of August.

Friday 3 September

Final list of participants – registration forms and payment must be received at the IBA office by Friday 3 September. The final list of participants will be available online from Saturday 3 October. Hard copy will not be provided to delegates at the conference.

Social function tickets – social function tickets will not be confirmed until full payment is received at the IBA office. If full payment is not received by **Friday 3 September** then tickets will be released without further notice.

Wednesday 22 September

Cancellation – notice of cancellation must be received at the IBA office, in writing, by **Wednesday 22 September**. A 15 per cent administration charge will be deducted on both registration fees and social function tickets. After this date, no refunds can be made for registration fees; however, your registration fee can be transferred to a substitute delegate. **Only one transfer/substitute per registration.** Social function tickets will only be refunded after this date if the IBA can resell the ticket at the Conference.

Registration – all registrations (online and by hard copy) must be received by close of business on **Wednesday 22 September** in order to be processed. After this date registration will only be possible upon arrival at the conference; the higher fee will then apply.

Social functions – all social function ticket bookings must be finalised by close of business on **Wednesday 22 September**. After this date all amendments, returns and purchases of social function tickets will only be possible upon arrival at the conference. Please note that new ticket purchases will be subject to availability at the conference. Returned tickets will only be refunded if the ticket is resold. All refunds will be made from the London office after the conference, and will be subject to a 15 per cent administration charge.

Fast track registration – all delegates who have registered and paid for the conference, social functions and membership fees in full before end of business on **Wednesday 22 September** will receive a voucher for the fast track registration desk. The voucher is scheduled to be e-mailed on **Thursday 30 September** to the address indicated on the registration form. Please bring this voucher to the registration desk either in hard copy or on your blackberry.

Language

The working language for both the sessions and conference materials is English.

Cancellation/Substitution

Any cancellation must be received at the IBA office, in writing, by **Wednesday 22 September** in order for fees to be refunded. A 15 per cent administration charge will be deducted from registration fees and social function tickets.

After **Wednesday 22 September**, no refunds can be made for registration fees; however, your registration fee can be transferred to a substitute delegate. **Only one transfer/substitute per registration.** Social function tickets will only be refunded after this date if the IBA can resell the ticket at the Conference.

Registration fees

All prices are in Canadian dollars

	Before 16 July	17 July – 22 September	At the Conference
IBA members	CAD\$1,850	CAD\$2,130	CAD\$2,500
IBA members from countries with reduced membership fees*	CAD\$1,390	CAD\$2,130	CAD\$2,500
IBA members academics/ judges (full time)	CAD\$1,390	CAD\$2,130	CAD\$2,500
Senior lawyers**	CAD\$1,390	CAD\$2,130	CAD\$2,500
Young lawyers (under 30 years old)	CAD\$1,390	CAD\$2,130	CAD\$2,500
Non-members***	CAD\$2,220	CAD\$2,590	CAD\$2,870
Accompanying Person(s)	CAD\$350	CAD\$350	CAD\$350

* Please check to ensure your country is listed on page 93.

** Reduced rate is offered to lawyers who are over the age of 65, have been an IBA member for more than 20 years and are no longer practising law.

*** Non-members can register at the IBA rate if the IBA membership form and payment is submitted at the same time as their conference registration.



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Legal

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Registration fees include:

- Attendance at all working sessions
- Conference documentation, including website access to any available speakers' papers, preliminary and final list of participants
- Opening ceremony and welcome party on Sunday 3 October
- Lunches, Monday – Friday inclusive
- Tea and coffee during breaks

Accompanying person fees include:

- Opening ceremony and welcome party on Sunday 3 October

Payment of registration fees

Canadian dollars: by cheque drawn on a Canadian bank (located in Canada) and in favour of the International Bar Association. Please send to: 10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom.

OR by bank transfer to the IBA account number 150/00/23785624 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom. SWIFT address NWBKGB2L, IBAN GB24 NWBK 60730123785624

Please ensure that a copy of the bank transfer details is attached to your registration form and sent to the IBA office.

US dollars: by cheque converted at the current rate of exchange and drawn on a US bank and in favour of the International Bar Association. Please send to: 10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom.

OR by bank transfer to the IBA account number: 01286498 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom. SWIFT address NWBKGB2L, IBAN GB55NWBK60730101286498.

Please ensure that a copy of the bank transfer details is attached to your registration form and sent to the IBA office.

Pounds sterling: by cheque drawn on a UK bank and in favour of the International Bar Association. Please send to: 10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom.

OR by bank transfer to the IBA account number: 13270222 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom or SWIFT address NWBKGB2L, IBAN GB05NWBK56000313270222.

Please ensure that a copy of the bank transfer details is attached to your registration form.

Euro: by cheque or bank draft, drawn on a euro zone bank and converted at the current rate of exchange and in favour of the International Bar Association.

OR by bank transfer to the IBA bank account number 550/00/06570631 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom or SWIFT address NWBKGB2L, IBAN GB58NWBK60721106570631. **Please ensure that a copy of the bank transfer details is attached to your registration form.**

PLEASE ENSURE THAT YOUR NAME, MEMBERSHIP NUMBER (if applicable) AND THE WORDS 'CON316+ VANCOUVER' APPEAR ON ANY TRANSFER OR DRAFT.

Credit card payments: by Visa, MasterCard or American Express.

No other cards are accepted. Credit cards will be charged in Canadian dollars. Your credit card company will convert this cost to the currency of your credit card.

International Bar Association is incorporated as a Not-for-Profit Corporation under the laws of the State of New York in the United States of America and is registered with the Department of State of the State of New York with registration number 071114000655 and the liability of its members is limited. Its registered office in New York is at c/o Capital Services Inc, 1218 Central Avenue, Suite 100 Albany, New York 12205: the administrative office of the Association is at 1 Stephen Street, London W1T 1AT, United Kingdom.

Countries with reduced membership and registration fees

<i>Afghanistan</i>	<i>Albania</i>	<i>Angola</i>
<i>Armenia</i>	<i>Azerbaijan</i>	<i>Bangladesh</i>
<i>Belize</i>	<i>Benin</i>	<i>Bhutan</i>
<i>Bolivia</i>	<i>Burkina Faso</i>	<i>Burundi</i>
<i>Cambodia</i>	<i>Cameroon</i>	<i>Cape Verde</i>
<i>Central African Republic</i>	<i>Chad</i>	<i>China</i>
<i>Comoros</i>	<i>Congo</i>	<i>Congo (Dem Rep)</i>
<i>Côte D'Ivoire</i>	<i>Djibouti</i>	<i>Ecuador</i>
<i>Egypt</i>	<i>El Salvador</i>	<i>Eritrea</i>
<i>Ethiopia</i>	<i>Gambia</i>	<i>Georgia</i>
<i>Ghana</i>	<i>Guatemala</i>	<i>Guinea</i>
<i>Guinea-Bissau</i>	<i>Guyana</i>	<i>Haiti</i>
<i>Honduras</i>	<i>India</i>	<i>Indonesia</i>
<i>Iran Islamic Rep</i>	<i>Iraq</i>	<i>Jordan</i>
<i>Kenya</i>	<i>Kiribati</i>	<i>Kosovo</i>
<i>Kyrgyz Republic</i>	<i>Lao PDR</i>	<i>Lesotho</i>
<i>Liberia</i>	<i>Madagascar</i>	<i>Malawi</i>
<i>Maldives</i>	<i>Mali</i>	<i>Marshall Islands</i>
<i>Mauritania</i>	<i>Micronesia (Fed States)</i>	<i>Moldova</i>
<i>Mongolia</i>	<i>Morocco</i>	<i>Mozambique</i>
<i>Myanmar</i>	<i>Nepal</i>	<i>Nicaragua</i>
<i>Pakistan</i>	<i>Nigeria</i>	<i>North Korea</i>
<i>Philippines</i>	<i>Papua New Guinea</i>	<i>Paraguay</i>
<i>Sao Tome and Principe</i>	<i>Rwanda</i>	<i>Samoa</i>
<i>Solomon Islands</i>	<i>Senegal</i>	<i>Sierra Leone</i>
<i>Sudan</i>	<i>Somalia</i>	<i>Sri Lanka</i>
<i>Tajikistan</i>	<i>Swaziland</i>	<i>Syrian Arab Republic</i>
<i>Timor-Leste</i>	<i>Tanzania</i>	<i>Thailand</i>
<i>Tunisia</i>	<i>Togo</i>	<i>Tonga</i>
<i>Ukraine</i>	<i>Turkmenistan</i>	<i>Uganda</i>
<i>Vietnam</i>	<i>Uzbekistan</i>	<i>Vanuatu</i>
<i>Zambia</i>	<i>West Bank and Gaza</i>	<i>Yemen</i>
	<i>Zimbabwe</i>	

Registration check-in

The registration desk will be located in Exhibition Hall C, Exhibition Level, Vancouver Convention & Exhibition Centre West.

Registration hours are:

Saturday	1500 – 1800
Sunday	1000 – 1800
Monday-Thursday	0900 – 1800
Friday	0900 – 1430

Conference materials

From **Monday 27 September** all conference materials received by the IBA will be available for registered delegates to access and download free of charge from www.ibanet.org/conferences/vancouver2010/

Conference headquarters

Vancouver Convention & Exhibition Centre West
1055 Canada Place, Vancouver BC, V6C 0C3, Canada
Tel: +1 (604) 689-8232

www.vancouverconventioncentre.com

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

The organisers may at any time, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the conference, change its venue or any of the other published particulars, or withdraw any invitation to attend. In any case, neither the organisers nor any of their officers, employees, agents, members or representatives shall be liable for any loss, liability, damage or expense suffered or incurred by any person, nor will they return any money paid to them in connection with the conference unless they are satisfied not only that the money in question remains under their control but also that the person who paid it has been unfairly prejudiced (as to which, decision shall be in their sole and unfettered discretion and, when announced, final and conclusive).

Entry formalities

All delegates are responsible for checking visa entry requirements for Canada. Applications can take up to several months to process and some delegates will have to apply for their visa in person at their local embassy. Please contact your local embassy for entry formalities and apply for any required visa well in advance.

For further information please visit the following websites:

www.wordtravels.com/Travelguide/Countries/Canada/Visa
www.embassiesabroad.com/embassies-of/Canada

We strongly advise that you check with your embassy a month prior to travelling to ensure that entry requirements have not changed. We are unable to send visa supporting application letters to delegates prior to receipt of your registration form and full payment of fees.

For bank transfer payments a copy of your bank transfer details is required in order to locate your payment. Upon receipt of the transfer documents the IBA will allocate the payment within five working days, and once this is successfully completed registration confirmation will automatically be sent by e-mail.

Access for the disabled

Vancouver Convention & Exhibition Centre West is accessible by wheelchair. Please notify us if you require special assistance.

Badges

For security reasons, name badges must be worn at all times during the conference and at social functions. Your name badge is your pass for the Opening Ceremony and Welcome Party and access to the Vancouver Convention & Exhibition Centre West during the conference. Proof of identity is required for replacement badges.



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For more information, see www.ibanet.org or www.college-of-law.co.uk or contact:

Client Services Professional Development Department

The College of Law
Braboeuf Manor
Portsmouth Road, Guildford,
Surrey GU3 1HA, United Kingdom

DX: 2400 Guildford

Tel: +44 (0)1483 460200

Fax: +44 (0)1483 460306

E-mail: ibapracticediploma@lawcol.co.uk

International Practice

Diploma Programme



The International Practice Diploma Programme is a continuing legal education programme designed specifically to meet the needs of international practitioners throughout the world.

Developed by the International Bar Association and The College of Law of England and Wales, the Programme will be of particular interest to newly qualified lawyers who wish to move quickly to the top of their profession and lawyers wishing to enhance their knowledge of particular areas of legal practice.

The Programme's flexible distance learning format and support structure mean that jurisdictional boundaries represent no barrier to successful completion.

Previous entrants to the programme include lawyers from every corner of the globe, from Australia and Argentina, to the USA and Uruguay. Contributors to the diplomas include international law firms such as Allen & Overy LLP, Baker & McKenzie, Freshfields Bruckhaus Deringer and Debevoise and Plimpton LLP.

The International Practice Diploma programme offers the following Diplomas:

- International Business Organisations
- International Antitrust/Competition Law
- International Joint Ventures
- International Arbitration
- Human Rights Law and Practice

Next intake July 2010

A limited number of scholarships are available to young, deserving lawyers who require financial assistance in order to participate in the programme. For further details, please visit the IBA website.

Registration form

- Registrations cannot be acknowledged or processed at the IBA office after **Wednesday 22 September**.
- This form is valid for one delegate only. Copies may be made for additional registrations.

Please return this form to:

International Bar Association
10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom
Fax: +44 (0)20 7691 6544 /+44 (0)20 7691 6545



PLEASE TYPE OR USE BLOCK LETTERS OR ATTACH A BUSINESS CARD

Title _____ Family name _____ Given name _____
 IBA membership no (if applicable) _____ Date of birth _____
 Firm/Company/Institution _____
 Address _____

 Telephone _____ Fax _____
 E-mail _____

BADGE

Name and country to be shown on badge, if not as above

ACCOMPANYING PERSON(S)

*Please note that an accompanying person fee of CAD\$350 is applicable. *Accompanying persons may not attend working sessions

1. Name _____ Country _____
 2. Name _____ Country _____
 3. Name _____ Country _____
 4. Name _____ Country _____

LIST OF PARTICIPANTS

If you already have a confirmed hotel booking please enter details here in order for it to be included in the online final list of participants.

NOTE: You cannot make a hotel booking by completing this section. If you wish to make a hotel booking please contact our official housing agent, JLC, and complete and submit the separate Accommodation Form.

In order for your name to appear in the preliminary list of participants, available on the IBA website, your registration must be received at the IBA office by **Friday 16 July** at the latest.

In order for your name to appear in the final list of participants, available online, your registration must be received at the IBA office by **Friday 3 September** at the latest.

SPECIAL DIETARY REQUIREMENTS

If you have special dietary requirements, due to religious or medical reasons, please specify the requirement and indicate the number of meals per function. **The IBA is unable to cater for dietary requirements other than for the above reasons.**

Please state dietary requirements clearly, ie I am a vegetarian, I do not eat red meat, I am allergic to nuts, etc.

Meal requirement	Function	Date	No of meals
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

For official use only Payment _____ Over-payment _____ Banked _____ Under-payment _____
 Ref no _____ Refund _____ Processed by _____ General _____

A REGISTRATION FEES

Registration fees and social function tickets will be refunded, less a 15 per cent administration charge, if cancellation notification is received in writing at the IBA office no later than **Wednesday 22 September 2010**. We regret that no refunds can be made after this date.

(Please see page 91 before completion) **All prices are in Canadian dollars**

	Before 16 July	17 July – 22 September	At the Conference	Amount payable
IBA members	CAD\$1,850	CAD\$2,130	CAD\$2,500	CAD\$
IBA members from countries with reduced membership fees*	CAD\$1,390	CAD\$2,130	CAD\$2,500	CAD\$
IBA members academics/judges (full time)	CAD\$1,390	CAD\$2,130	CAD\$2,500	CAD\$
Senior lawyers**	CAD\$1,390	CAD\$2,130	CAD\$2,500	CAD\$
Young lawyers (under 30 years old)	CAD\$1,390	CAD\$2,130	CAD\$2,500	CAD\$
Non-members***	CAD\$2,220	CAD\$2,590	CAD\$2,870	CAD\$
Accompanying person(s)	CAD\$350	CAD\$350	CAD\$350	CAD\$

*** PLEASE CHECK TO ENSURE YOUR COUNTRY IS LISTED ON PAGE 93.**

**** REDUCED RATE IS OFFERED TO LAWYERS WHO ARE OVER THE AGE OF 65, HAVE BEEN AN IBA MEMBER FOR MORE THAN 20 YEARS AND ARE NO LONGER PRACTISING LAW.**

***** JOIN THE IBA TODAY AND REGISTER AT THE IBA MEMBER RATE.
PLEASE FIND THE MEMBERSHIP APPLICATION FORM ON WWW.IBANET.ORG**

Total registration fees

A

CAD\$

☐ Please tick box if you are a speaker and **only** attending your working session

Please state the title of your working session and the day it is being held during the week of the conference.

Day _____

Session title _____

* To be completed by speakers ONLY who are participating in working sessions.

☐ Please tick box if you are interested in attending the Rule of Law Symposium on Friday 8 October

B SOCIAL FUNCTIONS

Social function tickets will not be confirmed until full payment is received at the IBA office. If full payment is not received by **Friday 3 September**, tickets will be released without further notice.

For all conference social event sponsorship opportunities, email sponsorship@int-bar.org.

(Please see page 91 before completion) **All prices are in Canadian dollars**

		Price per ticket	No of tickets required	Amount payable
Monday	Arab Regional Forum lunch	CAD\$75		CAD\$
	European Regional Forum lunch	CAD\$75		CAD\$
	North American Regional Forum lunch	CAD\$75		CAD\$
	Women Lawyers' Interest Group lunch	CAD\$75		CAD\$
Tuesday	Asia Pacific Regional Forum lunch	CAD\$75		CAD\$
	Corporate Counsel Forum lunch	CAD\$75		CAD\$
	Latin American Regional Forum lunch	CAD\$75		CAD\$
Wednesday	Legal Practice Division lunch	CAD\$75		CAD\$
Thursday	Golf Day	CAD\$265		CAD\$
	African Regional Forum lunch	CAD\$75		CAD\$
	Public and Professional Interest Division lunch	CAD\$75		CAD\$
Friday	Closing party	CAD\$110		CAD\$

Total social functions

B

CAD\$

TOTAL PAYMENT DUE

A + B

CAD\$

METHODS OF PAYMENT

Canadian dollars: by cheque drawn on a Canadian bank (located in Canada) and in favour of the International Bar Association. Please send to: 10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom.

OR by bank transfer to the IBA account number 150/00/23785624 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom. SWIFT address NWBKGB2L, IBAN GB24 NWBK 60730123785624.

Please ensure that a copy of the bank transfer details is attached to your registration form and sent to the IBA office.

US dollars: by cheque converted at the current rate of exchange and drawn on a US bank and in favour of the International Bar Association. Please send to: 10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom.

OR by bank transfer to the IBA account number: 01286498 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom. SWIFT address NWBKGB2L, IBAN GB55NWBK60730101286498. **Please ensure that a copy of the bank transfer details is attached to your registration form and sent to the IBA office.**

Pounds sterling: by cheque drawn on a UK bank and in favour of the International Bar Association. Please send to: 10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom.

OR by bank transfer to the IBA account number: 13270222 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom or SWIFT address NWBKGB2L, IBAN GB05NWBK56000313270222. **Please ensure that a copy of the bank transfer details is attached to your registration form.**

Euro: by cheque or bank draft, drawn on a euro zone bank and converted at the current rate of exchange and in favour of the International Bar Association.

OR by bank transfer to the IBA bank account number 550/00/06570631 (Sort Code 56-00-03) at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom or SWIFT address NWBKGB2L, IBAN GB58NWBK60721106570631.

Please ensure that a copy of the bank transfer details is attached to your registration form.

PLEASE ENSURE THAT YOUR NAME, MEMBERSHIP NUMBER (if applicable) AND THE WORDS 'CON316+ VANCOUVER' APPEAR ON ANY TRANSFER OR DRAFT.

Credit card payments: by Visa, MasterCard or American Express. **No other cards are accepted.** Credit cards will be charged in Canadian dollars. Your credit card company will convert this cost to the currency of your credit card.

Please tick appropriate box below

- ☐ I enclose a cheque/draft for the total payment due ☐ I have transferred the total payment due to the relevant IBA account
- ☐ I have applied for foreign exchange (for developing country delegates only) ☐ I wish to pay by credit card (please complete details)

Please charge the total payment due to my

- ☐ AMERICAN EXPRESS ☐ MASTERCARD ☐ VISA *Other cards are not accepted.*

Card number _____ Start date _____ Expiry date _____

Name of cardholder _____

Signature _____ Date _____

Where did you first hear about this conference?

- ☐ IBA CONFERENCE ☐ OTHER CONFERENCE ☐ DIRECT MAIL ☐ INTERNET ☐ ADVERTISEMENT
- ☐ E-MAIL ☐ EDITORIAL ☐ RECOMMENDATION ☐ OTHER

Please provide further details, quoting code (if applicable)

During the IBA Annual Conference we provide firms and organisations with the chance to mail our delegates with **invitations to social events** around the conference. If you are agreeable to passing on your details for this purpose only, please tick this box ☐

IBA listings are also provided to relevant third parties for marketing purposes. The IBA will treat your personal information with the utmost respect and in accordance with UK data privacy laws. If you are agreeable to passing on your details, please tick this box ☐

Please return this form to:

International Bar Association

10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom

Tel: +44 (0)20 7691 6868 Fax: +44 (0)20 7691 6545 or +44 (0)20 7691 6544

E-mail: confs@int-bar.org

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www.ibanet.org/Education_and_Internships/LLM/LLM_Home.aspx

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Module

Business, finance and the legal services market
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IBA international commercial legal practice
IBA international public companies practice
IBA international mergers and acquisitions practice
IBA international capital markets and loans practice
IBA international antitrust legal practice
IBA international business organisations
IBA international arbitration practice
IBA international joint ventures

First available start date

July 2010
July 2010
July 2010
July 2010
July 2010
July 2010
July 2010
July 2010
July 2010
July 2010

"I enjoyed the practical value of subjects studied, and the ability to veer away from a heavily academic approach."

"The i-tutorials are very easy to use and informative, an excellent way for busy practitioners to learn because the lectures can be paused, restarted..."

"The quality of the learning materials, and conciseness, is a good selling point for those seeking to enhance their practical legal knowledge base."



the global voice of
the legal profession

The College of Law
of England and Wales



The International Bar Association. For lawyers who want to go places.

In the legal profession, there's only one thing more important than what you know.

Knowing the right people is often crucial but, when you have international clients or clients with international dealings, it can be of great advantage if your friends in high places are also in far-flung places.

As an International Bar Association member, working confidently across international borders presents no problems. You are able to draw on the world's most extensive expertise base to achieve the best possible outcome for both your client and your practice.

IBA membership offers the opportunity to meet, to interact with and to learn from like-minded lawyers and leading practitioners in many jurisdictions, right across the planet. Our membership roll runs to over 30,000 of the world's top lawyers and 190 Bar Associations and Law Societies worldwide.

Whatever your field of specialisation, we can provide you with instant access to a global network of fellow lawyers who are used to applying their local knowledge to the same or similar issues.

The IBA's on-going series of conferences and specialist meetings provides the perfect forum for convivial and constructive networking. Many an international merger or acquisition has been conceived at an IBA meeting and there are more than a few lawyers who say that joining the IBA was probably one of their more astute career moves.

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