



2017

spring meeting

WASHINGTON, DC

APRIL 25-29, 2017 | CAPITAL HILTON

REGISTRATION BROCHURE



We advise foreign clients with interests in the United States, U.S.-based clients with interests abroad, and foreign and domestic partners in cross-border trade, joint ventures and litigation. In addition to first-hand experience with and detailed knowledge of foreign legal and regulatory regimes, attorneys in Cozen O'Connor's International Practice are knowledgeable about foreign cultures and languages. Our attorneys have studied, lived and practiced in countries around the world, which greatly enhances the firm's capacity to operate effectively abroad. We also have excellent working relationships with foreign attorneys world-wide, if needed to assist with projects.

Cozen O'Connor congratulates the Section on the launch of its newest committee International Animal Law – working to further animal welfare through advocacy and education. We are especially pleased that our Partner Marcy Stras has been appointed to Co-Chair this important new committee along with her colleague Jai Lee.



Dear Colleagues,

We invite you to see Washington, DC at its best!

On behalf of the American Bar Association Section of International Law (“The Section”), we are pleased to invite you to a very special **Spring Meeting in Washington, DC, April 25-29, 2017**. The theme for the Meeting is ***New Leaders, New Laws: 2017 and Beyond***. The capital of the U.S. will once again offer us its beauty, charm and elegance.

SPRING MEETING ATTENDEES WILL INCLUDE:

- High-level practitioners from the largest and most respected international law firms from the U.S. and abroad.
- Lawyers from the most prominent regional and national firms in the U.S.
- Corporate counsel.
- Small-firm and solo practitioners with significant international practices.
- Lawyers serving in government or with non-governmental organizations and inter-governmental organizations.
- Academics.

The Section is the home within the ABA for the world’s leading international practitioners, and the 2017 Spring Meeting is a true “must-attend” meeting for lawyers with a practice or interest in international legal issues.

Please note:

Early Bird Registration: March 17, 2017. Take advantage of the low registration rates for both individual and group attendees! For more information about group registration rates, please email intlawmeetings@americanbar.org.

Hotel Room Block at Capital Hilton: March 31, 2017. We have reserved a special nightly rate of \$299 (USD) plus applicable daily tax per room for single/double occupancy. This rate includes free Wi-Fi. The number of rooms available at this special rate is limited and subject to selling out, so early booking is recommended. Reservations can be made online at: www.ambar.org/ilspring2017.

Pre-Registration Final Deadline is April 15, 2017. Online registration will be closed after this date and the onsite rate will be available via hard copy form.

WHY ATTEND? TO LEARN, NETWORK AND PARTICIPATE!

- Over 70 substantive continuing legal education sessions with world-class speakers, cutting edge topics and the latest on international ethics issues
- A chance to meet your ABA Section of International Law colleagues and engage in programs, policies and publications, by attending committee working business meetings, division breakfasts and committee dinners
- Network with the best and brightest international lawyers, decision makers and potential clients throughout the meeting, particularly at our twice daily networking breaks, evening events and ticketed luncheons
- Visit exhibitors with dynamic products and services for the legal profession
- Earn an entire year’s worth of CLE credits

OUTSTANDING NETWORKING OPPORTUNITIES!

- Luncheons with exceptional keynote speakers including U.S. Supreme Court Justice Samuel Alito
- Wednesday Reception at the Newseum followed by committee dinners
- Thursday Networking Reception at the Capital Hilton followed by committee dinners
- Friday Chair's Closing Reception at the Renwick Gallery

Join us for a spectacular 2017 Section of International Law Spring Meeting! I look forward to welcoming you to Washington, DC.

Sincerely,



Sara P. Sandford
Section Chair

2017 Spring Meeting Co-Chairs

Leila Bham
Melissa Kucinski
Bruce McDonald



2017 Spring Meeting Planning Committee

Current as of 1/5/17

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NEW YORK STATE BAR ASSOCIATION
INTERNATIONAL SECTION



The Washington Foreign Law Society

Established in 1932



Union Internationale des Avocats
International Association of Lawyers
Unión Internacional de Abogados

Meeting Agenda

Tuesday, April 25, 2017

12:00 PM–7:00 PM
MEETING REGISTRATION OPEN

9:00 AM–11:30 AM COMMUNITY OUTREACH PROJECT – SPONSORED BY THE U.S. LAWYERS ABROAD COMMITTEE (NON-CLE)

As with past seasonal meetings, the Section's U.S. Lawyers Abroad Committee has organized a community outreach activity to include a school visit (either to a community college, a high school or an elementary school), as well as the opportunity to contribute school supplies or cash donations to "Operation Backpack." Operation Backpack is a philanthropic effort coordinated through Volunteers of America (Chesapeake office). Donations are tax deductible under U.S. tax laws. School supplies purchased or donated will be distributed to students living in homeless and domestic violence shelters in the Washington, DC area. More information on this organization and its efforts may be found here: <https://www.voachesaapeake.org/backpack>. If you are interested in participating, please contact Rosa Lima at rl102802@aol.com or Elizabeth Turchi at lizturchi@gmail.com.

2:00 PM–3:30 PM YOU HAVE MORE INFLUENCE THAN YOU THINK: HOW YOU CAN INFLUENCE THE ABA, U.S. & OTHER POLICY AROUND THE WORLD (NON-CLE)

Do you see an international legal or policy issue or problem that deserves to be addressed or solved? Now is your chance! By elevating issues through the ABA policy-making process you can make a real difference. Once an official ABA policy has been adopted through a Report and Resolution, ABA members can testify at legislative hearings and can write regarding the ABA position. Other mechanisms, such as Blanket Authority (providing expedited adoption of policy by our Section after acquiescence by other ABA constituents), enable the Section to comment on pending legislation or executive actions worldwide. This program will showcase actual case studies of ABA policy-making by members and Committees of our Section, and will detail the power and the glory, as well as the frustrations and "how to" of getting through the bureaucracy—the route and rewards of getting to "yes."

PROGRAM CHAIR:
David A. Schwartz, Wachtell, Lipton, Rosen & Katz,
New York, NY

MODERATOR:
Bruce Rashkow, New York, NY

SPEAKERS:
Gabrielle M. Buckley, Vedder Price PC, Chicago, IL
Lisl J. Dunlop, Manatt, Phelps & Phillips, LLP,
New York, NY
Stephan Grynwajc, Law Office of S. Grynwajc, PLLC,
New York, NY
M. Catherine Vernon, Sarasota, FL

4:00 PM–5:00 PM SPECIAL JOINT SWEARING-IN CEREMONY BEFORE THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT AND THE U.S. COURT OF INTERNATIONAL TRADE (717 MADISON PLACE, NW, WASHINGTON, DC)

Meeting attendees will have the opportunity to be admitted to practice before the Court of International Trade (CIT) and U.S. Court of Appeals for the Federal Circuit. Only Spring Meeting registrants may be sworn in at this ceremony. Fees for admission will be payable by interested registrants to the courts. Attendance is open to registrants' guests. If you are interested in being admitted to practice before the CIT and the U.S. Court of Appeals for the Federal Circuit, please check the correct box on the Spring Meeting registration form. On-site registration for this event is not possible.

PROGRAM CHAIR:
Jennifer Haworth McCandless, Sidley Austin LLP,
Washington, DC

3:30 PM–5:00 PM PATHWAYS TO EMPLOYMENT IN INTERNATIONAL LAW (NON-CLE)

Join us for this valuable "how to" program for law students and young lawyers seeking to bring their skills to the global arena, as well as experienced practitioners who wish to expand their practices into international law. This Pathways panel will feature young lawyers who have built or expanded successful international practices.

MODERATOR:
Tiffany James, Faulkner Law, Thomas Goode Jones
School of Law, Montgomery, AL

SPEAKERS:
Lesley A. Benn, International Law Students Association,
Washington, DC

Pascaline Hélène Dubois, Office of Suspension and
Debarment (OSD), The World Bank, Washington, DC

Amala Nath, Norton Rose Fulbright US LLP,
Washington, DC

Benjamin C. Rosen, Rosen Law SC,
San Jose Del Cabo, Mexico

5:00 PM–6:00 PM INTRODUCTION TO THE SECTION/ MEETING SESSION (NON-CLE)

A Welcome and Orientation Program for U.S. and foreign-trained law students, recently qualified attorneys, and first-time attendees—come learn what the Section of International Law does, what it can do for you, and how you can become engaged. This is your first opportunity at the Spring Meeting to meet members of Section Leadership and get your questions answered.

6:00 PM–7:00 PM INTERNATIONAL ANIMAL RIGHTS COMMITTEE – LAUNCH RECEPTION

ABA Offices, 1050 Connecticut Ave., NW, 4th Floor

6:30 AM–6:30 PM
MEETING REGISTRATION OPEN

6:50 AM–8:00 AM
FUN RUN/WALK, DEPART FROM REGISTRATION

TICKETED EVENT—\$25

Join us for a Fun 5K Run or 2k Walk. Fee includes t-shirt and post-run refreshments. Please gather at the Meeting Registration no later than 6:45 AM.

8:00 AM–8:50 AM
CONTINENTAL BREAKFAST & COMMITTEE BREAKFAST MEETINGS

The Section's more than sixty (60) substantive committees are its driving force for programs, policies, and publications, and are the easiest way to get involved with the Section of International Law. Join us to learn more about the Section's committees and their activities, as well as opportunities to become more active in the committees and the Section.

9:00 AM–10:30 AM
WHO OWNS MY PROPERTY IN THE SKY AND WHAT CAN I DO WITH IT?

Whether you are talking about condominiums or cooperatives in the U.S., leaseholds vs common holds in the UK, or strata titles in Australia, the legal differences between these types of common ownership are often confusing to practitioners from other jurisdictions. Who owns the walls and balconies that are part of your client's unit? If you want to buy, can you get the type of financing you want? When it comes time to sell, can someone tell you that your able and willing purchaser is not acceptable to your neighbors and you cannot complete the transaction? Does civil law vs common law make a difference? How will new municipal laws and regulations requiring your project to include affordability components or to be built and operated in accordance with sustainability standards affect what you can do with your property? This panel will explain how typical common ownership schemes vary and how those differences may impact the purchase, sale, financing, management and tax accounting of the property. Attorneys who advise developers, property owners and prospective purchasers and investors (especially from overseas) need to know the differences and the pros and cons of each type of structure.

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Cross-Border Real Estate Practice

COMMITTEE CO-SPONSORS:
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Section of Real Property, Trust and Estate Law—
International Investments in Real Estate Committee

PANEL CHAIRS:
Mark A. Gould, Arnall Golden Gregory LLP, Atlanta, GA
Agnes Proton, Cabinet Proton, Cannes, France

MODERATOR:
Margaret D. Baisley, Baisley Law, New York, NY

SPEAKERS:
Gerard F. Hernández Colet, Cuatrecasas, Gonçalves Pereira, Barcelona, Spain

Laura Conduit, Farrer & Co, London, UK

Barton J. Seguin, Shibley Righton LLP Barristers & Solicitors, Windsor, Canada

John R. Strohmeier, Crady, Jewett & McCulley LLP, Houston, TX

9:00 AM–10:30 AM
WHITHER AFRICAN REGIONALISM IN THE WAKE OF THE BREXIT VOTE

In 1991, the Organization for African Unity (OAU) embarked on a regionalism experiment: the African Economic Community (AEC) was established through the Abuja Treaty, as a means of achieving economic integration; self-sufficiency and endogenous development; and to create a framework for the development and mobilization of human resources and materials. Implementation of the treaty was envisaged as a progressive process to be carried out by Regional Economic Communities (RECs) in 6 stages over 34 years, *i.e.* by 2028. And for better or worse, Africa staked its future on emulating what the European Union (EU) had already achieved. Then on June 24, 2016, 51.9% of the population of the United Kingdom voted to leave the EU in the Brexit referendum, threatening the very existence of the EU. Now, whither African regionalism in the wake of the Brexit vote?

COMMITTEE SPONSOR:
Africa

PANEL CHAIRS:
Shola Mos-Shogbamimu, Solicitor of England and Wales, London, UK

Emilia Swingwa, Dar Es Salaam, Tanzania

MODERATOR:
Shola Mos-Shogbamimu, Solicitor of England and Wales, London, UK

SPEAKERS:
Fasil Amdetsion, former Senior Legal Advisor to the Ethiopian Ministry for Foreign Affairs, Jersey City, NJ
Adejoke Babington-Ashayem, World Bank Administrative Tribunal, Washington, DC

Nelson Ogbuanya, Corporate and Investment Attorney, SW Ikoyi Lagos, Nigeria

Frances Okosi, Baker and McKenzie, Johannesburg, South Africa

9:00 AM–10:30 AM
TO START I'LL HAVE THE JUDGMENT, AND FOR MY MAIN COURSE, THE EMBASSY

This program will focus on the law of diplomatic immunity in the context of enforcing terrorism-claim judgments against foreign states. Foreign sovereign immunity is now significantly restricted by various exceptions, including a statutory exception in some countries for claims against state sponsors of terrorism, and executing the resulting judgments against foreign-state owned assets. However, the law of diplomatic immunity has not followed suit. There is a tension between allowing victims of terrorism to obtain judgment and meaningful recovery via enforcement measures, and protecting diplomatic relations. Why should this tension be resolved in favor of diplomatic relations? Why should victims of terrorism not be given the benefit of statutory exceptions not only to sovereign immunity, but also to diplomatic immunity? Following new leadership in the U.S. (January 2017) and Canada (Fall 2015), they

are faced with legal challenges that put that question directly in issue. This will be a mock hearing involving two presenters serving as counsel and a third serving as the judge to delve into. The judge will take the role of moderator through questions from the bench. One counsel will be seeking to enforce a judgment against a foreign state by execution upon that state's embassy. The other counsel program will be acting for the government in opposing the request, on the basis that the embassy enjoys diplomatic immunity.

COMMITTEE SPONSOR:

International Litigation

PANEL CHAIR:

John Adair, Adair Barristers LLP, Toronto, Canada

MODERATOR:

Brian Kolenda, Lenczner Slaght LLP, Toronto, Canada

SPEAKERS:

John J. Adair, Adair Barristers LLP, Toronto, Canada

Hon. Justice Gloria Epstein, Court of Appeal for Ontario, Toronto, Canada

Ana C. Reyes, Williams & Connolly LLP, Washington, DC

9:00 AM–10:30 AM

**FIRST 100 DAYS OF THE PRESIDENCY:
IMPLICATIONS FOR CORPORATE COUNSEL**

100 days into the new presidency and in the 115th Congress there are new faces, new laws, and new regulations. How will this impact the legal and regulatory environment? From Dodd-Frank to the FCPA, ACA, EPA, and SOX, political change creates new challenges for corporate counsel. Our panel of in-house counsel and political specialists will discuss what has happened in the first 100 days of the new term, and their short and long-term predictions for the remainder of the presidency.

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International Corporate Counsel

PANEL CHAIR:

Deniz Tamer, MTICC, Inc., New York, NY

MODERATOR:

Peggy Kubicz Hall, Greene Espel, Minneapolis, MN

SPEAKERS:

Carol Brani, LexisNexis, Raleigh, NC

Laura Hammargren, Mayer Brown LLP, Chicago, IL

Lori Kearns, Office of Senator Bernard Sanders (I-VT), Washington, DC

Hon. Bob Walker, Wexler|Walker, East Petersburg, PA

9:00 AM–10:30 AM

**WEALTH PLANNING FOR PEPs AND “HIGH
RISK” CLIENTS: RISKS AND CHALLENGES?**

As professionally rewarding as it may be to act as trusted advisor to high profile clients, advising political figures and other potentially high risk clients is wrought with legal and ethical pitfalls for the wealth planning lawyer or advisor. Regulators require financial institutions to closely monitor transactions and account activity of clients who are political figures and other individuals who are or have been entrusted with a prominent public function (often referred to as “politically exposed persons” or “PEPs”). While lawyers generally do not share the same regulatory burden as that of financial institutions, lawyers are under more scrutiny than ever before. With any missteps, not only PEPs and PEP family members, but also their lawyers may be pulled into an unwelcome spotlight. The issue of privacy is also of great concern for these clients. Although the public has an interest in knowing its political leader,

families of PEPs are families after all, with their own fragile personal issues and an increased need for privacy and asset protection. This program will (1) explore the ethical and legal challenges, as well as reputational risks, associated with advising PEPs and other high risk clients on the ownership and succession of their wealth and (2) provide guidance on successfully navigating through this minefield.

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International Private Client

COMMITTEE CO-SPONSORS:

International Ethics; Latin America & Caribbean Committee; International Family Law Committee; International Anti-Corruption

PANEL CHAIRS:

Michael Parets, Withers LLP, Zurich, Switzerland

Markus Zwicky, Zwicky Windlin & Partner, Zug, Switzerland

MODERATOR:

Michael Parets, Withers LLP, Zurich, Switzerland

SPEAKERS:

Barbara R. Hauser, Barbara R. Hauser LLC, Minneapolis, MN

Michael Patrick, Farrer & Co., London, UK

9:00 AM–10:30 AM

**WE’LL ALWAYS HAVE PARIS: SUSTAINING GLOBAL
CLIMATE ACTION IN THE FACE OF POLITICAL CHANGE**

2016 began with widespread celebration of the adoption of the Paris Agreement, through which over 190 nations agreed to adopt greenhouse gas emissions reduction targets. Reflecting broad enthusiasm for this agreement, records were shattered on Earth Day in April 2016 when more nations signed the Paris Agreement than had ever signed an international treaty on its first day. Throughout 2016, nations were focused on implementation and met again in Marrakech in November 2016 for COP22. During this panel, we will discuss where we have come in a year since the Paris Agreement. We will review COP22 outcomes as well as best case examples of Nationally Determined Contribution implementation; new rules for Internationally Transferred Mitigation Outcomes; forest carbon rights under the Reducing Emissions from Deforestation and forest Degradation mechanisms; and climate finance.

COMMITTEE SPONSOR:

International Environmental Law

COMMITTEE CO-SPONSORS:

Europe; Latin America & Caribbean; Mexico; Middle East Committee; Russia and Eurasia; Additional Proposed: China Committee; India Committee; Africa Committee; International Energy & Natural Resources Committee

PANEL CHAIR:

Alicia Cate, Oceana, Washington, DC

MODERATOR:

Emily Hammond, The George Washington University Law School, Washington, DC

SPEAKERS:

Andrew Deutz, The Nature Conservancy, Washington, DC (invited)

Charles Di Leva, The World Bank, Washington, DC

Jennifer Huang, Center for Climate and Energy Solutions, Washington, DC

Kim Smaczniak, U.S. Department of State, Washington, DC

10:00 AM–5:00 PM
EXHIBITS OPEN

10:30 AM–11:00 AM
NETWORKING BREAK

10:30 AM–11:00 AM
“How To” SERIES: SECTION PUBLISHING –
HOW TO ACHIEVE YOUR NAME IN PRINT

Do you consider yourself an expert within your practice area of international law? If so, worldwide recognition is at your doorstep, by becoming a published author in one of the ABA Section of International Law’s several publications. Whether you aspire to write or edit a book, contribute a scholarly law review article or book chapter, author a succinct news article or an informative committee newsletter essay, publishing through our Section is an effective way to demonstrate your expertise. At this informational session Publications Officer Patrick Del Duca and the editors of *The International Lawyer*, *The International Law News* and the *Year-in-Review* will coach you on how to start on your way as a published author of the ABA Section of International Law.

11:00 AM–12:30 PM
WOMEN ON BOARDS: TO QUOTA OR
NOT TO QUOTA? (NON-CLE)

The Women Business and the Law (WBL) team at the World Bank Group and the Section’s International Models Project on Women’s Rights (IMPOWR) present a lively debate on women on boards and quotas. The speakers will debate on the effectiveness of legal quotas to boost women’s participation on corporate boards. It will be a formal Oxford Union style debate with teams of two on each side of the issue with a moderator chairing the debate. The audience will have the final say by casting their vote via their cell phones. Our objective is to facilitate a spirited discussion on what is the best way to achieve gender parity on corporate boards and the business case for reaching this goal.

COMMITTEE SPONSOR:
International Models Project on Women’s Rights (IMPOWR)

PANEL CHAIRS:
Isabella Bunn, Regents Park College, Oxford, UK
Tazeen Hasan, Women, Business & the Law, The World Bank, Washington, DC

MODERATOR:
Augusto Lopez-Claros, Global Indicators Group, The World Bank, Washington, DC

SPEAKERS:
Lucinda A. Low, Steptoe & Johnson LLP, Washington, DC
Bennett Freeman, Cornerstone Capital Group, Washington, DC

11:00 AM–12:30 PM
LATIN AMERICA’S ANTI-CORRUPTION MOMENT:
BRAZIL’S OPERATION CAR WASH AND OTHER
LEGAL BREAKTHROUGHS IN THE REGION

Using Brazil’s “Operation Car Wash” as a benchmark, the panel will explore recent groundbreaking developments in Latin America, including the enactment of new anti-corruption laws by several countries, increased enforcement throughout the region, and an all-around heightened focus on compliance. Although Brazil has paved the way in addressing corruption-related misconduct in the region, other jurisdictions have also made notable progress on the anti-corruption front—efforts that have, at times, been overshadowed by events taking place in Brazil. These jurisdictional developments include a new transnational bribery law in Colombia, an emerging national anti-corruption system in Mexico, a renewed interest in enforcement in Argentina, and rapidly maturing compliance communities throughout the region. The panel will consider key features of Brazil’s current anti-corruption push, such as corporate criminal liability and the use of plea bargaining, and will examine how Brazil’s approach to enforcement compares with—and may ultimately influence—other jurisdictions in the region.

COMMITTEE SPONSOR:
International Anti-Corruption

COMMITTEE CO-SPONSORS:
Latin America & Caribbean; Mexico

PANEL CHAIRS:
Nicholas Berg, Ropes & Gray LLP, Chicago, IL
Marc Bohn, Miller & Chevalier Chartered, Washington, DC
Ann Sultan, Miller & Chevalier Chartered, Washington, DC

MODERATOR:
Matteson Ellis, Miller & Chevalier Chartered, Washington, DC

SPEAKERS:
Roberto Bauzá, Rattagan Macchiavello, Arocena, Buenos Aires, Argentina

Nicholas M. Berg, Ropes & Gray LLP, Chicago, IL
Alice Berggrun, Office of the President of the Republic of Colombia, Bogota, Colombia
Sujata Dayal, Johnson & Johnson, New Brunswick, NJ

11:00 AM–12:30 PM
BREXIT THROUGH THE GIFT SHOP:
“NATIONAL TREASURE” AND THE GLOBAL
ART AND CULTURAL PROPERTY TRADE

The art and cultural property trade is global in both scope and nature, with global sales for 2015 estimated at \$63.8 billion. In many countries, the movement of art and cultural property is limited by national export regimes, which provide mechanisms for retaining objects deemed to be national treasures in a country. In some countries, these regimes take the form of withholding an export permit for a period of time while national cultural organizations have an opportunity to match the sale price. National treasure export regimes are often controversial, affecting the rights and expectations of multiple players in the market—dealers, galleries and auction houses, as well as private and public collectors. What (and who) determines whether something is designated as a national treasure? Many schemes look first to the age of an object—applying only to objects older than 100 years. Other schemes, though, apply also to more recent objects—sometimes as recent as 50 years. The differences between national rules can themselves have an effect on the market, as owners move objects out of a country with a shorter time designation

before the cutoff period hits. This program looks at recent developments and proposed developments in national treasure export regimes, including proposed changes to German, Italian, and British art export laws, as well as what effect Brexit may have on the UK, European, and global art trade.

COMMITTEE SPONSOR:

Art & Cultural Heritage Law

COMMITTEE CO-SPONSORS:

Export Controls & Economic Sanctions; Customs Law; International Trade; Europe

PANEL CHAIRS:

Birgit Kurtz, Gibbons PC, New York, NY

Kevin P. Ray, Greenberg Traurig LLP, Chicago, IL

MODERATOR:

Kevin P. Ray, Greenberg Traurig LLP, Chicago, IL

SPEAKERS:

Patty Gerstenblith, DePaul University College of Law, Chicago, IL

Bendor Grovonor, Art History News, Edinburgh, UK

Clare McAndrew, Arts Economics, Dublin, Ireland

11:00 AM–12:30 PM

EMISSION REDUCTIONS AND ELECTRICITY TRANSMISSION: A ROAD TO INNOVATIVE SOLUTIONS OR A STALEMATE?

The pressure to reduce emissions, advanced technologies, and geostrategic realities are leading toward greater innovation in the renewable energy sector. Nevertheless, this push toward new energy sources has in some ways alienated traditional sources of energy, such as oil and coal. Is the push toward renewables leaving fossil fuels in the dust? Or, is it possible to utilize traditional and renewable energy resources together and how do we bridge that gap? This panel will discuss how challenges and opportunities posed by emission reductions and advanced renewable technologies are affecting electricity transmission internationally. In particular, panelists will focus on the struggle of regulatory regimes to keep up with new technologies such as solar; share experiences on matters of permitting and project finance; and guide practitioners on best practices in adapting to legislative challenges.

COMMITTEE SPONSOR:

International Energy and Natural Resources

COMMITTEE CO-SPONSORS:

Canada; International Environmental Law, International Investment and Development; Asia/Pacific; China; Europe; India; International Corporate Counsel; Latin America & Caribbean; Mexico; Middle East; National Security; Russia/Eurasia; Transnational Practice Management; UN and International Organizations

PANEL CHAIR:

Sacha A. Kathuria, Midwestern Governors Association, Washington, DC

MODERATOR:

Sacha A. Kathuria, Midwestern Governors Association, Washington, DC

SPEAKERS:

Donna Attanasio, The George Washington University Law School, Washington, DC

Donald Bjornson, Manitoba Hydro, Winnipeg, Canada

Jorge Kamine, Skadden Arps, Washington, DC

Richard King, Osler, Toronto, Canada

Christopher Lawrence, U.S. Department of Energy, Washington, DC

11:00 AM–12:30 PM

THE SOUTH CHINA SEA: CAULDRON OR MELTING POT?

On July 12, 2016, the Hague Arbitral Forum ruled against China in the Philippines v China arbitration, holding that China's claim of sovereignty over the vast majority of the South China Sea (SCS), as well as its buildup of bases on various "islands/rocks" in the sea was a violation of the UN Convention on the Law of the Sea. China rejected the ruling, claiming that the forum had no jurisdiction. China has continued to pursue its maritime claim in the area, generating numerous face-offs between China and the Philippines, as well as other countries bordering the SCS, and their allies. While continuing pursuit of its inroads in the area, China has also made overtures to negotiation of the disputed territories: the Philippines has indicated that it desires to break out of the U.S. orbit and negotiate closer ties with China, a historic change in its close ties to the West. Other SCS countries have found themselves on the Chinese side of the Award due to their habitation of other "island/rocks" in the area. This destabilization in the sea that provides a conduit for most of the world's fuel oil and over half of the world's remaining maritime commerce is one of the most critical issues of the decade. What is the impact on world trade, commerce, politics, and diplomacy? A panel of experts on all facets of the dispute discusses the potential options and outcomes in a vigorous roundtable discussion.

COMMITTEE SPONSOR:

Asia/Pacific

COMMITTEE CO-SPONSORS:

China; International Arbitration; International Courts; International Investment and Development; International Mediation; International Trade; Russia/Eurasia; UN and International Organizations

PANEL CHAIR:

Hon. Deanne M. Wilson (ret.), Resolutions LLC, Mendham, NJ

MODERATOR:

Hon. Deanne M. Wilson (ret.), Resolutions LLC, Mendham, NJ

SPEAKERS:

Sherri Goodman, Woodrow Wilson International Center for Scholars, Washington, DC

Bing Bing Jia, Tsingua Law School, Beijing, China

Margaret K. Lewis, Seton Hall School of Law, Newark, NJ

Nigel Li, Lee & Li Law Firm; China (Taiwan) Society of International Law, Taipei, Taiwan

Andrew Loewenstein, Foley Hoag LLP, Boston, MA

11:00 AM–12:30 PM

WHILE THE WORLD STANDS IDLY BY: MYANMAR AND THE THREAT OF 21ST CENTURY GENOCIDE

Myanmar's leaders have garnered international praise for democratizing the country after decades of authoritarian rule. But the momentous changes, exemplified by the 2015 victory of Aung San Suu Kyi's opposition party, have done nothing for the Rohingya—the Muslim minority the UN has described as "the most persecuted minority in the world." Although they have lived in Myanmar for centuries, Buddhist nationalists claim Rohingya are illegal immigrants from Bangladesh and deny them citizenship, rendering them the largest group of stateless people on the planet, deprived of most fundamental human rights. Since a 2012 rash of attacks (where Rohingya were burned alive and hacked to death by mobs), Buddhist extremists have renewed their campaign to expel the

Rohingya, employing Islamophobic rhetoric and brutal violence that a UN Special Rapporteur condemned as “crimes against humanity.” Even today, 125,000 are being held in what the New York Times describes as “concentration camps.” Yet few moderate Buddhist leaders have dared to speak out. Will the Trump Administration take a harder line on Myanmar? Or should we expect “more of the same”? Join us for an informative, provocative, and engaging multi-media exposé of the growing crisis that seven Nobel Peace laureates have decried as “a textbook case of genocide.”

COMMITTEE SPONSOR:
International Human Rights

COMMITTEE CO-SPONSORS:
Asia/Pacific; Corporate Social Responsibility; Export Controls & Economic Sanctions Immigration & Naturalization; International Commercial Transactions, Franchising & Distribution; International Corporate Counsel; International Investment & Development; International Courts; International Judicial Affairs; International Pro Bono; International Refugee Law; International Trade Committee; Middle East; NGO and Not-for-Profit Organizations; UN and International Organizations; Women’s Interest Network (WIN)

PANEL CHAIR:
Hon. Delissa Ridgway, United States Court of International Trade, New York, NY

MODERATOR:
Hon. Delissa Ridgway, United States Court of International Trade, New York, NY

SPEAKERS:
Azeem Ibrahim, University of Chicago, Chicago, IL
Nicholas Kristof, New York Times, New York, NY
Soo-Ryun Kwon, Yale Law School, New Haven, CT
Abdul Malik Mujahid, Sound Vision, Burma Task Force, Chicago, IL
Lex Riefell, Brookings Institution, Washington, DC
James Silk, Yale Law School, New Haven, CT

12:45 PM–2:15 PM
LUNCHEON WITH JENNIFER FOWLER, ACTING ASSISTANT SECRETARY FOR TERRORIST FINANCING AND FINANCIAL CRIMES AT THE UNITED STATES DEPARTMENT OF THE TREASURY



Jennifer Fowler is the Acting Assistant Secretary for Terrorist Financing and Financial Crimes at the U.S. Department of the Treasury. In this role, Fowler is responsible for developing and implementing strategies to use financial sanctions and

authorities to combat threats to U.S. national security, and for initiatives to safeguard the U.S. financial system from a range of illicit finance threats.

Fowler serves as the head of the U.S. delegation to the Financial Action Task Force (FATF) – the premier international standard-setting body for anti-money laundering and countering the financing of terrorism (AML/CFT). In that role, she is Co-Chair of the FATF Policy Development Group, and has previously represented the United States in the FATF’s International Cooperation Review Group (ICRG) and in the development of FATF’s first-ever guidance on combating WMD proliferation financing.

Fowler previously served as Chief of Staff and Senior Advisor to Treasury’s Under Secretary for Terrorism and Financial Intelligence (TFI), as an Assistant Director in Treasury’s Office of Terrorist Financing and Financial Crimes, as Treasury’s liaison to the U.S. European Command in Stuttgart, Germany. She began her career at Treasury in the Office of Foreign Assets Control (OFAC) in June 2001.

Prior to joining Treasury, Fowler served as a Peace Corps volunteer in Mali and worked as a journalist in her home state of Georgia. She holds a Master’s of Science in Foreign Service from Georgetown University and a bachelor’s degree from Wake Forest University.

2:30 PM–4:00 PM
TRIPLE JEOPARDY: THE DANGERS AHEAD IN NAVIGATING MULTINATIONAL WATERS (ETHICS)

Multinational corporations may not be the only ones subject to complex and often conflicting regulatory requirements in the jurisdictions in which they operate. With no uniform international rule of law prohibiting successive prosecutions by multiple countries, even law firms, in-house and individual lawyers are potentially at risk when conducting international business. Our panel will explore the impact of globalization on the legal profession and the blurring of traditional boundaries between local and global, and the potential legal, geopolitical, reputational and ethical risks increasingly inherent in using a multinational supply chain—whether it be working with foreign offices or operating in countries that use a legal system other than our own or unbundling and disaggregating legal work to lawyers or non-lawyer professionals in multiple jurisdictions not governed by similar requirements. How can we ensure reporting requirements are met and client, attorney and firm interests are protected? Should a binding set of global ethical and legal standards be adopted that go beyond existing rules and laws?

COMMITTEE SPONSOR:

Transnational Practice Management

COMMITTEE CO-SPONSORS:

International Corporate Counsel; International Litigation; Young Lawyers Interest Network (YIN); International Legal Education and Specialist Certification; U.S. Lawyers Abroad

PANEL CHAIRS:

Stephen Denyer, Law Society of England & Wales, London, UK

Janis L. Nordstrom, J.L. Nordstrom Global Strategies, Miami, FL

MODERATOR:

Stephen Denyer, Law Society of England & Wales, London, UK

SPEAKERS:

Nicole Bigby, Berwin Leighton Paisner, London, UK

Anthony Davis, Hinshaw & Culbertson, New York, NY

Victor Munis, TRPLaw, Lagos, Nigeria

Janis L. Nordstrom, J.L. Nordstrom Global Strategies, Miami, FL

Pascale Rahman, Flextronics, Vienna, Austria

2:30 PM–4:00 PM**BREXIT: THE IMMIGRATION IMPLICATIONS**

Following the UK's vote to leave the EU, which sent shock waves through the UK, EU and the rest of the world, the dust is beginning to settle and the UK is laying the ground work for its withdrawal from and its future relationship with the EU. The Prime Minister has set out key principles for the government's policy on Brexit, indicating that the UK will leave the EU's single market, ending the free movement of people. The panelists will discuss the options for EU citizens living in the UK and UK citizens living in the EU, how Brexit will affect businesses operating within the member states and the global movement of workers and refugees. The panel will also discuss the immigration developments leading up to and immediately following the invoking of Article 50 which is anticipated in early 2017.

COMMITTEE SPONSOR:

Immigration and Naturalization

COMMITTEE CO-SPONSORS:

International Employment Law; Europe

PANEL CHAIR:

Jennifer Stevens, Laura Devine Attorneys LLC, New York, NY

MODERATOR:

Jennifer Stevens, Laura Devine Attorneys LLC, New York, NY

SPEAKERS:

Urs Haegi, Vischer AG, Zurich, Switzerland

Jacqueline Scott, Fortney & Scott, LLC, Washington, DC

Richard Tonge, Grant Thornton, New York, NY

2:30 PM–4:00 PM**CLIMATE CHANGE ARBITRATION: THE KEY TO "CLIMATE JUSTICE FOR ALL" AFTER THE PARIS AGREEMENT?**

The landmark Paris Agreement adopted at the UNFCCC COP21 in December 2015 entered into force on November 4, 2016. A few days later, just as the COP22 was opening in Marrakech, Donald Trump was elected to the U.S. Presidency after a campaign that included vocal opposition to—and a promise to “cancel”—the Paris Agreement. Can international arbitration provide the necessary “teeth” to ensure states’ compliance with the ambitious

promises made in December 2015 at the COP21? Can it bring “climate justice for all”—and in particular for the populations most affected by rising sea levels and climate disruption? This panel will explore the advantages and disadvantages of international arbitration as a means to enforce the Paris Agreement on Climate Change, as compared to possible alternatives such as permanent international, regional and domestic courts; and it will consider what innovative tools could be used to achieve climate justice through arbitration for all members of our global society.

COMMITTEE SPONSORS:

International Human Rights

COMMITTEE CO-SPONSORS:

International Arbitration; International Courts; UN and International Organizations (invited); International Environmental Law

PANEL CHAIRS:

Paula F. Henin, Skadden, Arps, Slate, Meagher & Flom LLP, New York, NY

MODERATOR:

Paula F. Henin, Skadden, Arps, Slate, Meagher & Flom LLP, New York, NY

SPEAKERS:

Catherine Amirfar, Debevoise & Plimpton LLP, New York, NY

Diane Desierto, William S. Richardson School of Law, University of Hawaii, Honolulu, HI

Nicola Peart, Doughty Street Chambers, London, UK

Assaad Razzouk, Sindicatum Sustainable Resources, Singapore, Singapore

2:30 PM–4:00 PM**SMART PHONES AS THE NEW MUSEUMS: #ART @PICASSO AND WARHOL**

Digital interactivity on a smart phone is today's way of attending sports, cultural events and museum exhibitions. One is not “there” even when present, until linking on and tweeting in. Who owns the intellectual property of “smart phone” mediated experiences? If a sharing option is offered, does that provide consent, actual or implied, or is it beyond terms of use? How should we allocate the IP rights in software, apps, the visual imagery, logos and marks while incentivizing R&D and creativity? What is the significance when marks denoted sponsorship or affiliation with institutions when the “user generated content” materials are no longer connected to the original “sanctioned” images? What about publicity rights of those idolized and USGC'd and “re-apped” by fans? Do museums want to curb behaviors or are they OK with anything? In the cross-border context, how is rule of law implemented by the policy and economics of mediating culture via bytes, pixels, and coding? What is the international impact of America's most valuable cultural export—free expression and the First Amendment—when bricks and mortar are replaced by “log and blog,” web surfing and tweeting? As the profile of Europe, Asia and the UK is in flux, and TPP is uncertain, this panel of experts analyzes law and policy in an era of a global culture coalescing around unbounded technology.

COMMITTEE SPONSOR:

New Media and Content Innovation

COMMITTEE CO-SPONSORS:

International Ethics; International Intellectual Property Rights; U.S. Lawyers Abroad; International Legal Education and Specialist Certification; Privacy, E-Commerce and Data Security

PANEL CHAIR:

Alexandra Darraby, The Art Law Firm, Los Angeles, CA

MODERATOR:

Alexandra Darraby, The Art Law Firm, Los Angeles, CA

SPEAKERS:

Donna Cameron, NYU Tisch School of Arts, New York, NY

Daniel Davis, Smithsonian National Museum of the American Indian, Washington, DC

Chris Weston, U.S. Copyright Office, Washington, DC

2:30 PM–4:00 PM

DISRUPTIVE AND EMERGING TECHNOLOGIES FOR AND BEYOND TRANSPORTATION—INSURANCE AND LIABILITY ISSUES FOR THE NEW ERA

The technology revolution has introduced a variety of new products and business models that are challenging or upending traditional models of regulation. Transportation network companies and apartment sharing services such as Uber, Lyft, and Airbnb are already raising a variety of regulatory issues for government agencies, as are the emerging technologies of drones; self-driving cars; and the Internet of Things. In addition to how they should be regulated, these new technologies and business models are ushering in a new era of insurance and liability issues. For example, when a driverless car is in an accident is it a products liability claim or a traditional automobile accident? Who is responsible for breaches of cybersecurity and privacy rights? Who should carry the insurance and bear the liability? This panel will discuss the various liability and insurance issues presented by the emerging technologies and business models in a variety of industries being upended by the next technological revolution.

COMMITTEE SPONSOR:

International Transportation

COMMITTEE CO-SPONSOR:

Privacy, E-Commerce and Data Security, International Commercial Transactions, Franchising, and Distribution; International Financial Products and Services

PANEL CHAIR:

Andrew M. Danas, Grove Jaskiewicz & Cobert LLP, Washington, DC

MODERATOR:

Andrew M. Danas, Grove Jaskiewicz & Cobert LLP, Washington, DC

SPEAKERS:

Ellen MacDonald Farrell, Crowell & Moring, Washington, DC

H. Michael O'Brien, Wilson Elser, White Plains, NY

2:30 PM–4:00 PM

CASE STUDIES IN PASSING ANIMAL ANTI-CRUELTY LEGISLATION AND LAWS IN INDIA & SOUTH AMERICA

This panel will focus on the passage of animal legislation with an emphasis on anti-cruelty legislation. Animal cruelty continues today at an alarming rate. In June 2016 China continued to hold the Yulin dog meat “festival,” where 10,000 dogs are slaughtered and served as meals. In South Korea eating dog meat is reported to be confined to a small part of the population, yet 2 million dogs are purported to be killed for food every year. The dog meat trade is just an example of the need for animal anti-cruelty legislation and laws world-wide. Animal cruelty exists in China with the harvesting of bile from live bears, canned animal hunts in many countries and tiger farms in China. This program will discuss case studies of the actual passage of animal legislation, including anti-cruelty legislation, and laws in India and in South India, South

America, and other countries, with speakers that actually helped make the change happen. How can we use these case studies as models for passing animal anti-cruelty legislation and laws in other countries? The speakers will tell their unique stories and experiences of how they made a difference.

COMMITTEE SPONSOR:

International Animal Law

COMMITTEE CO-SPONSORS:

Customs Law; International Trade

PANEL CHAIR:

Marcela Stras, Cozen O'Connor, Washington, DC

MODERATOR:

Marcela Stras, Cozen O'Connor, Washington, DC

SPEAKERS:

Carson Barylak, International Fund for Animal Welfare, Washington, D.C.

Kitty Block, Humane Society International, Washington, D.C.

HeeKyung Cho, Korean Animal Welfare Association, Republic of Korea

Cynthia Dent, Humane Society International, Washington D.C.

Nuggehalli Jayasimha, Managing Director HSI India, Hyderabad, India

4:00 PM–4:30 PM

NETWORKING BREAK

4:00 PM–4:30 PM

“How To” SERIES: DEVELOPING CLE PROGRAMS WITH THE SECTION

Do you have an idea for a program? If so, attend this nuts and bolts session on how to develop your CLE program and effectively present it. Join the Section Programs Team and CLE Board to learn about opportunities, the importance of CLE, timing and presentation formats.

4:30 PM–6:00 PM

PIPE DREAM: YUKOS’ JOURNEY FROM AN OIL GIANT TO LEADING A LIFETIME OF LITIGATION

From the late 1990s Yukos was one of the world’s largest oil companies and the leader in Russian corporate governance reform and transparency. By 2005, the company was decimated and in bankruptcy. After a decade of legal proceedings in numerous jurisdictions, former Yukos shareholders won an unprecedented \$50 billion award in the Permanent Court of Arbitration in The Hague and a \$2 billion award from the European Court of Human Rights. With on-going legal proceedings in different countries, including the United States, enforcing and challenging these awards, Yukos has become a leading case, testing the limits of existing doctrines and setting new precedents.

Using Yukos as a case study, the panel will explore topics of corporate governance, Energy Charter Treaty arbitrations, setting aside arbitral awards, international enforcement of arbitral awards and ECHR judgments, and sovereign immunity.

COMMITTEE SPONSOR:

Russia and Eurasia

COMMITTEE CO-SPONSORS:

International Arbitration; International Courts; International Investment & Development; International Litigation

PANEL CHAIRS:

Michael Shapiro, Bazelon Less & Feldman, P.C., Philadelphia, PA

MODERATOR:

Bruce W. Bean, Michigan State University College of Law, East Lansing, MI

SPEAKERS:

Laurie Achtouk-Spivak, Cleary Gottlieb Steen & Hamilton LLP, Paris, France

Jean-Christophe Honlet, Dentons, Paris, France

Pavel Ivlev, former legal counsel to Yukos, New York, NY

Dmitry Lysenko, Baker & McKenzie, Moscow, Russia

4:30 PM–6:00 PM**BREXIT: IMPLICATIONS NEARLY A YEAR LATER ON INTERNATIONAL TRADE AND THE PRACTICE OF LAW**

In recent months, no single issue in the legal and business communities has commanded more attention than the UK's 2016 decision to leave the EU. This timely panel will provide an up-to-date look nearly a year later at the potential impact of Brexit on trade and for common markets in general, as well as the far-reaching legal, regulatory, geopolitical and business implications for the broader practice of law by Anglo-American firms. These firms may soon find that losing their "passporting" or mobility privileges throughout the EU will force them to navigate highly uncharted waters on behalf of their clients, unless future agreements between the UK and EU are made. Similarly, Brexit will result in the single license provisions of the financial services directives being inapplicable to banks headquartered in London, resulting in financial services companies being forced to apply for individual licenses in each EU member state where they want to set up operations. These financial services companies have comprised a mainstay of U.S.-based law firm clients in London; Brexit suggests that these firms will be required to cope with a change in the terms and conditions that have made London a top financial center. Other issues such as the impact on human rights, the collective ability to govern, and the uncertain path forward for an independent UK will be examined with a particular focus on the role of attorneys in this highly complex and ever-changing legal environment.

COMMITTEE SPONSOR:

Customs Law

COMMITTEE CO-SPONSOR:

Transnational Practice Management

PANEL CHAIRS:

Lawrence W. Hanson, The Law Office of Lawrence W. Hanson, Houston, TX

Carole Silver, Northwestern Pritzker School of Law, Chicago, IL

MODERATOR:

Carole Silver, Northwestern Pritzker School of Law, Chicago, IL

SPEAKERS:

Robert Bourne, Law Society of England & Wales, London, UK

Tamara Box, Reed Smith, London, UK

Lawrence W. Hanson, The Law Office of Lawrence W. Hanson, Houston, TX

Derek Meilman, Hogan Lovells, London, UK

4:30 PM–5:30 PM**INTERNATIONAL DISPUTE RESOLUTION: WHAT DOES THE EVIDENCE SAY?**

This presentation will address issues surrounding how discovery and evidence have long been an issue of friction in international litigation:

- How do the current domestic and international discovery statutes apply to international arbitration?
- Can a private, commercial arbitration constitute a 28 U.S.C. Section 1782 "foreign or international tribunal"?
- Is an international investment arbitration tribunal a foreign tribunal?
- Is the Hague Evidence Convention mandatory?

COMMITTEE SPONSOR:

International Arbitration

PANEL CHAIRS:

Adrienne Goins, Vinson & Elkins LLP, Washington, DC

MODERATOR:

Amir Ghaffari, Vinson & Elkins RLLP, London, UK

SPEAKERS:

Jeanne E. Davidson, U.S. Department of Justice, Washington, DC

Chuck Kellner, D4, Rochester, NY

James Lloyd Loftis, Vinson & Elkins LLP, Houston, TX

4:30 PM–6:00 PM**NAVIGATING CYBERSPACE'S BORDERLESS AND UNCHARTERED LEGAL TERRITORY (ETHICS)**

The internet has an incalculable impact on business, government, individuals, and society. Internet access has dramatically increased opportunities for individuals and organizations, but also placed them at significantly greater risk of (i) the disruption of their activities; (ii) the release without authorization of the confidential/private information they hold; and (iii) the control or manipulation by others. Widespread internet usage by lawyers and law firms has given rise to complex and novel ethical, legal and practical challenges, many of which could not have been anticipated. Technology has supplied business entities, governmental bodies, and criminal groups with global reach to engage in activities that transcend spatial distance and national borders. Since the scope of such activities "occur" both in the physical and virtual worlds, the likelihood that they will find themselves to be subject to the authority of multiple governmental bodies and court systems has increased in recent years. This trend should continue in the foreseeable future. Not only must persons and organizations consider legal imperatives that emanate from different sources (national, international, and multinational), these requirements may be incompatible. This panel examines some of the challenges members of the legal profession face when working on commercial, criminal, and regulatory matters on behalf of their clients, their employers, their governments, and societal interest.

COMMITTEE SPONSOR:

Privacy, E-Commerce, and Data Security

PANEL CHAIR:

Ethan S. Burger, Law Offices of Ethan S. Burger, Washington, DC

MODERATOR:

Demetrios Eleftheriou, Symantec Corporation, Mountain View, CA

SPEAKERS:

Bryan Earl, Federal Bureau of Investigation, Washington, DC
Lorie S. Masters, Perkins Coie LLP, Washington, DC
Tara McGraw Swaminatha, DLA Piper, Washington, DC
Thomas Welch, Washington, DC

4:30 PM–6:00 PM

**EVIDENCE ... OR THE LACK THEREOF:
 DEALING WITH ALLEGATIONS OF CORRUPTION
 IN INTERNATIONAL ARBITRATION**

Allegations of corruption can test the limits of international arbitration. Who bears the burden of proof, what is the standard of proof, and what law governs? Do allegations of corruption shift the burden? Does corruption in the procurement of a contract render the arbitration clause unenforceable? Do arbitrators have a right—or even a duty—to investigate suspicions of corruption? Do they have the right—or the duty—to report suspicions, admissions, and/or findings and, if so, to whom? Where corruption is established, what are the remedies available? What about award enforcement? In this highly engaging presentation, audience members will vote on a few questions presented at the outset. Then leading experts will examine the evidentiary issues relating to allegations of corruption under civil, common, and international law from both the perspective of the party accused of corruption and the party initiating such accusation.

COMMITTEE SPONSOR:
 International Arbitration

PANEL CHAIR:

Duggal Kabir, Baker & McKenzie LLP, New York, NY

MODERATOR:

Duggal Kabir, Baker & McKenzie LLP, New York, NY

SPEAKERS:

George A. Bermann, Columbia Law School, New York, NY
Paolo Di Rosa, Arnold & Porter LLP, Washington, DC
Ian A. Laird, Crowell & Moring LLP, Washington, DC
Carolyn Lamm White & Case, LLP, Washington, DC

4:30 PM–6:00 PM

**FOR RICHER OR POORER...TILL DEATH DO US
 PART: “NOW SIGN HERE” —A FRESH LOOK
 AT MARRIAGE CONTRACTS ACROSS THE GLOBE**

This program will look at different courts’ approaches to contracts drawn up between marrying (or married) couples. Panelists will share their experiences from their own jurisdiction (whether New York, England and Wales, France, Switzerland or Germany). Practices vary so widely from country to country that we expect a very lively discussion on questions such as the following:

- Can and should a (pre or post) marriage contract be enforced upon divorce just like any other contract?
- What about on death? Is that different from divorce in terms of enforceability? Should it be?
- How important is disclosure? And how detailed does it need to be for a marriage contract to be fair for both parties?
- Is there (and should there be) a universal requirement of independent counsel for both parties to the contract?
- How readily do courts in your country uphold foreign marriage contracts on divorce and/or death?
- Can you have a marriage contract that deals with other things than money? What sort of things? Can those things be enforced?!

- What about the EU maintenance regulation? How does this affect your drafting of prenups?
- What about Brexit? How will that affect Anglo-French contracts especially in terms of former jurisdiction clauses for maintenance?
- What lessons have been learned about civil law prenups being upheld (or not!) in common law countries, clashes between England, the U.S., and continental Europe

COMMITTEE SPONSOR:
 International Family Law

PROGRAM CHAIR:

Frances Goldsmith, Libra Avocats, Farrer & Co LLP, Paris, France

MODERATOR:

Frances Goldsmith, Libra Avocats, Farrer & Co LLP, Paris, France

SPEAKERS:

Jutta Carrington-Conerly, Grafenwöhr, Germany
Eliza Hebditch, Farrer & Co LLP, London, UK
Karen Robarge, Aronson Mayefsky & Sloan, LLP, New York, NY
Markus Zwicky, Zwicky Windlin and Partner, Zug, Switzerland

3:00 PM–5:00 PM

**THE RULE OF LAW? THE FOURTH
 ESTATE UNDER SIEGE**

This program takes place at the Newseum—transportation is not provided. Please allow travel time.

Journalists have become vulnerable to attack by authoritarian governments, militants, criminals, and terrorists. In record numbers they have been threatened with financial ruin through civil suits, imprisoned for criminal defamation, kidnapped, tortured, and murdered with impunity. Using real-life accounts of these incidents, the panel, comprised of journalists and international human rights attorneys, will describe the impact this crisis has on society’s fragile civil rights and propose action to be taken by the legal community. Learn about the international legal and other measures being taken to thwart this crisis, and participate in the discussion to craft future resolutions and legislation to protect these precious freedoms.

COMMITTEE SPONSOR:
 International Human Rights

COMMITTEE CO-SPONSORS:
 International Ethics; UN and International Organizations

PANEL CHAIR:

Jill Mariani, New York County District Attorney’s Office, New York, NY

MODERATOR:

Jill Mariani, New York County District Attorney’s Office, New York, NY

SPEAKERS:

Ginna Anderson, Center for Human Rights, American Bar Association, Washington, DC
Claudio Grossman, American University Washington College of Law (WCL), Washington, DC
Gene Policinski, Newseum Institute; First Amendment Center, Washington, DC
Frank Smyth, Global Journalist Security, Washington, DC

5:00 PM–7:00 PM

RECEPTION AT NEWSEUM

FOLLOWED BY COMMITTEE DINNERS

Join us at a very special reception at the amazing Newseum. The Newseum is called the “must-see” attraction in Washington, DC. Located between the White House and the U.S. Capitol, a visit to the Newseum is a conversation-inspiring experience you won’t find anywhere else.

One ticket per person is included as part of your Spring Meeting registration fee; this reception is free to meeting attendees who have registered for the entire conference.

7:00 PM

COMMITTEE DINNERS

Several of our committees have organized dinners at restaurants around Washington, DC. These dinners are an excellent opportunity to meet and network with your fellow committee members away from the conference hotel. Arrangements vary by committee – please contact your committee Co-Chairs or Sophie Wilmot at sophie.wilmot@americanbar.org to find out if your committee is planning a dinner.



7:00 AM–6:30 PM MEETING REGISTRATION OPEN

8:00 AM–8:50 AM CONTINENTAL BREAKFAST & COMMITTEE BREAKFAST MEETINGS

The Section's more than sixty (60) substantive committees are its driving force for policy, publications, and programs, and are the easiest way to get involved with the Section of International Law. Join us to learn more about the Section's committees and their activities, as well as opportunities to become more active in the committees and the Section.

9:00 AM–10:30 AM NEW LEADERS, NEW LAWS ... AND NEW PERSPECTIVES ON CREATING "PRACTICE READY" INTERNATIONAL LAWYERS

Parts I and II: This two part program is targeted to attorneys—both new and in transition—and will focus on legal practice and professional competence in the global legal marketplace. Both parts focus on the practice of law, and will include reference to training international lawyers in problem solving, legal analysis and reasoning, legal research and writing, drafting documents, factual investigation, communication, and other skills needed by today's and tomorrow's international lawyers. Part II will focus on the forces affecting U.S. law schools as they attempt to prepare students for practice in an increasingly internationally-connected practice environment. Both parts will include presentations by practitioners and academics geared toward training and guiding lawyers toward developing competence in the skills vitally important to representing clients with international interests, both domestically and abroad.

PART I: HIT THE GLOBE RUNNING: NEW APPROACHES TO EDUCATING LAW STUDENTS AND NEW LAWYERS

There is no more common theme in legal education today than "practice readiness." In these years since the economy and trends in legal education and law practice have become leaner and focused on training lawyers who can "hit the ground running" and "be ready for practice on day one," law schools are scrambling to get their students' feet in the doors of firms and organizations, both locally and globally.

How can we, as international lawyers and those who teach and train international lawyers, optimize the legal education of those who seek to enter global practice as soon and as effectively as possible?

This panel of practicing international lawyers and academics will engage in a dialogue about what skills international lawyers must have, and will brainstorm and share ideas about how to best impart those skills.

COMMITTEE SPONSOR:
International Legal Education & Specialist Certification

COMMITTEE CO-SPONSORS:
Foreign Legal Consultant; International Litigation;
International Pro Bono; Law Student, LLM, and New
Lawyer Outreach; Transnational Practice Management;
U.S. Lawyers Abroad; Young Lawyers International
Network (YIN)

PANEL CHAIRS:
Diane Penneys Edelman, Villanova University Charles
Widger School of Law, Villanova, PA
Robert E. Lutz, Southwestern Law School,
Los Angeles, CA

MODERATORS:
Diane Penneys Edelman, Villanova University Charles
Widger School of Law, Villanova, PA
Robert E. Lutz, Southwestern Law School,
Los Angeles, CA

SPEAKERS:
Gretchen C. Bellamy, Walmart Stores, Inc.,
Bentonville, AR (invited)
Diane Penneys Edelman, Villanova University Charles
Widger School of Law, Villanova, PA
Melanie Frank, The Global Trade Group PLLC,
Washington, DC

Jayanth K. Krishnan, Indiana University Maurer School of
Law, Bloomington, IN
Robert E. Lutz, Southwestern Law School,
Los Angeles, CA
Steven M. Schneebaum **Steven M. Schneebaum P.C.**,
Washington, DC

9:00 AM–10:30 AM PANAMA PAPERS: EXPOSING THE POWERFUL

The "Panama Papers" exposed financial dealings of some of the world's richest and most powerful individuals including a number of high ranking officials in Latin America. The papers include financial records, legal documents, and correspondences dating back over 40 years. These files reveal secret offshore accounts of current and former world leaders as well as individuals with close ties to political and business figures around the globe. A number of Latin American leaders are allegedly implicated in this corruption. The Panama Papers leak will likely raise legal issues for years to come. Join us for a panel presentation as our panelists discuss the legal ramifications of the Panama Papers, including issues of law relating to cyber security, white-collar crimes, international litigation and finance.

COMMITTEE SPONSOR:
Latin America & Caribbean

PANEL CHAIR:
Paula Aguila, Rivero Mestre LLP, Coral Gables, FL

MODERATOR:
Paula Aguila, Rivero Mestre LLP, Coral Gables, FL

SPEAKERS:
Daniel R. Alonso, Exiger, New York, NY
Guillermo S. Christensen, Baker Botts LLP,
Washington, DC

Adria Perez, Kilpatrick Townsend & Stockton LLP,
Atlanta, GA

9:00 AM–10:30 AM THE YANGTZE AND MISSISSIPPI RIVERS – WILL THE FLOW OF U.S.-CHINA FOREIGN DIRECT INVESTMENT CONTINUE?

It has been estimated that U.S. foreign direct investment into China has grown from \$17.62B in 2004 to \$65.77B in 2014, while Chinese investment in the U.S. has grown from \$440M in 2004 to \$9.47B in 2014. This rapid growth has legal, economic and political impacts on the relationship between the two largest economic powers in the world. China is in the process of liberalizing its foreign investment laws, with initiatives such as the Shanghai

(China) Free Trade Zone and other similar regional free trade zones, amendments to its Company Law to ease the capital entry requirements, some liberalization of the list of industries open for foreign investment, and the announcement of a draft Foreign Investment Law that significantly liberalizes its foreign entry laws. As an overlay, the U.S. and China have made significant strides in the negotiation of the U.S.-China Bilateral Investment Treaty, with announcement of the Treaty anticipated in late 2016 or 2017 (and possibly by the time of the Spring Meeting). From the Chinese perspective, Chinese investments in the U.S. are subject to intense CFIUS review.

This program will explore the trends in foreign investment between the U.S. and China, including both inbound and outbound investment, and the legal restrictions to U.S.-Sino FDI. Topics to be covered include:

- The role of CFIUS in Chinese investments in the U.S.
- The U.S.-China Bilateral Investment Treaty
- Chinese market reforms, including the Draft Foreign Investment Law, national treatment of foreign investment, China's Negative List and other market entry reforms
- Antitrust barriers
- Other barriers to FDI market entry

COMMITTEE SPONSOR:

China

COMMITTEE CO-SPONSORS:

Asia/Pacific; International Investment and Development

PANEL CHAIR:

Paul Edelberg, Fox Rothschild LLP, Stamford, CT

MODERATOR:

Philip Zhang, Zhong Lun Law Firm, New York, NY

SPEAKERS:

Paul B. Edelberg, Fox Rothschild LLP, Stamford, CT

Alex Hao, JunHe, New York, NY

Edward Lee, Wachtell Lipton Rosen & Katz, New York, NY

Anne Salladin, Stroock & Stroock & Lavan LLP, Washington, DC

9:00 AM–10:30 AM

**TRADE SECRETS AND CROSS-BORDER
COMMERCIAL TRANSACTIONS**

The incorporation of trade secret substantive law and enforcement provisions into TPP and TTIP free trade agreements, and the enactment of the Defense of Trade Secrets Act in the U.S., has raised the issue of cross-border trade secrets to the forefront in international business transactions. Will the "U.S. model" of trade secret protection be successfully exported to countries with different cultures and legal regimes? Will "reverse engineering" and independent "clean room development models" become more widely practiced? The panelists will consider the historical development of trade secret law from the time of the Industrial Revolution and identify its current role, and will provide a comparative view of how trade secrets are protected and enforced in the U.S. and the EU.

COMMITTEE SPONSOR:

International Intellectual Property Rights

PANEL CHAIR:

Daniel McGlynn, SolAero Technologies Corp., Albuquerque, NM

MODERATOR:

Daniel McGlynn, SolAero Technologies Corp., Albuquerque, NM

SPEAKERS:

Stephen Y. Chow, Burns & Levinson LLP, Boston, MA

Trevor Cook, Wilmer Hale, New York, NY

Hon. Joseph J. Farnan, Jr., Farnan LLP, Wilmington, DE

Elizabeth Kendall, Office of the U.S. Trade Representative, Washington, DC (Invited)

James Pooley, Orrick, Herrington & Sutcliffe, Menlo Park, CA

9:00 AM–10:30 AM

**TERRORISM & THE WORKPLACE: WHAT IS
AN EMPLOYER TO DO ... OR NOT?**

Join us for a presentation and discussion on employers' efforts to keep the global workforce safe. A security professional will begin with a short overview of the evolving terrorism threat globally and domestically, and of how these complex dynamics are impacting risk in the workplace. We'll explore the relationship between personal grievance, workplace disenfranchisement, mental health and radicalization in the terrorism context. Is there a nexus that points toward a "best practice" response to the threat? The lawyers on the panel will delve deeply into the questions on the minds of many attorneys after terrorist attacks in Istanbul, Orlando, Paris, San Bernadino and elsewhere. Are employers liable when employees commit terrorist attacks on their co-workers, as the widow of one San Bernadino victim is arguing? Which legal theories give rise to liability? How can employers make the right decisions about managing an acceptable level of risk in a workplace? Does French labor law have some answers, by giving workers the right to stay home if they feel there is an unacceptable risk of safety at work? Do works council in Europe have a role to play? Are trade unions inevitably caught in the middle as well? Could lax or overzealous employers find themselves facing liability? This session will equip international lawyers in a wide variety of practice areas—corporate, immigration, compliance, data security, employment, litigation—to help clients face the unfortunate new safety issues in the workplace created by terrorism around the world.

COMMITTEE SPONSOR:

International Employment Law

COMMITTEE CO-SPONSORS:

Immigration and Naturalization; International Corporate Counsel

PANEL CHAIRS:

Anna Birtwistle, CM Murray LLP, London, UK

Roselyn S. Sands, EY Law Paris, Paris, France

MODERATOR:

Roselyn S. Sands, EY Law Paris, Paris, France

SPEAKERS:

Earl Brown, Solidarity Center, AFL-CIO, Washington, DC

Amanda Hunter, Hicks Morley, Toronto, Canada

Judy Polacheck, Polacheck HR Law, Cambridge, MA

Bill Udell, Crisis and Security Consulting, Control Risks, Los Angeles, CA

9:00 AM–10:30 AM

**ALTERNATIVE CAREERS FOR YOUNG LAWYERS—
BEYOND THE LAW FIRM (NON-CLE)**

Exploration of alternative career opportunities for young lawyers. A presentation of the non-traditional routes available to new and young lawyers in the current state of the legal profession and diminishing opportunities of traditional law firm jobs. The panel will address the skills law students and young lawyers should develop in order to best position themselves for opportunities outside law firms.

- Government agencies: counsel v. non-counsel opportunities
- State v. federal government
- International organizations
- In-house counsel

COMMITTEE SPONSOR:

Law Student, LLM and New Lawyer Outreach

COMMITTEE CO-SPONSORS:

NGO & Not-for-Profit Organization; UN and International Organizations; Young Lawyers Interest Network (YIN); Women's Interest Network (WIN)

PANEL CHAIRS:

Theresa Forbes, U.S. Department of Treasury, Washington, DC

Khaliunaa Garamgaibaatar, The World Bank, Washington, DC

MODERATOR:

Paul Johnson, John Marshall Law School, Chicago, IL

SPEAKERS:

Brent Finnell, Bank of America, Charlotte, NC

Elizabeth Fitzgerald, Department of State Health Services, Austin, TX

Theresa Forbes, U.S. Department of Treasury, Washington, DC

Khaliunaa Garamgaibaatar, The World Bank, Washington, DC

Grace Rodden, U.S. House of Representatives, Washington, DC

10:00 AM–5:00 PM

EXHIBITS OPEN

10:30 AM–11:00 AM

NETWORKING BREAK

10:30 AM–11:00 AM

“How To” SERIES: DEVELOPING CLE PROGRAMS WITH THE SECTION

Do you have an idea for a program? If so, attend this nuts and bolts session on how to develop your CLE program and effectively present it. Join the Section Programs Team and CLE Board to learn about opportunities, importance of CLE, timing and presentation formats.

11:00 AM–12:30 PM

NEW LEADERS, NEW LAWS ... AND NEW PERSPECTIVES ON CREATING “PRACTICE READY” INTERNATIONAL LAWYERS

PART II: EDUCATING IN THE CONTEXT OF CHALLENGE AND CHANGE: MARKET, REGULATORY AND GLOBAL INFLUENCES ON U.S. LAW SCHOOLS

U.S. legal education is subject to competing influences from domestic and global forces, including those related to the market for applicants to law school and for graduates with regard to prospective employers, as well as regulatory requirements imposed at the individual student/graduate level and on law schools as organizations. These forces are reshaping the traditional model of U.S. legal education, which was focused exclusively on domestic students who pursued the J.D. degree. Today, the primacy of the J.D. degree is contested by the proliferation of non-J.D. and non-degree programs aimed at attracting student populations to compensate for declining J.D. enrollment of recent years. At the same time, the law student population is undergoing transformation, with international students occupying an increasing proportion of J.D. and non-J.D. degree programs. Separately, law schools have lost ground in the content of J.D. degree programs to new initiatives emanating from state Bar regulators, the ABA's Section on Legal Education and Admission to the Bar, and market forces affecting both applicants and prospective employers. These changes are especially challenging for international students (whether J.D., LL.M. or other) because of immigration regulations, and other factors impacting the international student population.

This panel will consider the ways in which law schools do and should educate students to participate in an increasingly interconnected world, whether the students identify as domestic or international, and regardless of the degree program they pursue.

COMMITTEE SPONSOR:

International Legal Education & Specialist Certification

COMMITTEE CO-SPONSOR:

Foreign Legal Consultant; International Litigation; International Pro Bono; Law Student, LLM, and New Lawyer Outreach; Transnational Practice Management; U.S. Lawyers Abroad; Young Lawyers International Network (YIN)

PANEL CHAIRS:

William P. Johnson, Saint Louis University School of Law, St. Louis, MO

Carole Silver, Northwestern Pritzker School of Law, Chicago, IL

MODERATOR:

Carole Silver, Northwestern Pritzker School of Law, Chicago, IL

SPEAKERS:

Stephen Denyer, The Law Society, London, UK

Khary D. Hornsby, University of Minnesota Law School, Minneapolis, MN

Hon. Gregory E. Mize, Judicial Fellow, National Center for State Courts, Williamsburg, VA

Darrell G. Mottley, Banner & Witcoff, Ltd., Past President, The District of Columbia Bar; Chair of District of Columbia Bar Global Legal Practice Task Force, Washington, DC

Wendy Perdue, University of Richmond School of Law, Richmond, VA

11:00 AM–12:30 PM

**I'M JUST LIKE YOU: USING MEDIA TO
ADVANCE THE INCLUSION OF PEOPLE WITH
DISABILITIES INTO MAINSTREAM SOCIETY**

The United Nation's Convention on the Rights of Persons with Disabilities has been ratified by more than 160 countries in the last 10 years. However, social norms and attitudes about disability have hampered its effectiveness. Learn about the evolution of these laws in various countries and the efforts to broaden their application. Listen to our panel of international human rights lawyers and journalists exchange ideas about international initiatives using the media to change public opinion and attitudes, to create an environment of inclusiveness for people with disabilities into mainstream society, and to increase compliance with these laws.

COMMITTEE SPONSOR:

Diversity

PANEL CHAIR:

Jill Mariani, New York County District Attorney's Office, New York, NY

MODERATOR:

Jill Mariani, New York County District Attorney's Office, New York, NY

SPEAKERS:

Day Al-Mohamed, Office of Disability Employment Policy, U.S. Department of Labor, Washington, DC

Kristin Gilger, National Center on Disability and Journalism; Walter Cronkite School of Journalism and Mass Communication; Phoenix, AZ

Beth Haller, Towson University, Towson, Maryland

Janet Lord, Harvard Law School Project on Disability, Baltimore, MD

Gene Policinski, Newseum Institute; Institute's First Amendment Center, Washington, DC

11:00 AM–12:30 PM

**INNOVATION—THE KEY TO A STRONG
ECONOMY: A DISCUSSION OF IMMIGRATION
AND TAX POLICIES TO ENCOURAGE THE
DEVELOPMENT OF AN INNOVATIVE ECONOMY**

As the world continues its shift to a knowledge-based economy, with a focus on services, competition for the best and brightest minds is intensifying. Long-term economic competitiveness requires companies to effectively attract the best minds, move service providers and employees across borders and ensure that domestic companies can compete internationally. Governments from around the world have introduced tax initiatives and immigration policies to help incentivize innovation and allow for movement across borders. The focus of this presentation is on the unique tax and immigration incentives offered by several major economies to encourage domestic R&D, and attract and retain talent. Panelists will analyze and discuss the incentives offered by each country, identifying successful policies and areas of improvement and where appropriate, discuss the actual or potential impact of the trade agreements.

COMMITTEE SPONSOR:

Canada

COMMITTEE CO-SPONSOR:

Immigration and Naturalization; International Tax; Mexico

PANEL CHAIRS:

Sunita Doobay, TaxChambers LLP, Toronto, Canada

Sergio R. Karas, Karas Immigration Law Professional Corporation, Toronto, Canada

MODERATORS:

Sunita Doobay, TaxChambers LLP, Toronto, Canada

Sergio R. Karas, Karas Immigration Law Professional Corporation, Toronto, Canada

SPEAKERS:

Carlos Ferrer Haro, Cuatrecasas, Gonçalves Pereira, Madrid, Spain

Graeme D. Kirk, Gross & Co, London, UK

Dianne C. Mehany, Caplin & Drysdale, Washington, DC

Marcela Stras, Cozen O'Connor, Washington, DC

11:00 AM–12:30 PM

**A BRAVE NEW WORLD: HOW ENHANCED MERGER
REVIEW IS CHANGING MERGER PLANNING**

Over the last years, economies throughout the world have undergone economic crisis, market bubbles, the appearance of new national champions and an overall concentration in certain specific markets. These new realities have challenged enforcers to evolve their review process for mergers in new, fast-evolving economies that may not be suitable for review under old rules. Enhanced reviews by regulators is also ushering a new era for merger control planning, in which companies have to start planning filing strategies with a much greater degree of complexity than ever before. Practitioners must understand the key rationales and priorities held by each jurisdiction in order to prepare an efficient (and timely) merger strategy. Join us for a discussion with experts from around the globe on the key issues to take into account when developing an international merger control planning strategy. Different jurisdictions, different priorities, different rules, different cultures and different regulators demand the need for a global review.

COMMITTEE SPONSOR:

International Antitrust Law

COMMITTEE CO-SPONSORS:

China; Europe; International Corporate Counsel

PROGRAM CHAIRS:

Michael H. Byowitz, Wachtell, Lipton, Rosen & Katz, New York, NY

Alfredo O'Farrell, Marval, O'Farrell & Mairal, Buenos Aires, Argentina

MODERATOR:

Alfredo O'Farrell, Marval, O'Farrell & Mairal, Buenos Aires, Argentina

SPEAKERS:

Michael H. Byowitz, Wachtell, Lipton, Rosen & Katz, New York, NY

Charlesa Ceres, United Technologies Corporation, Farmington, CT

Claire Jeffs, Slaughter & May, London, UK

Susan Ning, King & Wood Mallesons, Beijing, China

11:00 AM–12:30 PM

**CROSSING THE LINE: THE LAW OF
WAR AND CYBER ENGAGEMENT**

In a world characterized by changing forms of international conflict and advancements in technology, do traditional rules of engagement apply to new battlefields? As part of the evolving methods of engagement and the laws governing international conflicts, are new questions presented which require innovative applications of the traditional rules of armed conflict? Do the laws of armed conflict apply to cyberspace? If so, how and in what context do they apply? When do cyber operations constitute an "armed attack" or "use of force" pursuant to international law and Article 51 of the UN Charter? When

are those engaged in cyber operations “belligerents” or “combatants” pursuant to such laws? When are cyber operations subject to domestic jurisdiction under national legal regimes, or alternatively, when does international law govern these operations? Which legal regimes are to be applied (*e.g.*, criminal/espionage/sabotage or the law of armed conflict)? How are non-state actors (*i.e.*, hackers or hacker groups) conducting information gathering or denial operations (*e.g.*, DoS or DDoS) to be addressed? Our seasoned panel of experts will engage the audience and shed light on these and other pressing questions through the prism of contemporary international law.

COMMITTEE SPONSOR:
National Security

COMMITTEE CO-SPONSORS:
Export Controls and Economic Sanctions;
International Trade

PANEL CHAIRS:
Jonathan M. Meyer, Attorney at Law, New York, NY
Philip D. O'Neill, International Arbitrator, Adjunct Professor, Boston, MA

MODERATOR:
Jonathan M. Meyer, Attorney at Law, New York, NY

SPEAKERS:
Abigail Cotterill, Miller & Chevalier Chartered, Washington, DC
Maj. Gen. Charles J. Dunlap, Jr., USAF (Ret.), Center on Law, Ethics and National Security, Duke University School of Law, Durham, NC
Sandra L. Hodgkinson, Leonardo N.A. and DRS Technologies, Arlington, Virginia
Philip D. O'Neill, International Arbitrator, Adjunct Professor, Boston, MA
Ruth Wedgwood, John Hopkins School of Advanced International Studies, Washington, DC

12:45 PM–2:15 PM
LUNCHEON WITH SUPREME COURT JUSTICE
SAMUEL ALITO

TICKETED EVENT—\$85



Justice Alito Ron Cass

Join us for a dynamic conversation with U.S. Supreme Court Justice Samuel Alito, Jr., and Ron Cass (a member of our Council and Dean Emeritus of Boston University School of Law). Dean Cass will engage Justice Alito in conversation on a range of topics respecting the Court, the law, and the Justice's experiences. Justice Alito has served for more than a decade on the U.S. Supreme Court, following work in the U.S. Attorney's office for New Jersey and in the U.S. Department of Justice, and sixteen years as a Circuit Judge on the U.S. Court of Appeals for the Third Circuit. He is the second Italian-American to be appointed to the Supreme Court. Justice Alito is a graduate of Princeton University's Woodrow Wilson School of Government and Yale Law School (where he was an editor of the Yale Law Journal) and clerked for Judge Leonard Garth of the Third Circuit. Among his appointments, Justice Alito was Assistant U.S. Attorney, Assistant to the Solicitor General, and Deputy Assistant Attorney General before becoming the U.S. Attorney for New Jersey, the position he held when President George H.W. Bush appointed him to the Court of Appeals in 1990. President George W. Bush nominated him to be an Associate Justice of the Supreme Court in October, 2005, and Justice Alito assumed his seat on the Court in January 2006.

2:30 PM–4:00 PM
LAWYERS' OBLIGATIONS AND LIABILITY IN
POST-PANAMA PAPERS WORLD (ETHICS)

Scandals such as the Panama Papers have made the public and governments increasingly aware of changing transparency and tax sharing regimes. This reality, combined with use of often elaborate corporate structures raises important questions of legal obligation and liability for lawyers and law firms. Sometimes the elaborate structures are used for illicit purposes. Other times they are not. In any event, what are the lawyer's due diligence, reporting and other obligations with respect to the client, its source of funding and the nature and purpose of a proposed transaction under applicable ethical rules and law? What are the consequences—civil, criminal and practical—for failing to ask the right questions and for failing to verify information? How does multi-jurisdictional nature of many businesses complicate the lawyer's investigation? What do ethics rules require and, where lawyers have been convicted, what charges were held against them, and on what grounds? What can lawyers in different jurisdictions learn from one another in terms of best practices and risk management?

Our panel will discuss and compare legal and ethics standards in various jurisdictions, instances of lawyer reprimand and, at times, conviction, as well as current best practices in this area. We will discuss and compare legal and ethics standards in a variety of jurisdictions. Our panel's discussion will start from concrete instances of lawyer reprimand and, at times, conviction. The discussion will focus on facts: what did a lawyer specifically do or fail to do? Who was the client and what was the transactional context? From then, our panel will discuss some of the relevant differences in the ethical rules and regulations of the countries represented with a view to share current best practices in this area.

COMMITTEE SPONSOR:

International Ethics

PANEL CHAIRS:

Raphael Dalmas, Astura, Paris, France

Eric Kuhn, Becker Glynn, New York, NY

Elena Norman, Young Conway Stargatt & Taylor, Wilmington, DE

MODERATOR:

Eric Kuhn, Becker Glynn, New York, NY

SPEAKERS:

Raphael Dalmas, Astura, Paris, France

Eric Kuhn, Becker Glynn, New York, NY

2:30 PM–4:00 PM

BREXIT. WHAT DOES IT MEAN? WHAT LIES AHEAD? WHAT DO I NEED TO KNOW TO DRAFT A MORE BREXIT PROOF CONTRACT?

On June 23, 2016 the UK public voted in favor of leaving the European Union in a historic referendum. Although the referendum is advisory and UK parliament needs to vote on whether or not to trigger the Article 50 notice to withdraw in the Treaty of the European Union, the impact of this referendum has caused great uncertainty for financial markets, individuals, companies and law firms across the world as to the impact on the legal framework in the coming years. Will the UK parliament vote against Brexit so that Article 50 is never triggered? Will the UK opt for a "Brexit Light" so that the UK retains close ties to the European Economic Area by way of a Norwegian or Swiss model? Or will the UK opt for a "Hard Brexit," as has been suggested recently, and try to negotiate separate trade agreements in the two year notice period after Article 50 is triggered? These questions and basic uncertainties about the UK's concrete intentions for Brexit means that it is almost impossible to predict the legal implications and effects of Brexit in the coming years. Our panel, which includes high profile experts from the UK and Europe, will discuss the advisory nature of the referendum and the recent High Court and Supreme Court cases ruling on the process for a Brexit, the various Brexit models and the types of legal consequences to consider when advising your clients on Brexit or trying to draft a Brexit proof contract, covering topics such as contracts and dispute resolution. Join us to remain vigilant as the situation develops and keep you apprised of all updates.

COMMITTEE SPONSOR:

Europe

COMMITTEE CO-SPONSORS:

International Trade; International M&A Joint Venture

Panel Chair:

Mattia Colonnelli de Gasperis, Colonnelli de Gasperis Studio Legale, Milan, Italy

Nancy Matos, Deloitte Legal, Amsterdam, Netherlands

MODERATOR:

Nancy Matos, Deloitte Legal, Amsterdam, Netherlands

SPEAKERS:

Mattia Colonnelli de Gasperis, Colonnelli de Gasperis Studio Legale, Milan, Italy

Richard Fuller MP, Bedford, UK

Jeffrey Golden, P.R.I.M.E. Finance / 3 Hare Court, London, UK

David Greene, Edwin Coe LLP, London, UK

2:30 PM–4:00 PM

THE PUSH FOR AN INTERNATIONAL BINDING INSTRUMENT ON BUSINESS AND HUMAN RIGHTS

The United Nations Guiding Principles on Business and Human Rights (UNGPs) were unanimously endorsed by the UN Human Rights Council in 2011 and were endorsed by the ABA in 2012. These principles affirm that businesses have a responsibility to respect human rights and that States have a duty to ensure that they do so by taking "appropriate steps to prevent, investigate, punish, and redress[business-related human rights] abuse through effective policies, legislation, regulation, and adjudication." In June 2014, the UN Human Rights Council took its first steps beyond the UNGPs by passing a resolution to establish an Inter-Governmental Working Group (IGWG) to negotiate toward an internationally binding treaty on business and human rights. This development came after strong advocacy from several key governments, as well as a group of NGOs that have formed a coalition called the Treaty Alliance. Since the passage of the resolution, the Treaty Alliance and other NGO communities have continued to lead discussions and debates on what a business and human rights treaty might contain and who would be bound under its terms. This panel will explore the distinct role of NGOs and attorneys in driving this international agenda forward, address the challenges and solutions and will facilitate multi-stakeholder dialogue on the feasibility and utility of an internationally binding legal instrument that aims to address business-related human rights harms. Knowledgeable speakers in the human rights and business field will share their experiences participating in the international forums, discuss contributions that can be made by legal professionals both experienced and new to the field, and discuss strategies for a path forward.

COMMITTEE SPONSORS:

Corporate Social Responsibility; NGO & Not-for-Profit Organizations

COMMITTEE CO-SPONSORS:

International Corporate Counsel; UN and International Organizations; International Human Rights

PANEL CHAIRS:

Sara Blackwell, Shift, New York, NY

Theresa Forbes, U.S. Department of Treasury, Washington, DC

Jessica Horwitz, Bennett Jones LLP, Toronto, Canada

MODERATOR:

Theresa Forbes, U.S. Department of Treasury, Washington, DC

SPEAKERS:

Milos Barutciski, Bennett Jones LLP, Toronto, Canada

Bennett Freeman, Business for Social Responsibility, San Francisco, CA

Dominic Renfrey, ESCR-Net, New York, NY

Cindy Woods, International Corporate Accountability Roundtable (ICAR), Washington, DC

2:30 PM–4:00 PM

THE STRUCTURING OF ASSETS IN A TAX TRANSPARENT ENVIRONMENT—HOW TO FACE CURRENT AND FUTURE INTERNATIONAL TRANSPARENCY REQUIREMENTS

The current worldwide tendency is that jurisdictions aim for an increasing transparency regarding the income and assets of private as well as corporate taxpayers. During this session, the speakers will address the international developments of transparency and its consequences. What transparency requirements and regulations do we have to take into account when advising our clients? And perhaps more importantly, how can the rule of law be upheld in a tax transparent environment?

Presented in Conjunction with



INTERNATIONAL ASSOCIATION
OF YOUNG LAWYERS

PANEL CHAIR:

Johan Myrén, Advokatfirman Lindahl, Gothenburg, Sweden

MODERATOR:

Johan Myrén, Advokatfirman Lindahl, Gothenburg, Sweden

SPEAKERS:

Johan Myrén, Advokatfirman Lindahl, Gothenburg, Sweden

Jose Rubens Scharlack, Scharlack - Legal Business Solutions, São Paulo, Brazil

2:30 PM–4:00 PM

YOU WANT TO RELY ON MY WHAT? RELIANCE LETTERS AND RELEASE LETTERS IN M&A TRANSACTIONS

Frank Zappa said, “sometimes you have to rely on a giraffe filled with whipped cream.” Though “reliance” plays a role in the M&A world, nobody has to rely on giraffes filled with whipped cream in that world. Instead, buyers or financing banks in M&A transactions, as part of their decision-making process, will often rely on due diligence reports (or aspects of such reports) that were prepared by advisors of other parties to the transaction. Though the use of reliance letters is not unusual in the United States, they are still in their infancy—or seen in a different light—in many other jurisdictions. This panel will discuss not only to what extent due diligence findings may be relied upon by another party in various jurisdictions in Asia and Europe, and the (potential) consequences to the provider of the report, but also how providers of such reports may minimize their potential liability.

COMMITTEE SPONSOR:

Europe

COMMITTEE CO-SPONSORS:

Asia/Pacific; International M&A Joint Venture

PANEL CHAIRS:

Mattia Colonelli de Gasperis, Colonnelli de Gasperis Studio Legale, Milano, Italy

Jorg Rehder, Shiedermair Rechtsanwaelte, Frankfurt, Germany

MODERATOR:

Jorg Rehder, Shiedermair Rechtsanwaelte, Frankfurt, Germany

SPEAKERS:

Anthony Choi, Yulchon LLC, Seoul, Republic of Korea

Linda Crow, Duane Morris LLP, London, UK

Hermann Knott, Luther Rechtsanwaelte, Cologne, Germany

Michele Maney, Venable LLP, New York, NY

2:30 PM–4:00 PM

BREXIT AND THE FUTURE OF EUROPE— AN OVERVIEW

The vote in favor of Brexit on June 23, 2016 raises numerous issues for international counsel. Once the UK exits the EU, the free trade agreements held by the EU will no longer apply to the UK. How will existing and embedded cross-border relationships and transactions in goods, services, persons, and capital evolve? Will the 1.8 million UK nationals who are resident and working in the EU, or the 3 million EU nationals who are resident and working in the UK, be pawns in a great diplomatic chess game driven by considerations of cross-border capital flows and new customs duties? Will a new border “wall” be erected between the EU and the UK. A panel consisting of some of the high level observers in the debate compare the EU perspective with that of the UK.

COMMITTEE SPONSOR:

International Commercial Transactions, Franchising and Distribution

COMMITTEE CO-SPONSOR:

International Intellectual Property Rights

PANEL CHAIR:

Daniel McGlynn, SolAero Technologies Corp., Albuquerque, NM

MODERATOR:

Daniel McGlynn, SolAero Technologies Corp., Albuquerque, NM

SPEAKERS:

Simon Lester, The Cato Institute, Washington, DC

Philip Lowe, FTI Consulting, London, UK

Jonathan Portes, National Institute for Economic and Social Research, London, UK (invited)

Caroline Vicini, European Commission Delegation to the U.S., Washington, DC

4:00 PM–4:30 PM NETWORKING BREAK

4:00 PM–5:00 PM BOOKS BOARD MEETING

Our Section’s Books Board meets periodically to assess book proposals, formulate feedback to aspiring authors and editors, guide the progress of book marketing, and propose recommendations regarding publication initiatives. Our Section’s Publications Officer, Patrick Del Duca, extends an open invitation for you to attend this meeting. If you already are a published Section author, if you would like to become a Section author, if you would like to advance the work of your Committee by involving it in Section Publications, or if you simply are curious about the publication process, please join us.

4:30 PM–6:00 PM

A DIALOGUE WITH VALERIE PLAME (NON-CLE)

A former operations officer of the United States Central Intelligence Agency (CIA), and the wife of former Ambassador Joseph C. Wilson, Valerie Plame was the subject of the 2003 Plame affair, also known as the CIA leak scandal, when Plame had her identity as covert officer of the CIA leaked to the press by members of the George W. Bush administration and subsequently made public. Plame has written a memoir detailing her career and the events leading up to her resignation from the CIA. Jonathan Granoff, Chair of the Section's Task Force on Nuclear Nonproliferation, will ensure a lively in depth conversation.

4:30 PM–6:00 PM

EU-UK CROSS BORDER VERTICAL RESTRICTIONS AND COMPETITION LAW AFTER BREXIT

Following the exit of the UK from the EU, cross-border transactions in goods and services between the UK and the EU will never be the same. How can currently existing business arrangements be modified to accommodate and allocate risk between parties in view of presently unforeseeable modifications to market access principles? How will competition law principles, such as in connection with vertical restrictions for marketing products across the UK-EU borders be affected? How should international transaction contracts be drafted to cover and allocate risks to as yet unknown but very foreseeable seismic shifts in market access, tariffs, trade barriers, and the freedom of movement of employees between the UK and the EU?

COMMITTEE SPONSOR:

International Antitrust Law

COMMITTEE CO-SPONSOR:

International Intellectual Property Rights

PANEL CHAIR:

Daniel McGlynn, SolAero Technologies Corp., Albuquerque, NM

MODERATOR:

Aline Doussin, Squire Patton Boggs, London, UK; Brussels, Belgium

SPEAKERS:

Aline Doussin, Squire Patton Boggs, London, UK; Brussels, Belgium

Katrin Gassner, Freshfields, Dusseldorf, Germany

Kai-Uwe Kuhn, Center for Competition Policy, University of East Anglia, Norwich, UK

Ingrid Vandendorpe, Skadden Arps, Brussels, Belgium

4:30 PM–6:00 PM

FINANCIAL CRISIS REFORM...OR A FINANCIAL CRISIS/MISSED OPPORTUNITY'?

Remember the financial crisis and how close world markets came to falling off the edge? Remember the failing central banks in need of immediate cash liquidity? How about rogue financial institutions caught playing the capital markets like they were a Vegas gambling hall? Banks too big to fail? Quantitative easing? Governments owing financial institutions? Yes, that crisis. So how did we do in making sure none of that troubled activities ever occurs again? Hear the latest scorecard on financial reform throughout the world—the good, the bad and the really bad.

COMMITTEE SPONSOR:

International Financial Products and Services

COMMITTEE CO-SPONSORS:

Europe; International Commercial Transactions; International M&A Joint Venture; International Securities and Capital Markets; International Corporate Counsel

PANEL CHAIRS:

Ronald Filler, New York Law School, New York, NY

Alan B. Rabkin, Nevada Bankers Association, Reno, NV

MODERATOR:

Ronald Filler, New York Law School, New York, NY

SPEAKERS:

Hon. Sharon Bowen, Commissioner, U.S. Commodity Futures Trading Commission, Washington, DC

Annette Nazareth, Davis Polk & Wardwell LLP, Washington, DC

Kenneth Raisler, Sullivan & Cromwell, New York, NY

4:30 PM–6:00 PM

CLASS IN SESSION: THE EMERGING GLOBAL PRESENCE OF CLASS ACTIONS

Many non-U.S. companies, including Japanese companies, are being forced to become involved in class actions in the U.S. U.S. class action procedures are materially different from procedures followed for similar multiple-party actions in other jurisdictions. This makes it very difficult for companies from abroad to prepare for and even fundamentally understand such matters in the U.S. as class “certification,” discovery and settlement processes. The scale of legal costs associated with U.S. class actions is also a rude surprise. At the same time, countries that have introduced a class action system in their legal regime are on the increase. Speakers from around the globe will offer comparative perspectives on these challenges and differences so practitioners can understand how to help international companies better prepare for and manage class actions in the U.S. and beyond.

Presented in Conjunction with



PANEL CHAIRS:

Yoshimichi Makiyama, Kitamura & Makiyama, Tokyo, Japan

Sara Sandford, Garvey Schubert Barer, Seattle, WA

MODERATOR:

Yoshimichi Makiyama, Kitamura & Makiyama, Tokyo, Japan

SPEAKERS:

Susan Burns, Susan Burns, LLC, Minneapolis, MN

Kieran Cowhey, Dillon Eustace, Dublin, Ireland

Yoshimichi Makiyama, Kitamura & Makiyama, Tokyo, Japan

Tomokazu Otaka, Nakamoto & Partners, Osaka, Japan

4:30 PM–6:00 PM

SHOW ME THE MONEY: REP AND WARRANTY INSURANCE AS AN ALTERNATIVE TO ESCROWS AND HOLDBACKS

The program will deal with the following questions: How does warranty and indemnity insurance work? When do you encounter/when do you need it? What practical difficulties are associated with such insurance and what impact does it have on an M&A deal?

COMMITTEE SPONSOR:

International M&A Joint Venture

COMMITTEE CO-SPONSORS:

Latin America & Caribbean Committee; International Private Equity; Young Lawyers Interest Network (YIN)

PANEL CHAIRS:

Florian S. Jorg, Bratschi Weiderkehr & Buob, Zurich, Switzerland

Fabian Pal, Holland & Knight, Miami, FL

MODERATOR:

Florian S. Jorg, Bratschi Wiederkehr & Buob AG, Zurich, Switzerland

SPEAKERS:

Navine Aggarwal, Ironshore Inc., New York, NY

David Barkus, Holland & Knight, Miami, FL

Matthew Heinz, Aon Risk Services Northeast, Inc., New York, New York, NY

Jill Kerxton, Aon Risk Services Northeast, Inc., New York, NY

Aartie Manansingh, Ironshore Inc., New York, NY

4:30 PM–6:00 PM

HOW TO SELL A NON-U.S. BUSINESS TO A U.S. PUBLIC COMPANY

A number of factors, including cash laden corporate balance sheets, a strong U.S. dollar and a growing economy, contribute to an appetite of U.S. based companies for M&A opportunities outside the U.S. This of course creates potentially exciting selling opportunities for owners of non-U.S. businesses. However, dealing with a U.S. buyer, particularly one that is publicly owned, entails certain unique challenges arising from U.S. regulatory, securities law and other legal requirements as well as the expectations of U.S. corporate buyers. This panel will

explore a number of those challenges (with a focus on current hot topics) and will offer suggestions for coping with them.

COMMITTEE SPONSOR:

International M&A Joint Venture

PANEL CHAIR:

Joe Basile, Foley Hoag LLP, Boston, MA

MODERATOR:

Joe Basile, Foley Hoag LLP, Boston, MA

SPEAKERS:

Laura Lavia Haidempergher, M. & M. Bomchil, Buenos Aires, Argentina

Zia Mody, AZB & Partners, Mumbai, India

Sean P. Moylan, United Technologies Corporation, Hartford, CT

Yan Pecoraro, Portolano Cavallo Studio Legale, Milan Italy; New York, NY

6:00 PM–7:30 PM

NETWORKING RECEPTION

Wind down your day with a reception immediately following programing. This reception provides attendees with a great opportunity for follow-up to panels, further networking or just a relaxing hour and a half enjoying time with your international colleagues.

One ticket per person is included as part of your Spring Meeting inclusive registration fee; additional tickets may be purchased online.

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IMMIGRATION

We help international lawyers and law firms get visas to work in the U.S. in the H1B, L1 & E2 categories - as well as establish U.S. offices.

For Individuals, we obtain H1B visas, family-based immigration, fiancé visas, asylum, work permits, naturalization, and citizenship. We handle EB1 expedited green cards for aliens of extraordinary ability in the sciences, arts, education, business and athletics.

On the business side, we handle all types of non-immigrant visas including E1/E2 treaty traders and investor visas, H1B visas, L1 intra company transfer visas, O, P, foreign professionals, and multinational managers. We also handle EB5 investor green cards.

Our knowledge of international legal, regulatory and policy issues allows us to provide our clients with strategic advice and effective and efficient immigration solutions to assist them in achieving and maintaining a competitive edge in the global marketplace.

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7:00 AM–6:30 PM MEETING REGISTRATION OPEN

8:00 AM–8:50 AM CONTINENTAL BREAKFAST & COMMITTEE BREAKFAST MEETINGS

The Section's more than sixty (60) substantive committee are its driving force for policy, publications, and policy and are the easiest way to get involved with the Section of International Law. Join us to learn more about the Section's committees and their activities, as well as opportunities to become more active in the committees and the Section.

9:00 AM–10:30 AM “HAS THE LEGAL PROFESSION LOST ITS MORAL COMPASS?” THE PANAMA PAPERS, LAWYERS’ PROFESSIONAL ETHICS AND DUE DILIGENCE OBLIGATIONS (ETHICS)

Following the publication of the Panama Papers, the New York Times ran a story, Panama Papers Show How Lawyers Can Turn a Blind Eye, describing the role of lawyers in setting up shell companies and offshore bank accounts “while turning a blind eye to possible violations of law.” Reflecting on the role of lawyers in Panama Papers-related events and other controversial affairs—including as portrayed in the January 2016 60 Minutes segment, Anonymous Inc., that featured undercover footage of lawyers apparently willing to act on behalf of a corrupt foreign official in need of moving and sheltering (illicitly gained) funds—the article posited a question: “Has the legal profession lost its moral compass?”

Did the Times ask the right question? Are moral and professional obligations the same? Should they be?

This program will explore relevant ethics questions relevant to the role of lawyers and the extent of their professional and moral obligations. Among other rules, we will explore ABA Model Rule of Professional Conduct 1.2(d), which was discussed in the Times article and provides that a lawyer should “not counsel a client to engage, or assist a client in conduct that the lawyer knows is criminal or fraudulent.” In addition, this program will examine whether and to what extent lawyers in the United States should, like covered financial institutions and their European counterparts in the legal profession, be obligated to “know their clients” and report suspicious transactions, including from the perspective of the Financial Action Task Force (FATF) which has recommended that the United States apply “appropriate anti-money laundering/counter-terrorism financing obligations” to lawyers.

COMMITTEE SPONSOR:
Middle East

COMMITTEE CO-SPONSORS:
International Anti-Money Laundering; International Anti-Corruption; International Private Client; Europe; Asia/Pacific; Russia/Eurasia; China; Africa; International Ethics

PANEL CHAIR:
Hdeel Abdelhady, MassPoint Legal and Strategy Advisory PLLC, Washington, DC

MODERATOR:
Hdeel Abdelhady, MassPoint Legal and Strategy Advisory PLLC, Washington, DC

SPEAKERS:

Robert Bourns, President, Law Society of England and Wales, London, UK

Geoffrey Hazard, University of California Hastings College of the Law, San Francisco, CA

Hon. James Robertson, Mediator and Arbitrator, JAMS, Judge (Ret.), U.S. District Court for the District of Columbia, Former President, District of Columbia Bar, Washington, DC

Kevin Shepherd, Venable LLP and American Bar Association Board of Governors Liaison to American Bar Association Task Force on Gatekeeper Regulation and the Profession, Washington, DC

Gary Sutton, Senior Legal Advisor for Financial Crime, Office of General Counsel, U.S. Department of the Treasury, Washington, DC

9:00 AM–10:30 AM EXTRATERRITORIAL REACH: ARE THERE NO LIMITS?

The program will address extraterritorial reach and whether there are limits on such for ambiguity in the laws of countries, the reasonable standard in U.S. Supreme Court antitrust decisions, and the various means to prescribe conduct outside the U.S. and the resulting common conflicts among allied nations in export controls and economic sanctions (ECES) related to Iran, Russia, Cuba, terrorism, proliferation, and national security. Presenters will discuss practical issues the courts should address further, such as return of blocked funds to innocent parties the risks to compliant commercial firms by unpublished blocking directions to banks, and the deference the courts should give to a unilateral ECES when in conflict with an allied nation. The panel will also address the shift in legal standards for extraterritorial reach under the Fourth Restatement of Foreign Relations Law of the United States. Speakers will give the perspective of targets of ECES in other countries.

COMMITTEE SPONSOR:
Export Controls & Economic Sanctions

COMMITTEE CO-SPONSORS:
National Security; International Trade; International Anti-Money Laundering; Aerospace & Defense Industries

PANEL CHAIRS:
Larry Christensen, Miller & Chevalier, Washington, DC
Geoffrey M. Goodale, Trade Law Advisors, PLLC, Washington, DC

MODERATOR:
Matthew Kronby, Bennett Jones, Toronto, Canada

SPEAKERS:
Anna Bradshaw, Peters and Peters, London, UK
Larry E. Christensen, Miller & Chevalier Chartered, Washington, DC

Austen L. Parrish, Indiana University Maurer School of Law, Bloomington, IN

Tessa Van Roomen, Jones Day, Amsterdam, Netherlands

9:00 AM–10:30 AM U.S. MEASURES TO COMBAT HUMAN TRAFFICKING; RESPONSES IN THE CORPORATE WORLD

In light of the global trend of implementing measures to counter human trafficking, this panel discussion will focus on U.S. efforts in this area. U.S. law prohibits the importation of merchandise mined, produced or manufactured in whole or in part, by forced labor. In February 2016, Congress eliminated a consumptive demand exception to the import ban. In the following months, there was a significant increase in instances of

enforcement of this law. CBP also established a Taskforce to identify potential violations, and announced that it would revise its regulations to correspond with the change. The panel will bring together public and private sector personnel to discuss enforcement of the ban in the past year and prospective cases, the decision-making process employed in such cases, and measures companies have taken in response to enhance supply chain tracing and accountability.

COMMITTEE SPONSOR:

International Trade

COMMITTEE CO-SPONSORS:

International Human Rights; International Commercial Transactions, Franchising and Distribution; Middle East

PANEL CHAIRS:

Theresa Forbes, U.S. Department of Treasury, Washington, DC

Sahar Hafeez, Law Offices of Stewart and Stewart, Washington, DC

Brenda A. Jacobs, Sidley Austin LLP, Washington, DC

MODERATOR:

Sahar Hafeez, Law Offices of Stewart and Stewart, Washington, DC

SPEAKERS:

Eric Gottwald, International Human Rights Forum, Washington, DC

Alice Kipel, U.S. Customs and Border Protection, Washington, DC

Ariel Meyerstein, United States Council for International Business, Washington, DC

9:00 AM–10:30 AM

NEW GLOBAL FOREIGN SOVEREIGN IMMUNITY NORMS AND PRESSURES

Exactly when can foreign governments expect immunity from suit in national courts? A panel of distinguished practitioners and scholars will explore the extent to which states have moved away from absolute foreign sovereign immunity and major national law trends molding international foreign sovereign immunity law today. After exploring how contemporary state practice increasingly denies foreign sovereign immunity from the adjudication of disputes arising from governments' commercial activities, the panel will discuss how national state immunity laws, to a very large extent, continue to bar enforcement of judgments or arbitral awards against foreign states and, to a lesser degree, state-controlled entities. The panel will then examine two trends pushing international foreign sovereign immunity law in claimant-friendly direction—recent U.S. law protecting creditors' rights with regard to sovereign debt restructurings and national pressures for exceptions to immunity where states engage in terrorism and human rights violations, including the recent passage of the U.S. Justice Against Sponsors of Terrorism Act.

COMMITTEE SPONSOR:

International Litigation

COMMITTEE CO-SPONSOR:

International Arbitration

PANEL CHAIRS:

Natalie Meyer-Fabre, Meyer Fabre Avocats, Paris, France

Ernesto Sanchez, Law Offices of Ernesto J. Sanchez, Miami, FL

MODERATOR:

Ernesto Sanchez, Law Offices of Ernesto J. Sanchez, Miami, FL

SPEAKERS:

Natalie Meyer-Fabre, Meyer Fabre Avocats, Paris, France

Ernesto Sanchez, Law Offices of Ernesto J. Sanchez, Miami, FL

9:00 AM–10:30 AM

NAVIGATING THE STORMY WATERS: MAC CLAUSES, EARN OUT AND OTHER PROTECTIVE COVENANTS—DO THEY STAND THE TEST OF TODAY'S MACRO ECONOMIC AND POLITICAL CLIMATE

Threats to the stability of the financial system and markets, unexpected changes to the political framework and the fear of terrorism have continued to send shock waves through the M&A arena for the past decade. Parties have attempted to address the resulting uncertainties through MAC Clauses, Earn-Outs, variable purchase price mechanisms, and other protective structures. This panel will analyze how well they have fared and what courts have made of those attempts and will endeavor to draw conclusions for the drafting of future agreements.

COMMITTEE SPONSOR:

International M&A Joint Venture

PANEL CHAIR:

Ronald J. Meissner, Oppenhoff & Partner, Frankfurt, Germany

MODERATOR:

Ronald J. Meissner, Oppenhoff & Partner, Frankfurt, Germany

SPEAKERS:

Mike Hinchliffe, Addleshaw Goddard LLP, London, UK

Ronald J. Meissner, Oppenhoff & Partner, Frankfurt, Germany

Elena C. Norman, Young Conaway Stargatt & Taylor LLP, Wilmington, DE

9:00 AM–10:30 AM

BEHIND THE SCENES OF THE PETROBRAS SCANDAL (USA, SWITZERLAND & BRAZIL)

This program will focus new challenges in dealing with a criminal offenses in a transnational context. How does traditional mutual legal assistance become a true joint investigation? The panel will examine on the extensive collaboration between Brazil, Switzerland and the U.S. Switzerland has opened around 60 proceedings and seized assets with a total value of around USD 800 million. How is plea bargain used to aid asset recovery? When should mutual legal assistance not be granted? How should multiple proceedings and contacts with authorities (DOJ/Ministério Público Federal/Office of the Attorney General of Switzerland) be coordinated in order to find a global solution? This panel will seek to answer these questions and describe a team-oriented approach to address such coordination among external agencies.

COMMITTEE SPONSOR:

International Anti-Money Laundering

COMMITTEE CO-SPONSORS:

International Criminal Law; International Anti-Corruption

PANEL CHAIR:

Saverio Lembo, Bär & Karrer, Geneva, Switzerland

MODERATOR:

Raymond Banoun, Banoun Law PLLC, Washington, DC

SPEAKERS:

William A. Burck, Quinn Emanuel Urquhart & Sullivan LLP, Washington, DC

Adriana Dantas, BMA – Barbosa, Müssnich, Aragão, São Paulo, Brazil

Saverio Lembo, Bär & Karrer, Geneva, Switzerland

10:00 AM–5:00 PM
EXHIBITS OPEN

10:30 AM–11:00 AM
NETWORKING BREAK

11:00 AM–12:30 PM
**ENDANGERED SPECIES: PROTECTING LAWYER-
ACTIVISTS IN CHINA AND AROUND THE WORLD**

In July 2015, the Chinese government launched a crackdown on criminal defense and human rights lawyers that is ongoing and unprecedented in both scope and severity since the Cultural Revolution. Hundreds of Chinese lawyers have been ensnared in the Communist Party's dragnet—abducted, questioned, arrested, tortured, and/or disappeared—and now China has begun filing formal charges of subverting state power, punishable by life in prison. In repressive regimes, lawyers are targeted precisely because lawyers and law constitute the greatest danger to the rulers. Indeed, China is hardly the only authoritarian regime to target lawyers in an effort to exert control. Highlighting the plight of Chinese lawyers in particular, this multi-media presentation will explore how the legal community should respond in such cases, and the role of others in the global community, in light of basic principles of international human rights law and fundamental ethical obligations.

COMMITTEE SPONSOR:
International Criminal Law

COMMITTEE CO-SPONSOR:
Seasoned Lawyers Interest Network (SIN); International Human Rights; China; Middle East

PANEL CHAIRS:
Stephane de Navacelle, Navacelle Avocats, Paris, France
Rosa Lima, Rosa Lima PC, Albuquerque, NM
Cara Lee Neville, Benchmark National ADR, Minneapolis, MN

MODERATOR:
Nina Totenberg, National Public Radio (NPR), Washington, DC

SPEAKERS:
Henri J. Barkey, Woodrow Wilson International Center for Scholars, Washington, DC
Deborah Enix-Ross, Debevoise & Plimpton LLP, New York, NY
Martin S. Flaherty, New York City Bar Task Force on Persecuted Lawyers, New York, NY
Terence Halliday, Center on Law and Globalization, American Bar Foundation, Chicago, IL

11:00 AM–12:30 PM
PANAMA PAPERS REVISITED: ONE YEAR LATER

This panel will review the immediate and ongoing impact of the largest disclosure in history of documentary evidence that reveals global corruption in the use of offshore companies, entities, and accounts. The panel will discuss the ongoing investigations that have been triggered by the public disclosure in April 2016 of the Panama Papers, including the DOJ's investigation of the law firm Mossack Fonseca; a federal suit in Nevada by hedge fund NML Capital; the investigations in Africa of widespread use of offshore accounts to siphon and conceal funds; and aspects of the disclosure that has shed light on the FIFA scandal involving the international soccer federation.

COMMITTEE SPONSOR:
International Criminal Law

COMMITTEE CO-SPONSORS:
International Anti-Corruption; International Litigation; U.S. Lawyers Abroad

PANEL CHAIR:
Alexander Vesselinovitch, Freeborn & Peters LLP, Chicago, IL

MODERATOR:
Alexander Vesselinovitch, Freeborn & Peters LLP, Chicago, IL

SPEAKERS:
Stephane de Navacelle, Navacelle, Paris, France
Kim B. Nemirow, Ropes & Gray LLP, Chicago, IL
Shruti Shah, Transparency International-USA, Washington, DC
Will Fitzgibbon, International Consortium of Investigative Journalists, Washington, DC

11:00 AM–12:30 PM
**THE FIRST CASUALTY OF WAR: TRUTH—AND JUSTICE
—FOR THE “COMFORT WOMEN” OF WORLD WAR II**

Truth is the first casualty of war. Of World War II's darkest chapters, among the least well-known is that of “comfort women”—tens of thousands of Korean and other mostly Asian women forced into sexual slavery in Japanese military brothels, and raped dozens of times per day. For decades, Japan refused to acknowledge these atrocities, even dismissing the women as “ordinary prostitutes.” Efforts to white-wash history have strained Japan's relations with China and South Korea and fueled concerns in the U.S. In late 2015, Japan and South Korea announced a landmark agreement intended to resolve the issue. Prime Minister Abe offered an official apology and paid \$8.3 million to the Korean government for medical and other services for former “comfort women”—and South Korea agreed never to raise the issue again. But Korean “comfort women” contend the agreement sacrificed long-overdue justice for political expediency. And what about non-Korean victims? In this informative, multi-media presentation highlighting applicable international human rights principles and precedents, attendees will use anonymous polling technology to express their views.

COMMITTEE SPONSOR:
Women's Interest Network (WIN)

COMMITTEE CO-SPONSORS:
International Human Rights; Asia/Pacific; China; International Criminal Law; International Litigation; International Arbitration; International Mediation; International Courts; International Judicial Affairs; U.N. & International Organizations

PANEL CHAIR:
Hon. Delissa Ridgway, United States Court of International Trade, New York, NY

MODERATOR:
Hon. Delissa Ridgway, United States Court of International Trade, New York, NY

SPEAKERS:
Martin Fackler, Tokyo Bureau Chief, Tokyo, Japan
Hon. Mike Honda, U.S. House of Representatives, Washington, DC
Eli Rosenbaum, U.S. Department of Justice Human Rights and Special Prosecution, Washington, DC
Hon. Caroline Kennedy Schlossberg, U.S. Ambassador to Japan, Tokyo, Japan (invited)
Hon. Melanne Verwee, Georgetown Institute for Women, Peace, Security, Washington, DC

11:00 AM–12:30 PM

INTERNATIONAL TAX ISSUES IN M&A TRANSACTIONS: REAL PROBLEMS AND PRACTICAL SOLUTIONS

How do you know when you will have tax issues in your M&A deal? This program will focus on tax issues that arise in international M&A transactions, focusing on both U.S. inbound and outbound transactions. Panelists will discuss hypothetical case studies of common M&A transactions, enabling participants to obtain hands-on experience identifying and analyzing tax issues. Among the issues covered will be taxation of gains, deemed dividends, credits, and structuring for post-acquisition operations that are tax efficient. Although the Americas and Europe share many common cultural confluences, clients and business attorneys are often surprised at the differences between their home jurisdiction and other countries. The program is intended to be a practical nuts-and-bolts discussion of common structures and provisions in M&A transactions and how they are viewed on both sides the Atlantic. The program will include sample language for reps, warranties, indemnities and gross-ups on tax related issues.

COMMITTEE SPONSOR:
International Tax

COMMITTEE CO-SPONSOR:
International M&A Joint Venture; Europe; International Corporate Counsel; International Commercial Transactions, Franchising and Distribution

PANEL CHAIR:
Robert Misy, Reinhart Boerner Van Deuren, Chicago, IL and Milwaukee, WI

MODERATOR:
Robert Misy, Reinhart Boerner Van Deuren, Chicago, IL and Milwaukee, WI

SPEAKERS:
Pamela Fuller, The Gremminger Law Firm, Washington, DC

Herman Knott, Luther Rechtsanwalts-gesellschaft mbH, Cologne, Germany
Patrick Marley, Osler, Hoskin & Harcourt, Toronto, Canada
Robert Misy, Reinhart Boerner Van Deuren, Chicago, IL and Milwaukee, WI

11:00 AM–12:30 PM

ABS, VEREINS AND THINGS THAT GO BUMP IN THE NIGHT: THE ETHICAL AND PRACTICAL REALITIES OF CROSS BORDER PRACTICE AFTER DENTON'S (ETHICS)

On September 25, 2016, a federal court ruled in the District of Columbia that the *Dentons verein* is a separate legal entity through which its member components provide legal services, and therefore other members of the verein may be liable for breach of contract. *Dentons US LLP v. The Republic of Guinea*, No. 14-1312, 2016 U.S. Dist. LEXIS 130866 (September 25, 2016). *Dentons* of course is not the only law firm functioning across international borders in this manner. What is instructive about the decision is the court's rejection of the argument that the verein itself is not practicing law, and the need to plead agency theories and intervention by the other members of the verein. It also reflects the tension between marketing the one-stop global shop on the one hand, and the need to respect traditional concepts of separateness of legal entities. While careful drafting of engagement letters is of importance, the subsequent acts and involvement of the non-retained entity may undermine such drafting protections. On the pleadings before it, the decision is correct, and comports with traditional legal principles, but

should serve as a warning of the new vulnerability of the verein where counsel plead carefully and the verein's own advertising and public statements provide corroboration. The panel will discuss, in round table fashion, the developing methods for delivery of legal services across both civil and common law jurisdictions.

COMMITTEE CO-SPONSORS:
Transnational Practice Management; International Ethics

PANEL CHAIR:
Steven M. Richman, Clark Hill PLC, Princeton, NJ

MODERATOR:
Steven M. Richman, Clark Hill PLC, Princeton, NJ

SPEAKERS:
Rosemary Alito, KL Gates, Newark, NJ
Stephen Denyer, The Law Society of England & Wales, London, UK
Hans-Michael Giesen, Giesen Heidbrink, Berlin, Germany
Salli Anne Swartz, Artus Wise, Paris, France

11:00 AM–12:30 PM

A ROSE EST UNE ROSE ES UNA ROSA

The format of this program will be the examination of a non-native English speaking witness, both direct and cross, before a judge, with a focus on the use of translators in a situation where the witness is semi-fluent in English, and with a second focus on cultural mindsets which may affect the witness' perception and understanding of events. The direct and cross will be done in the context of a civil litigation matter. This will be followed by a round table discussion of experienced practitioners in international litigation, including in criminal proceedings where cultural differences are manifest.

COMMITTEE SPONSOR:
International Litigation

PANEL CHAIRS:
Robert Brodegaard, Brodegaard & Associates, New York, NY

Guy Lipe, Vinson & Elkins LLP, Houston, TX

MODERATOR:
Hon. Harvey Brown, Houston Court of Appeals, Houston, TX

SPEAKERS:
Robert Brodegaard, Brodegaard & Associates, New York, NY
Sarah Hines, New York County District Attorney's Office, New York, NY
Guy Lipe, Vinson & Elkins LLP, Houston, TX

12:45 PM–2:15 PM

LUNCHEON

**THE WASHINGTON THINK TANKS:
WHAT ARE THEY THINKING?**

The nation's capital is known as a source of exceptional policy research and thought leadership, especially in fields such as foreign affairs, global security and economic development. Not far from our ABA Section of International Law meeting venue lies an area dubbed "Think Tank Row." What actually goes on within these organizations, and what difference does it make? To find out, we have invited influential thinkers to join us for lunch. Through a lively exchange, we will explore the nature of their work and the challenges on the horizon. And we will seek their expert insights on the overall theme of our Spring Meeting—New Leaders, New Laws: 2017 and Beyond.

2:30 PM–4:00 PM

**WILL NON LEGAL SERVICES SAVE LAW FIRMS?
(NON-CLE)**

This program will focus on the practice of law in an ever more challenging environment and revolutionary changes affecting the legal market. On the client side, new generations of general counsels and in-house lawyers with in-depth understanding of law firms operations and intense demand from their management to both foster more comprehensive services delivered in-house and to better control legal costs are driving law firms to adapt what they offer and their business model. On the substantive side, traditional delivery of legal advice be it in the form of litigation, contract drafting and negotiation or legal counseling is being threatened by new solutions offered by digital tools which do not seem to have any limits. In that context, some law firms and bar organizations have started to react by setting up new legal services integrating a digital component. A handful of law firms have also started to add to their traditional offer of legal services, "new" products which may not always include a legal element or only in an ancillary fashion and new services such as consulting. In the long run, will law firms owe their survival to these new services and products? Expert speakers will share their experiences and will encourage discourse among attendees on best practices in handling the sophisticated/complex issues relating to the provision of non-legal services by law firms. This panel will assist lawyers in appreciating the new challenges to the traditional way of practicing law. Learning new ways of rendering legal services, keeping current with non-legal services which may be offered by law firms, sharing experience with others going through this process of change and training on how to implement the changes are the main features of this program.

COMMITTEE SPONSOR:

Transnational Practice Management

PANEL CHAIR:

Hermann Knott, Luther Rechtsanwaltsgesellschaft mbH, Cologne, Germany

Jean Claude Rivalland, Allen & Overy LLP, Paris, France

MODERATOR:

Jean Claude Rivalland, Allen & Overy LLP, Paris, France

SPEAKERS:

Renee Dopplick, ACM, Arlington, VA

Hanim Hamzah, ZICOLaw Network, Jakarta, Indonesia

Jean Claude Rivalland, Allen & Overy LLP, Paris, France

Scott D. Rechtschaffen, Littler Mendelson P.C., San Francisco, CA

2:30 PM–4:00 PM

**WHAT LIES AHEAD FOR NAFTA: ARE
UNILATERAL CHANGES ON THE HORIZON,
OR WILL LONG-STANDING, POSITIVE
ECONOMIC RELATIONSHIPS PREVAIL?**

It is highly probable that the economic and commercial relationships between members of NAFTA (Mexico, Canada and U.S.) will change over the next months. Thus, it is imperative to understand how and if, based on the law of each member country, NAFTA can be unilaterally changed, amended, reformed or exited. And, if a single member country, such as the U.S., abandons NAFTA, what are the implications for tri-lateral relations? How are maquiladoras affected? Will member countries change import tariffs? Are the executive branches of each member country legally permitted to make unilateral changes to tariffs? Our panelists are specialized attorneys in Foreign Trade, Customs and NAFTA and will share their opinion on the vehicles that each country has available to either prevent an amendment, reform or change in NAFTA or the exit of a party, and what the legal requirements are for a Country to exit NAFTA or to make a change.

COMMITTEE SPONSOR:

Mexico

COMMITTEE CO-SPONSORS:

Latin America & Caribbean; International Trade; Customs Law; Canada

PANEL CHAIRS:

René Mauricio Alva, EC Legal, Mexico City, Mexico

Susan Burns, Susan Burns LLC, Minneapolis, MN

MODERATOR:

Susan Burns, Susan Burns LLC, Minneapolis, MN

Nicolas Guzman, Drinkle Biddle & Reath LLP, Washington, DC

SPEAKERS:

Elana Bloom, Portfolio Arts Group LTD, New York, NY

Fernando Holguin-Casas, EC Legal, Mexico City, Mexico

Greg Kanargelidis, Blake, Cassels & Graydon, Toronto, Canada

Aristeo Lopez, Mexican Embassy, Washington DC

Laura Sierra, Alston & Bird LLP, Washington, DC

2:30 PM–4:00 PM

**AN INTERNATIONAL CONCERN OR A U.S. DOMESTIC
MATTER—PUERTO RICO A TALE OF SELF-
DETERMINATION OR UNFULFILLED ASPIRATIONS?**

Recent decisions by the U.S. Supreme Court and U.S. federal legislation place Puerto Rico's self-governing authority into question. Puerto Rico is neither a state of the U.S. nor an independent country. Puerto Rico's political leaders have gone to the UN seeking answers into the nature of their self-governing status in the eyes of the international community. After several decades of limited democratic participation, in 1952, a local constitution was drafted by the people of Puerto Rico and approved by the U.S. government. This effort granted a level of autonomy to the newly established Commonwealth. Under the UN Charter, member countries with responsibilities for the administration of territories had to report on the economic, social and educational conditions in the territory. The U.S. ceased to report on such conditions about the territory of Puerto Rico in 1953. Have the recent

U.S. government actions placed Puerto Rico in a position to be considered as a non-self-governing territory? Is this a purely domestic/internal concern of the U.S. or is this an international issue to be considered under the UN Charter? Could the Inter-American community consider the Puerto Rico question the next challenge in U.S.-Latin America relations?

COMMITTEE SPONSOR:

UN and International Organizations

COMMITTEE CO-SPONSOR:

Latin America and Caribbean Committee

PANEL CHAIRS:

Maximiliano Trujillo, MJT Policy Consulting, Washington, DC

MODERATOR:

Maximiliano Trujillo, MJT Policy Consulting, Washington, DC

SPEAKERS:

Rafael Cox Alomar, University of District of Columbia; David Clarke School of Law, Washington, DC

Rosa Celorio, Inter-American Commission on Human Rights, OAS; The George Washington University Law School, Washington, DC

Jeffrey D. Kovar, U.S. Department of State, Washington, DC (Invited)

2:30 PM–4:00 PM

BID PROTEST PRACTICE AND PROCEDURE IN THE U.S., CANADA AND EUROPE: HOW TO HELP YOUR CLIENTS GET A PIECE OF THE PUBLIC PROCUREMENT PIE

Government procurement spending in the U.S., Canada and Europe is at an all-time high. As a result, more and more clients are taking advantage of openness in the government procurement process to bid on government contract opportunities at home and abroad. To do so successfully, they need to navigate the increasingly complex bid protest procedures put in place by government to ensure openness and transparency. The stakes are high, since winning or losing a bid challenge can mean billions of dollars (or Euros) and can mean the difference between high and low utilization rates over several years. This roundtable discussion will weigh the advantages and pitfalls of bid challenge procedures in each of the United States, Canada and Europe and provide practical tips as to how clients can use the process to ensure their share of the procurement pie.

COMMITTEE SPONSOR:

International Procurement

COMMITTEE CO-SPONSORS:

Canada; Aerospace and Defense; Europe; International Anti-Corruption; International Litigation; International Trade

PANEL CHAIRS:

Martin Masse, Norton Rose Fulbright, Ottawa, Canada

Dawn Stern, DLA Piper, Washington, DC

MODERATOR:

Seamus Curley, DLA Piper, Washington, DC

SPEAKERS:

Marta Frackowiak, DLA Piper, Warsaw, Poland

Martin Masse, Norton Rose Fulbright, Ottawa, Canada

Ita Snyder, Northrop Grumman Corp., Linthicum, MD

2:30 PM–4:00 PM

THE PRIVACY GAME: STAYING AFLOAT IN THE ATLANTIC CROSS-CURRENTS OF DATA PROTECTION REGULATION

Experts explain the current state of transnational privacy regulation, especially cross-border data protection between the U.S., EU, Brazil and China. Focus is on contentious issues, such as the right to be forgotten and dispute resolution procedures. The EU General Data Protection Regulation is at its midpoint between 2016 parliamentary approval and 2018 enforcement. The U.S.-EU Privacy Shield is new to the scene. Rule-making and guidance development are still under way on the American side, and litigation is anticipated on the European side. Will Privacy Shield meanwhile set a precedent for U.S. negotiation of data protection elsewhere in the world, such as in Brazil and China? This panel will help private practitioners and compliance officials to stay afloat in today's rough sea of competing regimes and interpretations.

COMMITTEE SPONSOR:

Privacy, E-Commerce, and Data Security

COMMITTEE CO-SPONSORS:

Europe; International Trade; Transnational Practice Management

PANEL CHAIR:

Daniel Meyers, TransPerfect Legal Solutions, New York, NY

MODERATOR:

Daniel Meyers, TransPerfect Legal Solutions, New York, NY

SPEAKERS:

Ken Dai, Dentons LLP, Shanghai, China

Caio Lima, Opice Blum Advogados Associados, São Paulo, Brazil

Ken Rashbaum, Barton LLP, New York, NY

Anahita Thoms, Freshfields LLP, New York, NY

2:30 PM–4:00 PM

STRATEGIC ALLIANCES AND JVs VERSUS M&A, A NEW TREND IN INTERNATIONAL EXPANSION. WHY CORPORATIONS AND INVESTORS ARE INCREASINGLY MOVING AWAY FROM THE TRADITIONAL ACQUISITION/DIVESTMENT MODEL AND USING JOINT VENTURES (JVs) AND STRATEGIC BUSINESS ALLIANCES TO ACHIEVE THEIR BUSINESS DEVELOPMENT OBJECTIVES

As globalization and competitiveness intensify, companies are under pressure to find growth in emerging economies or in complementary industries, in particular, with the transformative impact that technology is having in most sectors. Many, however, cannot achieve their growth aspirations alone or may consider that an M&A transaction is not the fastest way to achieve their objectives. Instead, they would rather choose to join forces with a partner to gain access to new markets or complementary capabilities or to strengthen their innovation capabilities and access new technologies. The accelerating growth of relationships based on partnership rather than ownership is global and trans-sectorial. Despite the complexity and level of commitment required, when combining true cooperation with formalized and well-designed execution, such collaborative arrangements may create sustainable competitive advantages. This panel will discuss the current landscape for JVs and alliances both in the EU and U.S., in particular, what factors may motivate their use, pitfalls

and challenges in implementation, and key elements leading to success, *i.e.* true collaborative strategy and rigorous upfront planning; trust, transparency, and on-going communication and cooperation; dedicated teams; performance metrics and well-elaborated exit strategies.

COMMITTEE SPONSOR:
Europe

COMMITTEE CO-SPONSORS:
International M&A Joint Venture; Foreign Legal Consultant; International Commercial Transactions, Franchising and Distribution; International Financial Products and Services; International Investment and development; International Energy and Natural Resources; Aerospace & Defense Industries; International Intellectual Property Rights; International Procurement; International Antitrust Law; International Corporate Counsel; U.S. Lawyers Abroad

PANEL CHAIR:
Brigitte Gambini, Gambini International Law Office, New York, NY

MODERATOR:
Brigitte Gambini, Gambini International Law Office, New York, NY

SPEAKERS:
Wendy Goldstein, Cooley LLP, New York, NY
Barbara Jones, Greenberg Traurig, Boston, MA
Hugues Scalbert, Gide Loyrette, Paris, France

4:00 PM–4:30 PM
NETWORKING BREAK

4:30 PM–6:00 PM **THE NEW BORDERLESS STATE: EPIDEMIC DISEASES** **HEALTH SECURITY AND THE GLOBAL RESPONSE**

Zika, Ebola, HIV/AIDs, the Black Death. Borderless disease is not new. Although the concept of health security is becoming accepted in public health literature and practice, there is still no agreement on scope and content of that meaning. The result has led to the over-reaction to epidemic diseases on the one hand, yet under-reaction on the other as the incompatible understanding of the concept between developed and developing countries sets the stage for the breakdown in global cooperation, coordination and vital data sharing on the extent of any outbreak. Although dealing with outbreaks of epidemic diseases may seem to be purely medical issue, the need for adequate regulatory responses and enforcements is illustrated by the difficulties in combating the recent Zika, Ebola and MERS epidemics. The rise of these diseases is not a localized medical problem. Concerns for public health can take precedence over individual rights and decisions, although it can be too easy for this to be based in prejudice, bad or incorrect medicine, or pure panic. Join us as a panel of medical, legal, and health experts discuss how to address diseases that know no borders. How do we strike the balance between over-reaction with the need for regulations of conduct that is linked to spread of disease, such as failure to vaccinate or funerary practices?

COMMITTEE SPONSOR:
International Life Sciences and Health Law

COMMITTEE CO-SPONSORS:
Latin America & Caribbean; Africa; UN & International Organizations; China; Immigration; NGO & Non-for-Profit Organizations

PANEL CHAIRS:
Beth D. Jacob, Kelley Drye & Warren LLP, New York, NY

Craig Rappel, Rappel Health Law Group, Vero Beach, FL
Mikhail Reider-Gordon, Navigant, Los Angeles, CA

MODERATOR:
Beth D. Jacob, Kelley Drye & Warren LLP, New York, NY

SPEAKERS:
Michele Forzley, Forzley & Associates, Washington, DC
Robert Klitzman, Columbia University, New York, NY
Matiangai Sirleaf, University of Pittsburgh Law School, Pittsburgh, PA

4:30 PM–6:00 PM **INNOVATIVE CLUSTERS: WHERE NEXT?**

Innovation is a central element of economic development in the world, and it may be supported through the creation of clusters. The importance of innovative clusters has been demonstrated through the last decades and the connections between innovative clusters and venture support are growing fast. Specialists will share their knowledge and experience on the role, development and impact of innovative clusters in the venture capital and private equity arena.

In particular, the panel will focus on the following questions:

- What is considered an innovative cluster?
- What elements are required to create the right environment for an innovative cluster to develop?
- Are there different models? If so, is it possible to draw comparisons between innovative clusters in different countries/regions in structure, behavior or approach?
- Which are the most successful jurisdictions in fostering innovative clusters and why? Are they following the same innovative pattern? How does this impact the amount invested by venture capital funds?
- What laws have been important in creating the right environment for an innovative cluster? How are innovative clusters boosting legal reforms to encourage entrepreneurship? Have there been recent important legal changes in Latin America in connection with this trend?
- Which are the most-likely up and coming new innovative clusters or is this notion old-fashioned?
- What new investment and innovation trends are developing in existing innovative clusters, such as Silicon Valley?

COMMITTEE SPONSOR:
International Private Equity

COMMITTEE CO-SPONSOR:
Latin America & Caribbean

PANEL CHAIR:
Luis Gonzalez, Solcargos, Mexico City, Mexico

MODERATOR:
Luis Gonzalez, Solcargos, Mexico City, Mexico

SPEAKERS:
João Otávio Pinheiro Olivério, Olivério Advogados, São Paulo, Brazil
Eric Rytter, Dorsey, New York, NY

4:30 PM–6:00 PM

THE NEW REALITIES OF DEALING WITH IRAN: WHAT HAS AND HAS NOT CHANGED SINCE IMPLEMENTATION DAY AND HOW TO COMPLY WITHOUT OVER-COMPLIANCE

After more than 20 months of negotiations on Iran’s nuclear program, the P5+1 (China, France, Germany, Russia, the UK, and U.S.), the EU and Iran reached an agreement on the Joint Comprehensive Plan of Action (JCPOA) on July 14, 2015. Subsequently, On January 16, 2016, a milestone referred to as “Implementation Day” occurred, which resulted in Iran receiving far-reaching economic and financial sanctions relief after meeting key nuclear commitments set out in the JCPOA. The degree of sanctions relief offered to Iran however, has varied significantly among the individual P5+1 signatories. During this program, U.S., EU, and Canadian speakers will discuss what has and has not changed in terms of the ability of U.S. and non-U.S. companies to engage in trade and investment with Iran and will offer insights into how companies can benefit from the changes while still meeting their compliance obligations.

COMMITTEE SPONSOR:

Export Controls and Economic Sanctions

COMMITTEE CO-SPONSORS:

Canada; Europe; International Trade; National Security (invited)

PANEL CHAIR:

Anahita Thoms, Freshfields Bruckhaus Deringer, New York, NY

MODERATOR:

Roland Trope, Trope & Schramm LLP, New York, NY

SPEAKERS:

Deborah Alexander, Scotiabank, Toronto, Canada (invited)

David Brummond, DLA Piper, Washington, DC

Sarah Jane Hughes, Indiana University Maurer School of Law, Bloomington, IN

Adam Klaunder, HSBC Bank USA, Washington, DC

Diego Marquez, Corporate Legal – ITC COE, Washington, DC

4:30 PM–6:00 PM

INTERNATIONAL BEST PRACTICES IN MENTORING TO INCREASE COMPETENCY, PROFESSIONALISM, AND ETHICS IN THE LEGAL PROFESSION (ETHICS)

In 2013, the State Bar of California’s Task Force on Admissions Regulations Reform 2013 Report stated “Changes in the economics of the [legal] profession are making it more and more difficult for new lawyers to find the training, hands-on guidance and mentoring that is necessary for a successful transition into practice.” graduates have difficulty in finding jobs law school, and clients no longer want to pay for training of new attorneys employed at law firms. The State Bar of California’s Task Force also referenced the New York State Bar Association’s Task Force on the Future of Legal Education, which surveyed mentoring programs throughout the county and found in 2011 that “mandatory mentoring has the potential to be the most effective system to assist newly admitted lawyers in their development of professional skills and professional identity.”

In light of these reports by two of the largest state bar associations and regulators of attorneys, and with speakers from the United States and Europe, this program will focus on how mentoring and training plays a part in helping attorneys’ fulfill their duties of competency and supervision. For example, the State Bar of California’s Rule 3-310(C) states: If a member does not have sufficient learning and skill when the legal service is undertaken, the member may nonetheless perform such services competently by 1) associating with or, where appropriate, professionally consulting another lawyer reasonably believed to be competent, or 2) by acquiring sufficient learning and skill before performance is required.

In addition, the program will discuss how mentoring sources from outside of law firms, such as by local and national bar associations, can help new and young attorneys and help women and minorities stay in the legal profession.

COMMITTEE SPONSOR:

Diversity

COMMITTEE CO-SPONSORS:

Immigration and Naturalization; International Commercial Transactions, Franchising, and Distribution

PANEL CHAIR:

Ireneo A. Reus III, The Law Offices of Ireneo A. Reus III, Los Angeles, CA

MODERATOR:

Ireneo A. Reus III, The Law Offices of Ireneo A. Reus III, Los Angeles, CA

SPEAKERS:

M. Paula Aguila, Rivero Mestre LLP, Miami, FL

Cédric Chapuis, Bär & Karrer, Genève, Switzerland

Lisa Ryan, Fragomen, Del Rey, Bernsen & Loewy LLP, San Francisco, CA (invited)

Christine Ayako Schleppegrell, Dechert LLP, Washington, DC

4:30 PM–6:00 PM

EXAMINATION OF ETHICS ISSUES IN THE CONTEXT OF CROSS-BORDER FRANCHISE TRANSACTIONS (ETHICS)

As a part of licensure, lawyers are typically bound to a code of professional ethics. Lawyers in cross-border transactions are at risk of facing ethics issues in their home country as well as in the country in which their clients are negotiating in respect of a particular transaction, most often centered around issues related to the unauthorized practice of law and maneuvering through conflicting provisions of the codes of professional responsibilities in the applicable jurisdictions. This is particularly the case where the “target” country has laws specifically regulating the transaction. For example, if a franchise lawyer represents a U.S. franchisor selling franchise rights in a country that requires the franchisor to provide the prospective franchisee with a pre-sale disclosure document, what ethics issues does the U.S. lawyer face if it prepares the target country’s disclosure document without the aid of a lawyer licensed to practice law in the target country? The panel will use a cross-border franchise transaction as the context for an examination of the ethics issues faced by lawyers on both sides of the transaction, both in their home country and in the target country which regulates the transaction.

COMMITTEE SPONSOR:

International Commercial Transactions, Franchising, and Distribution

COMMITTEE CO-SPONSORS:

International Legal Education and Specialist Certification

PANEL CHAIR:

Adrian Furman, M&M Bomchil, Buenos Aires, Argentina

MODERATOR:

William Johnson, Saint Louis University, School of Law, St. Louis, MO

SPEAKERS:

Michael Daigle, Cheng Cohen LLC, Chicago, IL

Adrian Furman, M&M Bomchil, Buenos Aires, Argentina

Andraya Frith, Osler, Hoskin & Harcourt LLP, Toronto, Canada

7:00 PM–10:00 PM

RECEPTION AT RENWICK GALLERY

Wrap up a great couple of days of programming, networking and committee meetings at the spectacular Renwick Gallery.

One ticket per person is included as part of your Spring Meeting inclusive registration fee; additional tickets may be purchased online.

Saturday, April 29, 2017

9:00 AM–12:00 PM

COUNCIL MEETING

The Council is the Section of International Law’s policy-making body, and the source of much of the American Bar Association’s international policy initiatives. In the past few years, the Council has proposed and debated a model U.S. law on freezing orders in litigation, elements of the Hague Convention on Choice of Court Agreements, and other key international legal issues. At this meeting the Council will debate major international law policy initiatives, and will be addressed by visiting dignitaries and bar leaders. The Council Meeting is open to all Spring Meeting registrants.

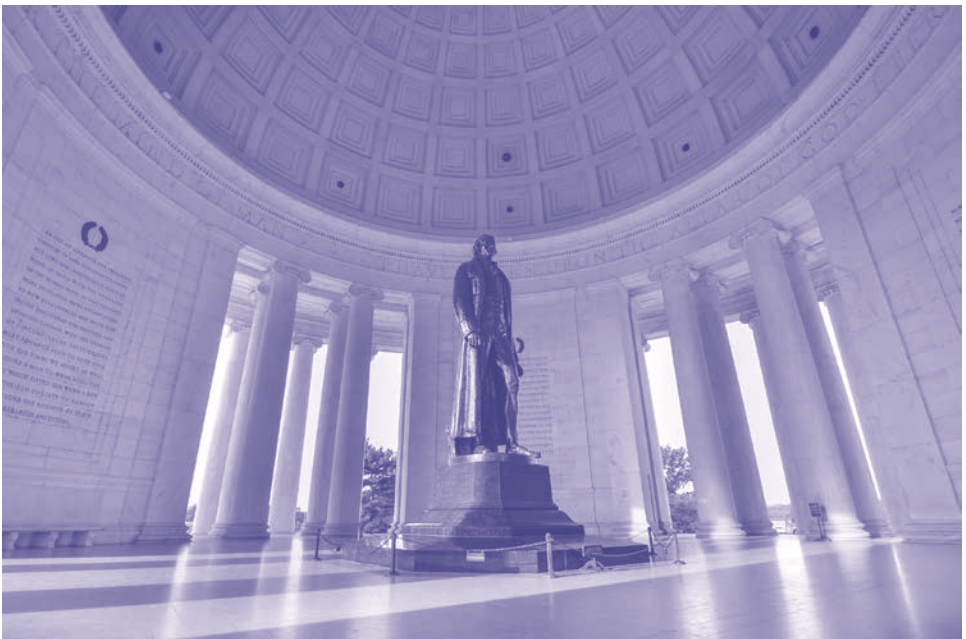
UPCOMING COUNCIL MEETINGS

Friday, August 11, 2017, 9:30 am–11:45 am

Hilton, New York, NY

Tuesday, October 24, 2017, 2:00 pm–5:00 pm

JW Marriott Marquis, Marquis, FL



CLE Information

- We will apply for CLE accreditation for the 2017 Spring Meeting programs. All required CLE paperwork will be available outside each meeting room and at the Registration Counter (please make sure to check on the registration form if you are a New York or Illinois attorney).

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. The expected number of credit hours will be posted to the 2017 Spring Meeting website: www.ambar.org/ILSpring2017 under the CLE Events and Information tab approximately six weeks before the meeting. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit http://www.americanbar.org/cle/mandatory_cle.html.

Scholarship are available to reduce the fees associated with attending this event. Scholarships will reduce registration fees by at least 50%. Scholarships do not cover travel expenses, lodging, or social activities. To request a scholarship, please email intlawmeetings@americanbar.org.



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Registration Information



Log into your ABA account and register online at www.ambar.org/ILSpring2017



Print the registration form at www.ambar.org/ILSpring2017regform and email a copy to intlawmeetings@americanbar.org



Print the registration form at www.ambar.org/ILSpring2017regform and mail it to:

American Bar Association
Attn: Thomas Happell
1050 Connecticut Ave Nw, Suite 400
Washington DC, 20036

Important Dates

March 17, 2017

Early Bird Deadline

Rates increase at Midnight Central online
Forms must be post marked before this date

March 31, 2017

Hotel Reservation Deadline

April 14, 2017

Standard Registration deadline

Online Registration closes at Midnight Central online
Mailed forms should be received by this date

Hotel Information

The Section has reserve a block of rooms at the Capital Hilton for the reduced rate of \$299 per night. Reservations can be made online until March 31, 2017 at <https://aws.passkey.com/event/15555753/owner/25255/landing?gtid=24e91d08e875ff304621415dac9f358c>.

Registration Types

To determine which rate you should register at, please first select your category either Section Member (members of cooperating entities as listed in the brochure and on the meeting website may also register at the Section member rate), ABA Member but not Section Member, or Non-Member. Then select the rate listed under that category that best describes your practice setting. For further clarification on rate types, please review the descriptions following the table.

Section Member Rates & Members of Cooperating Entities

| | Early Bird by 03/17 | Standard 03/17-04/14 | Onsite After 04/15 |
|--|------------------------|-------------------------|-----------------------|
| Full Section Member | \$1095 | \$1260 | \$1425 |
| Full-time Law Student (<i>not inclusive</i>) | \$125 | \$145 | \$165 |
| Young Lawyer (<i>35 years and under</i>) | \$550 | \$635 | \$715 |
| Corporate Counsel | \$395 | \$455 | \$515 |
| Full-time Gov. / Academics / NGOs | \$295 | \$340 | \$385 |
| Solo / Small Practice / Retired | \$525 | \$605 | \$685 |
| Wed., Thurs. <u>OR</u> Fri. Programming | \$450 | \$520 | \$585 |

ABA Member Rates

| | Early Bird by 03/17 | Standard 03/17-04/14 | Onsite After 04/15 |
|--|------------------------|-------------------------|-----------------------|
| Member | \$1295 | \$1490 | \$1685 |
| Full-time Law Student (<i>not inclusive</i>) | \$150 | \$175 | \$195 |
| Young Lawyer (<i>35 years and under</i>) | \$695 | \$800 | \$905 |
| Corporate Counsel | \$495 | \$570 | \$645 |
| Full-time Gov. / Academics / NGOs | \$395 | \$455 | \$515 |
| Solo / Small Practice / Retired | \$650 | \$750 | \$845 |
| Wed., Thurs. <u>OR</u> Fri. Programming | \$525 | \$605 | \$685 |

Non-Member Rates

| | Early Bird by 03/17 | Standard 03/17-04/14 | Onsite After 04/15 |
|--|------------------------|-------------------------|-----------------------|
| Non-Member | \$1395 | \$1600 | \$1815 |
| Full-time Law Student (<i>not inclusive</i>) | \$175 | \$200 | \$230 |
| Young Lawyer (<i>35 years and under</i>) | \$795 | \$915 | \$1035 |
| Corporate Counsel | \$650 | \$750 | \$845 |
| Full-time Gov. / Academics / NGOs | \$495 | \$570 | \$645 |
| Solo / Small Practice / Retired | \$750 | \$865 | \$975 |
| Wed., Thurs. <u>OR</u> Fri. Programming | \$600 | \$690 | \$780 |
| Speaker Inclusive Day Rate: | \$350 | \$350 | \$350 |

- Fees are **ALL INCLUSIVE** for the 2017 Spring Meeting. Your registration includes all CLE programs and committee meetings (dinners excluded), and all Networking Breaks and Receptions. Registration does **not** include the **daily luncheons** which are a separate ticketed fee (\$85 for luncheons with keynote speakers). Exception: **Law student registration rates are not all-inclusive pricing but law students may purchase tickets to evening receptions a la carte.**
- **Day rates** include the reception that evening.
- **Small Practice** are firms with less than 10 full time attorneys; attorneys from firms with less than 10 full time staff members qualify for these rates.
- **Corporate Counsels** are often referred to as in-house counsel. Attorneys whose primary practice setting is working within a corporate setting and not a law firm qualify for this rate.

Event Tickets

To purchase tickets to any Section sponsored ticketed events you must be registered for the meeting. Tickets for evening events are *included* with your registration fee (with the exception of the law student rate) and luncheons can be purchased on the registration form, online, or onsite the day *before* the events and luncheons. We regret that because we must guarantee our final numbers with the hotel and venues the day before, we *cannot sell same-day tickets to either evening receptions or luncheons*. There will, however, be a bulletin board at registration where meeting attendees can exchange and gift tickets.

Guest tickets will be available for the Thursday Reception at the Capital Hilton (\$75) and the Friday Reception at the Renwick Gallery (\$150). Due to space limitations at the Newseum, the Wednesday program/reception is limited to conference participants.

Group Discount

Group discounts are available for multiple registrations from law firms and corporate legal departments submitted prior to **April 7, 2017**. You will receive 50% off the highest registration fee for each additional registrant after the fourth full paying registrant. To receive the group discount, one order form for each attendee from a firm should be submitted via email to **intlawmeetings@americanbar.org**. **The group discount is not available through online ordering and can only be claimed using the registration form.** Please contact Thomas Happell at **Thomas.Happell@americanbar.org** or 202.662.1671 for additional information and instructions about completing this process.

Refund Policy

- Cancellations must be made in writing and received by the Section office by **April 7, 2017** for a full refund of fees, less a \$100.00 administrative fee. All cancellation requests should be sent to **Thomas.Happell@americanbar.org**.
- Cancellations must be made in writing and received by the Section office by **April 14, 2017** a full refund of fees, less a \$250.00 administrative fee. No refund of registration or fee for a ticketed event will be granted after that date except in the case of medical emergency or similarly extenuating circumstances approved by the Section in its sole discretion. At this point the Section has had to guarantee guest number and total fee to the caterer/event venue. Individuals are, however, afforded the opportunity to re-sell their purchased tickets/registration to other meeting attendees.
- When a completed registration form and payment have been submitted to the Section office either by mail, fax, e-mail or through our online registration system, the registration is considered to be a firm commitment and you will be expected to pay the registration and any ticketed event fees, unless a written cancellation is received as set forth above.
- Individuals may re-sell their purchased lunch & guest tickets to other meeting attendees unless the ticket is indicated to be “non-transferable.”
- Any refunds issued will be processed to the credit card on file for individuals who made the payment via credit card.
- You are encouraged to make your airline reservations online via the American Bar Association (ABA) travel site where you automatically receive specially negotiated ABA airfare and car rental discounts from a variety of carriers. Simply visit **http://www.americanbar.org/membership/benefits_of_membership/travel_services.html** to make your travel arrangements. If you have not used this site before, it only takes a few moments to establish a username and password allowing you to immediately book your reservations.

Registration Information (continued)

- Should you need an invitation letter from the Section to obtain a visa for entry into the United States, please email INTLAWMEETINGS@americanbar.org. To obtain a visa, you must first be **registered** and **paid** for the 2017 Spring Meeting. The Section will provide an electronic invitation letter in PDF format that conforms to our template. We do not provide additional visa services. Please note that visas sometimes take up to 5 weeks for processing, so register early to better guarantee entry for the conference.
- Please plan to spend some time in our Exhibit Area – open from Wednesday, April 26 through Friday, April 28. All meeting attendees are encouraged to visit the Exhibit Area throughout the meeting and in particular during the twice daily networking breaks.
- If you are interested in partnering with the Section to be an exhibitor or sponsor, please contact Samantha Feinstein at samantha.feinstein@americanbar.org for additional details and information.
- Stop by the Section Membership and Publications Booth to preview the most popular Section titles and receive a 20% special meeting discount on all publication orders.



| BOOK TITLE | PRODUCT CODE | SALE PRICE | INTL SECTION MEMBER PRICE |
|--|--------------|---------------------------------|--------------------------------|
| Unwavering Convictions: Gao Zhisheng's Ten-Year Torture and Faith in China's Future 2017 Release! 2017, Paperback, 196 pages | 5210302 | \$30.00 | \$30.00 |
| E-Lawyer: A Guide to Legal Practice Leadership in the Internet Age 2016 Release! 2016, Paperback, 178 pages | 5210301 | \$54.95 | \$47.96 |
| IPDS: U.S. Customs: A Practitioner's Guide to Principles, Process, and Procedures, Second Edition 2016 Release! 2016, Paperback, 352 pages | 5210299 | \$119.96 | \$95.96 |
| Business, Human Rights, and Sustainability Sourcebook 2016 Release! 2016, Paperback, 1,230 pages | 5170022 | \$79.96 | \$63.96 |
| International Family Law Desk Book, Second Edition 2016 Release! 2016, Paperback, 352 pages | 5210300 | \$103.96 | \$83.16 |
| Navigating EU Privacy and Data Protection Laws 2016 Release! 2016, Paperback, 270 pages | 5210298 | \$111.96 | \$89.56 |
| Legal Guide to Doing Business in South America, Second Edition 2015, Paperback, 300 pages | 5210296 | \$119.96 | \$95.96 |
| Magna Carta and the Rule of Law 2014, Paperback, 474 pages | 5210286 | \$55.96 | \$44.76 |
| Transactions Without Borders 2014, Paperback, 494 pages | 5150470 | \$55.96 | \$44.76 |
| China Law Deskbook, 4th Edition Special Price!! 2014, 2 Volume Set, 1200 pages | 5210281 | \$109.95 \$209.96 | \$99.95 \$194.95 |
| Corporate Responsibility for Human Rights Impacts 2014, Paperback, 508 pages | 5210280 | \$71.96 | \$55.96 |
| International Practitioner's Deskbook Series: International Litigation Strategies and Practice, Second Edition 2014, Paperback, 391 pages | 5210279 | \$103.96 | \$79.96 |
| Cross Border Real Estate Practice, Second Edition 2014, Paperback, 489 pages | 5210295 | \$127.95 | \$119.95 |
| The Photography Law Handbook 2014, Paperback, 291 pages | 1620623 | \$59.96 | \$47.96 |
| The FCPA and the UK Bribery Act: A Ready Reference for Business and Lawyers 2013, Paperback, 156 pages | 5210277 | \$39.96 | \$31.96 |
| Handbook of Export Controls and Economic Sanctions 2013, Paperback, 332 pages | 5210268 | \$119.96 | \$87.96 |
| Promoting the Rule of Law: A Practitioner's Guide to Key Issues and Developments 2013, Paperback, 328 pages | 5210278 | 63.96 | \$51.16 |

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| BOOK TITLE | PRODUCT CODE | SALE PRICE | INTL SECTION MEMBER PRICE |
|--|--------------|---------------------------------|--------------------------------|
| The Foreign Sovereign Immunities Act Deskbook 2013, Paperback, 380 pages | 5210266 | \$135.96 | \$107.96 |
| The ABC's of the CISG 2013, Paperback, 216 pages | 5210267 | \$95.96 | \$79.96 |
| The FIRPTA Withholding Guidebook 2013, Paperback, 270 pages | 5210269 | \$99.95 | \$79.96 |
| The Essentials of Merger Review Special Price!! 2013, Paperback, 1,308 pages | 5210237 | \$129.95 \$231.96 | \$99.95 \$207.96 |
| Careers in International Law, 4th Edition 2012, Paperback, 230 pages | 5210227 | \$59.96 | \$51.96 |
| The ABA Guide to Drafting Islamic Finance Contracts 2012, Paperback, 100 pages | 5210217 | \$63.96 | \$51.16 |
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| The Unofficial Guide to Legal Studies in the United States for Foreign Lawyers 2012, Paperback, 387 pages | 5210219 | \$71.96 | \$57.56 |
| Choosing the Language of Transnational Deals: Practicalities, Policy and Law Reform 2010, Paperback, 306 pages | 5210210 | \$100.95 | \$91.96 |
| ABA Guide to Foreign Law Firms, 5th Edition 2010, Paperback, 487 pages | 5210212 | \$51.96 | \$39.96 |
| The Foreign Corrupt Practices Act and the New International Norms, Second Edition 2010, Paperback, 801 pages | 5210208B | \$115.96 | \$92.96 |
| International Practitioner's Deskbook Series: Labor and Employment Law, Second Edition, Volume I (Europe) Special Price!! 2008, Paperback, 396 pages | 5210202 | \$49.95 \$99.95 | \$49.95 \$79.96 |
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Program by Tracks

The 2017 Spring Meeting will offer attendees **60+ CLE PROGRAMS:**

Brexit

- Whither African Regionalism in the Wake of the Brexit Vote?
- Brexit through the Gift Shop: “National Treasure” and the Global Art and Cultural Property Trade
- Brexit: Implications Nearly a Year Later on International Trade and the Practice of Law
- Brexit: The Immigration Implications
- EU-UK Cross-Border Vertical Restrictions and Competition Law After Brexit
- Brexit. What Does It Mean? What Lies Ahead? What Do I Need to Know to Draft a More Brexit-Proof Contract?
- Brexit & the Future of Europe—An Overview

International Trade/Customs

- What Lies Ahead For NAFTA: are unilateral changes on the horizon, or will long-standing, positive economic relationships prevail?
- Brexit through the Gift Shop: “National Treasure” and the Global Art and Cultural Property Trade
- EU-UK Cross-Border Vertical Restrictions and Competition Law after Brexit
- Extraterritorial Reach: Are There No Limits?
- U.S. Measures to Combat Human Trafficking; Responses in the Corporate World
- Case Studies in Passing Animal Anti-Cruelty Legislation and Laws in India & South America

Litigation/Dispute Resolution

- Triple Jeopardy: The Dangers Ahead in Navigating Multinational Waters
- New Global Foreign Sovereign Immunity Norms and Pressures
- International Dispute Resolution: What Does The Evidence Say?
- To Start I'll Have the Judgment, and for My Main Course, the Embassy
- Pipe Dream: Yukos' Journey from an Oil Giant to Leading a Lifetime of Litigation
- Climate Change Arbitration: The Key to “Climate Justice for All” after the Paris Agreement?
- Class in Session: The Emerging Global Presence of Class Actions
- Evidence ... or the Lack thereof: Dealing with Allegations of Corruption in International Arbitration
- Extraterritorial Reach: Are There No Limits?
- Behind the Scenes of the Petrobras Scandal (USA, Switzerland & Brazil)

Public International Law/Rule of Law

- Has the Legal Profession Lost its Moral Compass? The Panama Papers, Lawyers' Professional Ethics and Due Diligence Obligations
- Panama Papers: Exposing the Powerful
- Lawyers' Obligations and Liability in Post-Panama Papers World
- Panama Papers Revisited: One Year Later
- Latin America's Anti-Corruption Moment: Brazil's Operation Car Wash and Other Legal Breakthroughs in the Region
- An International Concern or a U.S. Domestic Matter -- Puerto Rico a Tale of Self-Determination or Unfulfilled Aspirations?
- The New Borderless State: Epidemic Diseases Health Security and the Global Response
- While the World Stands Idly By: Myanmar and The Threat of 21st Century Genocide
- The New Realities of Dealing with Iran: What Has and Has Not Changed Since Implementation Day and how to Comply without Over-Compliance
- The First Casualty of War: Truth – and Justice – for the “Comfort Women” of World War II
- Endangered Species: Protecting Lawyer-Activists in China and Around the World
- For Richer for poorer... till death do us part: NOW SIGN HERE” – a fresh look at marriage contracts across the globe
- Climate Change Arbitration: The Key to “Climate Justice for All” After the Paris Agreement?
- The Rule of Law? The Fourth Estate Under Siege
- U.S. Measures to Combat Human Trafficking; Responses in the Corporate World
- New Global Foreign Sovereign Immunity Norms and Pressures

Program by Tracks (continued)

- Extraterritorial Reach: Are There No Limits?
- I'm Just like You: Using Media to Advance the Inclusion of People with Disabilities into Mainstream Society
- The Push for an International Binding Instrument on Business and Human Rights

Corporate Counsel/Transactional Tax

- International Tax Issues in M&A Transactions: Real Problems and Practical Solutions
- Bid Protest Practice and Procedure in the U.S., Canada and Europe: How to Help Your Clients Get a Piece of the Public Procurement Pie
- Who Owns My Property in the Sky and What Can I Do with It?
- First 100 Days of the Presidency: Implications for Corporate Counsel
- Extraterritorial Reach: Are There No Limits?
- Women on Boards: To Quota or Not to Quota
- A Rose Est Une Rose Es Una Rosa
- Innovative Clusters: Where Next?
- The Yangtze and Mississippi Rivers – Will the Flow of U.S.-China Foreign Direct Investment Continue?
- Trade Secrets and Cross Border Commercial Transactions
- Has the Legal Profession Lost its Moral Compass? The Panama Papers, Lawyers' Professional Ethics and Due Diligence Obligations
- Terrorism & the Workplace: What is an Employer to Do ... Or Not?
- Financial Crisis Reform...or a Financial Crisis/ Missed Opportunity?
- You Want to Rely on My What? Reliance Letters and Release Letters in M&A Transactions
- Show Me The Money: Rep And Warranty Insurance As An Alternative To Escrows And Holdbacks
- How to Sell a Non-U.S. Business to a U.S. Public Company
- Navigating the Stormy Waters: MAC Clauses, Earn Out and Other Protective Covenants – Do They Stand the Test of Today's Macro Economic and Political Climate?
- Behind the Scenes of the Petrobras Scandal (USA, Switzerland & Brazil)
- Brexit: The Immigration Implications
- Brexit. What Does It Mean? What Lies Ahead? What Do I Need to Know to Draft a More Brexit-Proof Contract?
- The Privacy Game: Staying Afloat in the Atlantic Cross-Currents of Data Protection Regulation
- Strategic Alliances and JVs versus M&A, a New Trend in International Expansion. Why Corporations and Investors Are Increasingly Moving Away from the Traditional Acquisition/Divestment Model and Using Joint Ventures (JVs) and Strategic Business Alliances to Achieve Their Business Development Objectives?
- The Structuring of Assets in a Tax Transparent Environment – How To Face Current and Future International Transparency Requirements
- U.S. Measures to Combat Human Trafficking; Responses in the Corporate World
- The New Realities of Dealing with Iran: What Has and Has Not Changed Since Implementation Day and how to Comply without Over-Compliance
- A Brave New World: How Enhanced Merger Review is Changing Merger Planning

Private Client

- For Richer for poorer...till death do us part: NOW SIGN HERE" – a fresh look at marriage contracts across the globe
- Brexit through the Gift Shop: "National Treasure" and the Global Art and Cultural Property Trade
- Brexit: The Immigration Implications
- Who Owns My Property in the Sky and What Can I Do with It?
- Terrorism & the Workplace: What is an Employer to Do ... Or Not?
- Wealth Planning for PEPs and "High Risk" Clients: Risks and Challenges?
- Has the Legal Profession Lost its Moral Compass? The Panama Papers, Lawyers' Professional Ethics and Due Diligence Obligations
- Panama Papers: Exposing the Powerful

- Lawyers' Obligations and Liability in Post-Panama Papers World
- Panama Papers Revisited: One Year Later
- The Structuring of Assets in a Tax Transparent Environment – How To Face Current and Future International Transparency Requirements

Regulatory

- Panama Papers-Exposing the Powerful
- Whither African Regionalism in Wake of the Brexit Vote
- A Rose Es Una Rose Es Una Rosa
- Innovation – the Key to a Strong Economy: A Discussion of Immigration and Tax Policies to Encourage the Development of an Innovative Economy
- EU-UK Cross-Border Vertical Restrictions and Competition Law After Brexit
- Has the Legal Profession Lost its Moral Compass? The Panama Papers, Lawyers' Professional Ethics and Due Diligence Obligations
- Lawyers' Obligations and Liability in Post-Panama Papers World
- The New Realities of Dealing with Iran: What Has and Has Not Changed Since Implementation Day and how to Comply without Over-Compliance
- Bid Protest Practice and Procedure in the U.S., Canada and Europe: How to Help Your Clients Get a Piece of the Public Procurement Pie
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Regional

- Whither African Regionalism in the Wake of the Brexit Vote?
- Brexit through the Gift Shop: "National Treasure" and the Global Art and Cultural Property Trade
- Brexit: Implications Nearly a Year Later on International Trade and the Practice of Law
- Brexit: The Immigration Implications
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- Pipe Dream: Yukos' Journey from an Oil Giant to Leading a Lifetime of Litigation
- Latin America's Anti-Corruption Moment: Brazil's Operation Car Wash and Other Legal Breakthroughs in the Region

Environmental Law/ Climate Change

- The South China Sea; Cauldron or Melting Pot
- Emission Reductions and Electricity Transmission: A Road to Innovative Solutions or A Stalemate?
- Climate Change Arbitration: The Key to "Climate Justice for All" after the Paris Agreement?
- We'll Always Have Paris: Sustaining Global Climate Action in the Face of Political Change
- Pipe Dream: Yukos' Journey from an Oil Giant to Leading a Lifetime of Litigation

Media/Cyber/Innovation

- The Privacy Game: Staying Afloat in the Atlantic Cross-Currents of Data Protection Regulation
- Crossing the Line: The Law of War and Cyber Engagement
- Smart Phones as the New Museums: Art @ Picasso and Warhol

Program by Tracks (continued)

- I'm Just like You: Using Media to Advance the Inclusion of People with Disabilities into Mainstream Society
- Disruptive and Emerging Technologies for and Beyond Transportation – Insurance and Liability Issues for the New Era
- Navigating in Unchartered International and Transnational Legal Territory in Cyberspace
- Innovative Clusters: Where Next?
- Trade Secrets & Cross Border Commercial Transactions
- Innovation – the Key to a Strong Economy: A Discussion of Immigration and Tax Policies to Encourage the Development of an Innovative Economy

Law Practice

- Endangered Species: Protecting Lawyer-Activists in China and Around the World
- New Leaders, New Laws ... and New Perspectives on Creating “Practice Ready” International Lawyers – Part I – Hit the Globe Running: New Approaches to Educating Law Students and New Lawyers
- New Leaders, New Laws ... and New Perspectives on Creating “Practice Ready” International Lawyers – Part II – Educating in the Context of Challenge and Change: Market, Regulatory and Global Influences on U.S. Law Schools
- International Best Practices in Mentoring to Increase Competency, Professionalism, and Ethics in the Legal Profession
- Alternative Careers for Young Lawyers – Beyond the Law Firm
- You Want to Rely on My What? Reliance Letters and Release Letters in M&A Transactions
- Examination of Ethics Issues in the Context of Cross-Border Franchise Transactions
- The Push for an International Binding Instrument on Business and Human Rights
- Lawyers’ Obligations and Liability in Post-Panama Papers World
- Has the Legal Profession Lost its Moral Compass?” The Panama Papers, Lawyers’ Professional Ethics and Due Diligence Obligations
- ABS, *Vereins* and Things That Go Bump in the Night: The Ethical and Practical Realities of Cross Border Practice after Denton’s
- Class in Session: The Emerging Global Presence of Class Actions

Young Lawyers/Skills

- International Best Practices in Mentoring to Increase Competency, Professionalism, and Ethics in the Legal Profession
- Alternative Careers for Young Lawyers – Beyond the Law Firm
- You Want to Rely on My What? Reliance Letters and Release Letters in M&A Transactions
- Show Me The Money: Rep And Warranty Insurance As An Alternative To Escrows And Holdbacks
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Ethics

- Triple Jeopardy: The Dangers Ahead in Navigating Multinational Waters
- “Has the Legal Profession Lost its Moral Compass?” The Panama Papers, Lawyers’ Professional Ethics and Due Diligence Obligations
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- Examination of Ethics Issues in the Context of Cross-Border Franchise Transactions
- International Best Practices in Mentoring to Increase Competency, Professionalism, and Ethics in the Legal Profession

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First Issue



Post-9/11 Issue



Rule of Law Issue



25th Anniversary



First YIR in TIL



Stand-Alone YIR



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THE INTERNATIONAL LAWYER

Volume 50 of the ABA/SIL's flagship journal, *THE INTERNATIONAL LAWYER*, marks a milestone worthy of celebration. We aspire that this fiftieth anniversary stimulate contributions from the Section of International Law's membership.

THE INTERNATIONAL LAWYER is a place for examination and insight into areas of international interest and a special vehicle for thought leadership, including on the rule of law and policy topics at the heart of the work of our Section's sixty-some Committees. We appreciate our partnership with the SMU Dedman School of Law to edit *THE INTERNATIONAL LAWYER*, that began in 1987 under then Section Chair Robert Rendell. We continue to rely upon the expertise and practical insight of the Section's membership to maintain the journal's high quality, as well as upon the editorial review and polish of the SMU Law School team, within which Professor Marc Steinberg now serves as Professional Editor-in-Chief and SMU law student Jennifer Little is the current Editor-in-Chief.

A law review article can be a powerful tool to raise an author's professional profile and to advance consideration of policy and rule of law issues. Recent issues show the variety and breadth of the authors and content featured in *THE INTERNATIONAL LAWYER*, with pieces addressing the challenges of implementation of the Hague Convention on Choice of Court Agreements produced by a Section of International Law working group presided by former Section Chair Glenn Hendrix, the remarks of the Right Honourable Beverley McLachlin, P.C. Chief Justice of Canada, on maintaining the rule of law in a global world, an article on financial regulation from the premier Australian company law professor, Ian Ramsey, and Ukrainian law professor Iryna Zaverukha's article on the international legal issues raised by developments in the Crimea, among many other thought-provoking contributions.

THE INTERNATIONAL LAWYER reaches a vast audience: Squarely in the company of law reviews prepared through elite U.S. law faculties, it is the most widely distributed such law review with an international focus in the world, enjoying subscriptions of approximately 22,000 readers in more than 90 countries. To speak to its worldwide readership, *THE INTERNATIONAL LAWYER* focuses on practical issues of international law, including trade, licensing, direct investment, finance, taxation, litigation, and dispute resolution. The journal also publishes articles on public international law topics. At times, Committees of our Section have proposed coordinated series of articles, e.g., in a period of rapid evolution of European law, the Europe Committee commissioned a coordinated series of articles addressing various associated aspects of the constitutional changes in the structure of European law.

THE INTERNATIONAL LAWYER accepts submissions on a rolling basis. Typically, submissions should not exceed 10,000 words, including footnotes. For detailed information on submitting an article, please visit <http://ilra.law.smu.edu/Submissions.aspx>. *THE INTERNATIONAL LAWYER* does not consider articles that have been or are to be published elsewhere.

We encourage members of the Section to publish in the marquee venue for in-depth and provocative development of international legal topics. And, we welcome initiatives of Committees of the Section to further their work through the organization of submittals of law review-quality articles to *THE INTERNATIONAL LAWYER*.

Through *THE INTERNATIONAL LAWYER*, the eyes of the international community are focused on the contributions published in it. Interested members and committees are invited to make outreach to one or both of the Section's Publication Officer, Patrick Del Duca (pdelduca@zuberlaw.com), Robert Lutz (rlutz@swlaw.edu), Coordinator of Promotion of SIL Article Flow, or Patricia Heard (pheard@mail.smu.edu), Co-Executive Editor of *THE INTERNATIONAL LAWYER*, for coaching and exploration.



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Excursions at the 2017 Spring Meeting

April 25-26, 2017

Capital Hilton Hotel, 1001 16th Street, N.W., Washington, D.C. 20036

Tuesday, April 25, 2017

6:00 P.M. – 9:30 P.M.

Spirit of Washington Cruise \$95

Come join your Section friends aboard the Spirit of Washington for a relaxing cruise around the Potomac!! There will be a fabulous buffet dinner, entertainment, and fascinating views of America's great landmarks and Washington DC's historic waterfront.



Wednesday, April 26, 2017

6:30 P.M. – 9:30 P.M.

Monuments by Moonlight Tour \$45

Enjoy the sights and sounds of this truly magnificent city as you join a professional tour guide for entertaining anecdotes and historical information along with a sprinkling of bewitching ghost stories of the spirits that haunt our nation's capital.



On-board you'll see some of the city's most popular monuments such as the Capitol Building, the White House and the Washington Monument. The tour makes three stops, the Jefferson Memorial, the Lincoln Memorial, and the Two

Jima Memorial. The Lincoln Memorial stop also serves the Vietnam Veteran's Memorial and the Korean War Veteran's Memorial allowing you to see these sights in a different light.

Register online at www.Ambar.org/ILSpring2017

MARK YOUR CALENDAR

2017

February 3-5
ABA Midyear Meeting

Miami, FL

June 11-13
Europe Forum

Barcelona, Spain

June 25-27
Africa Forum

Cape Town, South Africa

August 11-13
ABA Annual Meeting

New York, NY

October 24-28
Section Fall Meeting

Miami, FL

2018

February 2-4
ABA Midyear Meeting

Vancouver, Canada

April 17-21
Section Spring Meeting

New York, NY

August 3-5
ABA Annual Meeting

Chicago, IL

Join Us for Our Upcoming Fall Meeting

Miami, FL

October 24-28, 2017



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