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INTERNATIONAL BAR ASSOCIATION CONFERENCE 2024

A conference presented by the IBA Asset Recovery Committee

# 2nd Annual IBA Asset Recovery Conference

4–6 December 2024, Riu Plaza España, Madrid, Spain

## Working programme

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### Headline conference sponsors



All speaker materials and biographies can be found at [www.ibanet.org/conference-details/conf2542](http://www.ibanet.org/conference-details/conf2542)

**Conference Co-Chairs**

Sara Sheffield *Charles Russell Speechlys, Dubai; Co-Chair, IBA Asset Recovery Committee*

Tomislav Sunjka *ŠunjkaLaw, Novi Sad; Co-Chair, IBA Asset Recovery Committee*

**Host Committee**

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## Wednesday 4 December

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**1730 – 1830 Youth Asset Recovery Club Meeting**

*Madrid 3, Hotel Riu Plaza España, Madrid, Spain*

The Youth Asset Recovery Club is a branch of the Asset Recovery Committee targeting the next generation of asset recovery professionals. While the Asset Recovery Committee is open to members of all ages and at any stage of their career, the Youth Asset Recovery Club is aimed at giving a voice to the younger generation, allowing them to hone their skills in a targeted manner and providing them with a platform to network, as the future leaders in the field. The Youth Asset Recovery Club is actively involved in the events organised by the Asset Recovery Committee, both by contributing to content (e.g. attendance on conference panels) and also by arranging sub-events for the next generation of asset recovery professionals.

The criteria for joining the Youth Asset Recovery Club are the following:

- membership of the IBA and the Asset Recovery Committee
- professional experience of 15 years or less

If you are interested in joining the Youth Asset Recovery Club, please contact Théo Reljic at [treljic@svz.fr](mailto:treljic@svz.fr)

**1830 – 2030 Welcome reception**

*360° Skybar, Hotel Riu Plaza, Madrid, Spain*

The welcome reception is open to all registered delegates to attend.

## Thursday 5 December

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**Registration and refreshment breaks will take place in Madrid 3**

**Working sessions will be held in Madrid 1 + 2**

**Lunch will be held in Cervantes B**

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**0830 – 1645 Registration****0830 – 0900 Welcome coffee/tea****0900 – 0910 Welcome remarks**

*Speakers*

Sara Sheffield *Charles Russell Speechlys, Dubai; Co-Chair, IBA Asset Recovery Committee*

Amir Singh Pasrich *International Law Affiliates, New Delhi, Delhi; LPD Assistant Treasurer / IBA Assistant Treasurer*

Tomislav Sunjka *ŠunjkaLaw, Novi Sad; Co-Chair, IBA Asset Recovery Committee*

**0910 – 0925 Keynote speaker**

*Keynote speaker*

Inmaculada Sánchez-Cervera *Coordinator of the Mayor Office speaking on behalf of the Mayor of Madrid, Madrid*

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**Headline social event sponsors**

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0925 – 0940 **Keynote speaker**

Representative of the General Council of Spanish Lawyers (Consejo General de la Abogacía Española, CGAE), the governing body that represents, coordinates, and supervises the activities of all Bar Associations in Spain. It serves as the main institution that ensures the proper practice of the legal profession, defending lawyers' rights and interests, promoting ethical standards, and safeguarding the independence of the legal profession. The Council also acts as the official voice of the legal community before public authorities, contributing to the development of regulations affecting the legal sector and the protection of citizens' rights.

*Keynote speaker*

**Sonia Gumpert** *Former President, Madrid Bar Association, Madrid*

0940 – 1040 **SESSION ONE**

## **Tackling and conquering common (and uncommon) defences raised in attempts to defeat asset recovery strategies and proceedings**

Asset recovery practitioners know all too well that debtors are constantly coming up with new escape routes to flee from or resist asset recovery strategies. This panel will discuss common (and uncommon) defences that are typically raised and how they can be tackled and conquered by creditors. Panellists will consider, for example:

- the use (or misuse) of restructuring plans;
- what creative strategies might be deployed to enforce judgments/awards against difficult debtors;
- surpassing the challenges of piercing the corporate veil and alter ego arguments; and
- defeating third-party interference.

*Moderator*

**Marijn Flinterman** *Omni Bridgeway, Schiphol; Scholarship Officer, IBA Asset Recovery Committee*

*Speakers*

**Ioannis Alexopoulos** *Signature Litigation, London*

**Wendy Lin** *WongPartnership, Singapore*

**Alexander Troller** *LALIVE, Geneva; Regional Representative Western Europe, IBA Asset Recovery Committee*

**Amala Umeike** *Stren & Blan Partners, Lagos*

1040 – 1140 **SESSION TWO**

## **Tracing, preserving and recovering unique and difficult classes of assets: spotlight on maritime issues in asset recovery**

This panel will discuss and explore:

- how to trace, arrest and enforce against vessels and cargo;
- the legal nature of vessels and cargo as movable property;
- issues around establishing ownership;
- dealing with pledges and mortgages; and
- the relevance of international conventions in the asset recovery process.

*Moderator*

**Dorothy Siron** *Stephenson Harwood, Quarry Bay; Communications Officer, IBA Asset Recovery Committee*

*Speakers*

**Tara Archer-Glasgow** *Higgs & Johnson, Nassu; Publications Officer, IBA Litigation Committee*

**Elina Nikolaidou** *A G Erotocritou, Limassol*

**Marco Remiorz** *Arnecke Sibeth Dabelstein, Hamburg; Senior Vice Chair, IBA Maritime and Transport Law Committee*

**Jessica Thorpe** *Partner, Aletheia Intelligence, London*

**Luke Zadkovich** *Floyd Zadkovich, New York*

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1140 – 1200 **Coffee/tea break**

## 1200 – 1245 **SESSION THREE**

### **Asset tracing and recovery and the diamond industry**

This session will discuss the traceability and recoverability of diamonds, the mechanisms that are currently available as well as new ideas to assist in recovering missing physical assets, including the innovative use of blockchain technology and the tokenisation of legal rights to missing diamonds (and other missing physical assets) into non-fungible tokens (NFTs).

Panellists will also consider issues and challenges specific to the diamond industry, including relevant international regulations and sanctions.

*Moderator*

**Tara J Plochocki** *Sequor Law, Washington, DC*

*Speakers*

**João Bravo da Costa** *Abreu Advogados, Luanda*

**Ian Casewell** *Mintz Group, London*

**Héctor Sbert** *ECIJA, Barcelona*

**Brendan Weekes** *Evelyn Partners, London*

## 1245 – 1330 **SESSION FOUR**

### **Interview with Richard Aronowitz: Global Head of Restitution, Christie's**

Richard Aronowitz is Global Head of Restitution at Christie's and a member of the UK government's Advisory Group on Spoliation Matters. He began his career in the art world as a furniture porter at Bonhams in 1993, then joined Sotheby's as an Impressionist and Modern art specialist in 1997, before leaving to become Director of the Ben Uri Gallery in 2003. He re-joined Sotheby's as European Head of Restitution in 2006, then Christie's in March 2022 as Global Head of Restitution.

Richard is the author of the novels *Five Amber Beads*; *It's Just the Beating of my Heart*; *An American Decade*; and *Night Comes Down* (forthcoming from Guernica Editions in 2025), as well as a book of poetry: *Life Lessons*.

Richard will speak about his personal experiences leading to his role as a 1933–1945 provenance and restitution expert and share some of the challenges and highlights of his work.

*Interviewer*

**Tomislav Sunjka** *ŠunjkaLaw, Novi Sad; Co-Chair, IBA Asset Recovery Committee*

*Interviewee*

**Richard Aronowitz** *Global Head of Restitution, Christie's, London*

1330 – 1445 **Lunch**

#### **MOBILE TELEPHONES**

Delegates are requested to ensure that mobile telephones and any other portable devices are switched to silent in working sessions.

#### **Exhibitors**



## Targeting professional service providers who are the architects of asset protection and concealment models

This panel session will explore an important and sometimes controversial subject involving:

- The identification of a law firm, accounting practice or other professional firm engaged by an alleged fraudster or recalcitrant debtor for the purpose of building and maintaining an 'asset protection' plan (qua an asset concealment fortress).
- A look at what tools are available to an asset recovery team in English common law based jurisdictions to target such firms for accelerated forms of secret/ex parte disclosure of documents. The "mini" Anton Piller (or stand and deliver) order will be considered together with the sealed and gagged disclosure order against a solicitors' firm (such as in Republic of Haiti and others v Jean-Clause Duvalier and others).
- What remedies are available under the civil law tradition to achieve a similar aim?
- The issue of legal privilege/professional secrecy will be considered. Does privilege protect against the disclosure of documents showing assets or property of a defendant?
- Pursuing solicitors for the balance of a loss (solicitors in the firing line).

*Moderator*

**Martin Kenney** *Martin Kenney & Co, Tortola*

*Speakers*

**Lucy Colter** *4 New Square Chambers, London*

**Anna Gumowska** *Global Head of Investigations, G3, London*

**Rodrigo Kaysserlian** *KK Advogados, São Paulo; Conference Quality Officer, IBA Asset Recovery Committee*

**Eliseo Martínez** *Ius Aequitas Trial Lawyers, Madrid*

**Anthony Riem** *PCB Byrne, London*

## Assisting victims of small(er) scale fraud and corruption

Asset recovery practitioners are, at the end of the day, firm proponents of obtaining redress for victims of fraud and corruption. However, the cost of pursuing a multi-jurisdictional or even domestic asset recovery strategy is often prohibitive, especially in the context of smaller value claims. This session invites panellists to propose practical solutions to assist victims or debtors in smaller scale cases to achieve the justice that they deserve.

*Moderator*

**Steven Haynes** *Director, Greyhawk Intelligence Group, London*

*Speakers*

**Victoire Chatelin** *BONIFASSI AVOCATS, Paris; Membership Officer, IBA Asset Recovery Committee*

**Matthew Denney** *Founder and Principal, Versaras, London*

**Carri Ginter** *SORAINEN, Tallinn*

**Kate McMahon** *Edmonds Marshall McMahon, London; Senior Vice Chair, IBA Asset Recovery Committee*

2000

### Conference dinner

*Casino de Madrid*

Ticket price: €80

Dress code: Black tie

In order to access Casino de Madrid, gentlemen are required to wear jacket and tie.

One place per registered delegate is permitted.

Transport will not be provided

#### MOBILE TELEPHONES

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Registration, refreshment breaks and lunch will take place in Madrid 3  
Working sessions will be held in Madrid 1 + 2

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0830 – 0900 **Welcome coffee/tea**

0900 – 0930 **Keynote Speech**

*Keynote speaker*

Honourable Chief Justice Margaret Ramsay-Hale *Chief Justice of the Cayman Islands, George Town*

0930 – 1030 **SESSION SEVEN**

## **Leveraging insolvency tools in the fight against multi-jurisdictional fraud and achieving cross border recoveries**

In May 2024, the UK Supreme Court considered, in *Invest Bank v El-Husseiny*, whether the Court of Appeal reached the right decision in finding that where a debtor causes a company that he owns and controls to transfer assets in an attempt to frustrate enforcement action, those transfers can be challenged as transactions at an undervalue under section 423 of the UK Insolvency Act (which the UK courts have confirmed may have extraterritorial effect). This panel will discuss:

- the use of section 423 as a helpful cross-border fraud fighting tool;
- other countries' approaches to transactions at undervalue; and
- other means to getting around separate legal personality arguments behind which fraudsters all too often hide.

*Moderator*

Suharsh Sinha *AZB & Partners, Mumbai, Maharashtra*

*Speakers*

Angela Barkhouse *Managing Director, Head of Offshore, Kroll, Grand Cayman*

Gabriela Gobbi *Duarte Forssell Advogados, Sao Paulo*

Paul Hughes *Kobre & Kim, Dubai; Regional Representative Middle East, IBA Asset Recovery Committee*

Tim Symes *Stewarts, London*

1030 – 1100 **Coffee/tea break**

1100 – 1200 **SESSION EIGHT**

## **The ongoing impact of sanctions on enforcement**

The recent waves of sanctions have had wide-reaching implications on client representation and dispute resolution – such as arbitration – generally. How has enforcement been impacted? Panellists discuss how practitioners are dealing with this in practice.

*Moderator*

Karyn Harty *Dentons, Dublin*

*Speakers*

Jean-Sébastien Bazille *GIDE, Paris*

Hannah Blecha *Schwärzler Rechtsanwälte, Vaduz*

Syedur Rahman *Rahman Ravelli, England*

Cathelijne van der Plas *JahaeRaymakers, Amsterdam*

Maureen Ward *Bennett Jones, Toronto, Ontario; Diversity and Inclusion Officer, IBA Asset Recovery Committee*

### **MOBILE TELEPHONES**

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## 1200 – 1255 SESSION NINE

### The role of regulators in asset recovery

Asset recovery is a multi-disciplinary practice area, which often raises discussion around the merits of a civil versus criminal asset recovery strategy, and the inter-play between those alternative (or parallel) routes to recovering assets. How do regulatory regimes fit into the asset recovery equation? How can victims or debtors leverage regulatory processes to obtain redress? What rights and standing do victims have and what restitution is available?

*Moderator*

**Jonathan Addo** *Harneys, Road Town; Treasurer, IBA Asset Recovery Committee*

*Speakers*

**Jeffrey Alberts** *Pryor Cashman, New York*

**Joanna Bogdanska** *KW Kruk and Partners, Warsaw; Newsletter Officer, IBA Asset Recovery Committee*

**Thomas Eymond-Laritz** *Highgate Limited, London*

**Stephen Grayson** *Former Director of a Legal Division, BVI Financial Services Commission, London*

**Andy Liao** *Han Kun Law, Shanghai*

## 1255 – 1345 SESSION TEN

### Experiences of direct asset recovery via Article 53 of the UN Convention Against Corruption

How are State Parties' corruption claims being treated by other State Parties' courts worldwide? Has progress stalled?

This panel will discuss asset recovery flops and triumphs. Is Article 53 of the UN Convention against Corruption (UNCAC) being implemented in a sensible way worldwide? Is it still impossible for many jurisdictions to litigate their losses? This panel will address, in-depth, the issues and challenges related to civil remedies that are available to address corruption. Panellists will discuss all of the asset recovery tools including seeking compensation for damages suffered, ways of establishing ownership and acting as *partie civile*.

*Moderator*

**Emile van der Does de Willebois** *Coordinator, UNODC StAR Initiative, World Bank Group, Washington, DC; Special Projects Officer, IBA Asset Recovery Committee*

*Speakers*

**Lucia Coerman** *Church Chambers, London*

**Boni de Moraes Soraes** *Federal Prosecutor for International Affairs, Brasilia*

**Stephon Grey** *Baker & Partners, George Town*

**Michaël Schlesinger** *Archipel, Paris*

**Oscar Solorzano** *International Centre for Asset Recovery, Basel Institute on Governance, Lima*

1345 – 1445 **Lunch**

1445 – 1530 **IBA Asset Recovery Committee open business meeting**

2100 – 2300 **Host committee dinner**

*Club Financiero Génova*

*Calle del Marqués de la Ensenada, 14, Centro, 28004 Madrid, Spain*

Dress code: Cocktail

Gentlemen are kindly asked to wear a jacket and tie.

The IBA, its officers and staff accept no responsibility for any views expressed, presentations or materials produced by delegates or speakers at the Conference.

#### MOBILE TELEPHONES

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We act in the Commercial Court, Chancery Division, and key offshore jurisdictions like the BVI and Cayman Islands, with strong experience in fraud-related arbitration and jurisdictional disputes. Our members have been involved in some of the most prominent cases in the field including *Suppipat v Naringdej*, *Vale v Steinmetz* and *Vneshprombank v Bedzhamov*.

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# Fraud. Insolvency. Recovery. Enforcement.

The global Asset Recovery community bringing together key practitioners across contentious insolvency, fraud litigation and international enforcement.

## Upcoming Events:

### **Sovereign & States Disputes and Enforcement Summit 2025**

29 - 30 Jan 2025 | Law Society, London, UK

### **FIRE International Circle**

4 - 5 February 2025 | Powerscourt Hotel, Ireland

### **FIRE Starters Global Summit: Dublin**

26 - 28 Feb 2025 | Conrad Hotel, Dublin, Ireland

### **FIRE & ICE Circle Europe**

10 - 11 March 2025 | Le Mirador Resort & Spa, Vevey, Switzerland

### **Offshore Disputes Week**

24 - 26 March 2025 | Hotel Indigo, Grand Cayman

### **FIRE International: Vilamoura**

20 - 22 May 2025 | Anantara Hotel, Vilamoura, Portugal

### **FIRE Americas / Sovereign & States Disputes and Enforcement Summit 2025**

25 - 27 June 2025 | Washington DC, US

