



Liev Schreiber (left) and Mark Ellis

‘The most documented war in history’

Ukraine’s Prosecutor General, Andriy Kostin, and actor and activist Liev Schreiber, told a packed main hall yesterday how meticulous evidence-collecting meant Russia’s invasion of Ukraine would be, in Kostin’s words, “the most documented war in history”.

In an interview with IBA executive director Mark Ellis – with Kostin appearing via live video link from Ukraine – the pair also discussed Ukraine’s need for weapons from its allies and the impact of domestic corruption accusations.

Ukraine is committed to bringing war criminals to justice locally and in international courts of justice amid the ‘evils’ of Russia’s war against it, Kostin said.

“It’s not easy but we are using the best technologies and techniques to collect evidence of crimes. With the help of our partners, we have also created a system of training members of our judiciary, our prosecutors and our defence attorneys to ensure that trials are fair. Our commitment is to bring justice to every Ukrainian and for the aggressor to know that the rules apply to them.”

Schreiber has been to Ukraine several times during the war in his capacity as a co-founder of BlueCheck Ukraine, a humanitarian start-up that provides financial support to organisations and aid groups on the ground in Ukraine.

He said he had seen first-hand the ‘tremendous amount of legwork’ involved in evidence collection.

To date, 131 Russians have been convicted by Ukrainian courts, most in absentia, which is why meticulous digitised data and evidence collection is so important, according to Kostin.

Two years after Russia’s full-scale invasion of Ukraine, states continue to discuss setting up an international tribunal dedicated to prosecuting Russian aggression against Ukraine.

“Everyone knows there is a lot of evidence to prosecute [Russian President Vladimir] Putin and once a decision is made, we will be ready,” Kostin said. “I’m optimistic that at the end of the day we will find a solution to punish those not only who started this war but to show dictators of other regimes that they will be held to account if they start wars.”

Ellis also asked Kostin and Schreiber for their perspective on receiving long-range weapons from the United States. Ukraine has asked to use Western long-range weapons to strike deeper into Russia for months. It argues that it needs those weapons to hit military sites that house Russian warplanes and that launch missiles into Ukrainian cities.

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COMBATTING FEMICIDE

Baroness Helena Kennedy KC chairs vitally important Showcase

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MEET THE DELEGATES

The most pressing issues affecting a selection of countries worldwide

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Local IBA delegates pick their favourite places

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‘Each one a daughter, a sister, a mother, a friend’

Ben Rigby reports on a sobering showcase on the worldwide struggle to combat femicide

Femicide - Murder and Other Crimes against Women - A Global Pandemic was a sobering but vitally important showcase session for all those who heard it.

The first half of Monday's session looked at gender-related killings (femicide), noting it was the most brutal and extreme manifestation of violence against women and girls, as a form of gender-based violence that highlights deep-rooted issues of gender inequality and discrimination.

Despite decades of activism from women's rights organisations and international awareness raising, evidence shows that progress in stopping such violence has been deeply inadequate.

Chaired by Baroness Helena Kennedy KC, director of the IBA Human Rights Institute, the meeting heard that in 2022, UN Women had recorded 89,000 women killed, the highest in two decades.

“Women were taken to prison. They were beaten up on the streets, as I was. I suffered several arrests and, twice, imprisonment.”

Femicide, the meeting heard, has become a social crisis, with gender-based killings prevalent in every country – the UN had reported data from every continent. Yet Kennedy noted it was equally evident in emphasising the difficulty in accurately recording gender-specific violence, as many killings are not recorded as violence against women.

The discussion highlighted the global issue of femicide, emphasising its historical roots in patriarchy and misogyny, which is challenging to define. Kennedy referenced the Scottish Parliament's inquiry into misogyny with a view to possible legislation in setting the scene for a serious and, at times, profoundly sobering session elevated by the high quality of the speaker panel.

The session's two initial speakers, Bianca Jagger and Hina Gilani, shared their experiences combating gender-based violence, advocating for legal reforms and community engagement.

Bianca Jagger, founder and president of the Bianca Jagger Human Rights Foundation (BJHRF), spoke first after Kennedy's warm and respectful introduction of the session's "fantastic speakers".

Jagger started her speech by recognising the urgency and concern surrounding femicide and other crimes against women. Similar to Kennedy, Jagger talked about the historical and ongoing nature of femicide, highlighting its political and systemic aspects. "Even today, in the 21st century, I can only feel indignation when I see how governments have failed women throughout the world," she said.

Jagger, raised in Nicaragua, witnessed discrimination against her mother, inspiring her commitment to women's rights. In 2005, she founded the Bianca Jagger Human Rights Foundation to advocate for women's rights.

From that Foundation and her activism, Jagger's global campaign against femicide and the culture of impunity around it was outlined. She noted "the stark reality that gender-based violence, and in particular, femicide, is one of the most brutal manifestations of systemic oppression against women".

Jagger's speech emphasised the importance of intergovernmental organisations, NGOs, and human rights defenders in addressing femicide and supporting women's rights organisations. She included statistics on femicide in various countries, such as Mexico, the US, and the UK, highlighting the urgent need for comprehensive measures to address it. She reminded her audience that, as Kennedy said, the actual figures might never be known, but she noted that an average of more than 133 women were being killed every day - "each one a daughter, a sister, a mother, a friend".

The statistics she outlined surrounding femicide worldwide were profoundly troubling and shed light on the pervasive issue of gender-based violence. Jagger noted that "Mexico has become emblematic of the struggle against femicide".

She pointed to a 2021 report by Amnesty International, which found that "in 2020 alone, 3,723 killings of women were registered in Mexico, of which 940 were investigated as feminicides in the country's 32 states. Not one state was free of feminicides".

Jagger said this was an underestimation, adding: "These numbers reflect systemic failure...to protect citizens and to ensure justice for victims."

She said the Inter-American Court of Human Rights had repeatedly condemned Mexico for inaction.

Along with the US, the UK's position was also criticised, with Jagger noting that, since the previous UK government came to power in May 2010, men in the UK had killed at least 1,924 women - translating to an average of one woman murdered by a man every 2.7 days.

In conclusion, Jagger called for lawyers to act as "agents of change, as advocates and guardians of justice, lawyers, judges, and members of the legal community", saying: "They should... fight for a future for justice to prevail for all women around the world."

Following Jagger was Hina Gilani, a prominent Pakistani civil society activist, former chair of the Human Rights Commission of Pakistan and co-founder of Pakistan's first all-women law firm, Pakistan's first legal aid centre, and the Women's Action Forum (WAF).

Gilani discussed the struggle against discriminatory laws in Pakistan during the 1980s. She highlighted the role of the WAF in fighting against these discriminatory laws and the importance of linking women's rights with broader democratic and rule of law issues.

Gilani highlighted the difficulties in altering deeply ingrained cultural norms that perpetuate violence against women but remained optimistic about the potential for change through sustained advocacy and legal challenges.



(Left to right) Dubravka Šimunović, Bianca Jagger, Baroness Helena Kennedy KC and Hina Gilani

Recognising that legal action in the political climate in Pakistan at that time was unlikely to succeed “we took our struggle to the street”, she told the meeting.

Women in the public eye, particularly women human rights defenders, are often targets of intentional violence on and offline, which was her own experience. “Women were taken to prison. They were beaten up on the streets, as I was. I suffered several arrests and, twice, imprisonment,” recounted Gilani.

As a result of her activism “there were at least two assassination attempts against me”, she said.

“How did we survive this?” She asked rhetorically. “Because firstly, we thought there was no other option. It wasn’t that I, or anyone working with me, was particularly courageous. What option did we have? Inaction meant no change.”

Dubravka Šimunović, a former UN Special Rapporteur in New York, discussed the importance of collecting and analysing data on femicide to inform policy and legal frameworks, which is crucial for addressing the issue effectively. Šimunović’s work focuses on ensuring that femicides are recognised not merely as homicides but as crimes that are rooted in gender-based discrimination and require targeted responses.

‘The most documented war in history’ *(Continued from page 1)*

“If we do not use time in our favour, time will work for the enemy,” said Kostin. “The reality now is that creating limits on how Ukraine can defend itself has cost a lot of Ukrainian lives. There is no going back for Ukraine so ‘yes’, let us strike as deep as possible so none of us have to make the same sacrifice against the enemy again.”

Schreiber added: “One of the things that I find particularly concerning is the politicisation of policy, like using the issue of the weapons the Ukrainians need as a political tool. Both of the US political parties need to get back to our values; stop looking at elections and politics as shifts of power but as the way that we as Americans exercise our values.”

However, accusations of systemic corruption in Ukraine has been a theme detracting from its war effort. Delegates heard how Ukraine has made significant progress fighting graft.

“Corruption is an internal enemy in Ukraine and our daily work of fighting it,” said Kostin, who pointed to Transparency International’s 2023 Corruption Perceptions index, in which Ukraine had increased its score.

Schreiber pointed that an increase in the number of prosecutions did not mean corruption was increasing but that efforts to comb it were being stepped up.

When asked by an audience member about

the stress of his position, Kostin responded, “It’s critical for Ukraine to feel your support because working together with us shoulder to shoulder is what helps our morale. Our challenge is not only to win the war but to prepare for peace for all of us.”

Following their remarks, Kostin and Schreiber received a standing ovation.

Kostin was appointed Prosecutor General of Ukraine in 2022. Schreiber is a co-founder of BlueCheck Ukraine, a humanitarian start-up that provides financial support to organisations and aid groups on the ground in Ukraine.

Good lawyers and ‘bad’ clients

Lawyers face increased scrutiny when representing clients that conflict with broader societal duties

We all know that lawyers must act in the best interests of their clients, but what about their broader duties – to defend the rule of law, to uphold human rights and to emulate the other ethical principles that underpin the profession?

These were the challenging issues tackled by an eminent panel from across the Professional Ethics Committee, Bar Issues Commission, Legal Policy & Research Unit and Law Firm Management Committee at the ‘Spotlight on the role of the legal profession’ session on Tuesday.

“The profession has rather compartmentalised its approach to its responsibilities; AML and KYC compliance goes in one bucket, sanctions and anti-bribery in another bucket, conflict checking over here, ESG and discussions of clients a firm wants to act for over there,” said Stephen Revell, co-chair of the Law Firm Management Committee. “We need to look at this differently – as pillars supporting the overall role and responsibilities of the profession not just to its clients but to wider society.”

Sara Carnegie of the IBA’s Diversity & Inclusion Committee highlighted the recent Updated IBA Guidance Note on Business and Human rights, passed unanimously last year, noting that it shows “how lawyers are best off going beyond the black letter of the law and being wise counsel”.

A divisive issue

Despite general support for acknowledging broader societal duties, Slido polling of those in the room showed only 23% said their firms have a policy or checklist for tackling scenarios where client work could conflict

with these wider duties, while 74% agreed with a statement that law firms take decisions solely with commercial interests in mind. The room was almost equally split on the question of whether law firms should adopt a more transparent policy on how they consider the impact of client instructions in terms of societal harm, with 52% against and 48% for.

One question from the floor further drew out the range of views, with a lawyer from India stating that in his reading of his obligations it would be unethical for a lawyer to refuse to provide counsel to a client with legal needs and the means to pay for them.

The panel and audience debated what happens if firms were to decline to represent a fossil fuel company drilling for new oil, and whether it would be important for some lawyers to remain available to advise on such work.

Revell gave the example of a large firm that had put in place a policy to decline to act for certain types of company on certain types of matters, and how that had led to a number of partners leaving the firm because they did not wish to comply with the policy. Despite such challenges, Revell predicted more and more firms would create such policies.

GCs under pressure

Strategic adviser Jenifer Swallow, representing the general counsel community, raised the issue of the pressures GCs face, which remains an underexplored challenge relative to private practice debate. GCs can find themselves in a capitulate-or-resign position, which many navigate well but sometimes the position is untenable. Swallow described coordinating a

response to the UK regulator the Solicitors Regulation Authority (SRA)’s thematic review, which found little by way of risk issues for GCs.

“Many in the GC community were outraged by the SRA’s review, which even misinterpreted its own data. We sent a public complaint to the regulator and crowdsourced a range of anonymised but real scenarios to give lie to the idea of the low-risk environment the SRA has painted a picture of. These covered multiple examples of GCs being asked to facilitate illegal behaviour, from being asked to help cover up sexual harassment or bullying incidents to all sorts of facilitation of money laundering and an example of a breach of a warranty in an M&A deal where information was suppressed,” she said.

The GC community is now talking about this topic and there needs to be a shift in awareness to bring support infrastructure that makes the position of a GC not just about their personal role and responsibilities but also the role of a lawyer and their professional duties, she added.

Better communication

IBA secretary general Jorg Karsten-Menzer, noting that most lawyers do not work for big firms and do not have the same tools available to them, concluded by saying that lawyers remain highly respected within wider society.

He said: “We should not beat ourselves up too much (for seeing) ourselves as somehow helping people do bad things. People come to lawyers because they trust us to help them with legal issues and at the end of the day it comes down to the individual to make the judgement call.”

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PARTNER CONTENT **Doing business in Cuba**

Cuba eases investment backdrop for foreign companies

Cuba's economy is opening up and creating opportunities for international businesses despite the long shadow of US sanctions, says Lourdes Dávalos León of Dávalos Abogados

What opportunities are there in Cuba for international businesses?

"In the past the big opportunities in Cuba in general have been focused on the tourism and leisure sector, as with other countries located in the Caribbean. However, since 2014 when Cuba enacted a new investment law, the market has been opening up for nearly all sectors apart from the education, defence, cultural and sports sectors, which are reserved for state investment. The Cuban government has been focusing on attracting more foreign capital and therefore has been consistently changing not only the investment law but other parts of the legislative system to accommodate foreign investors. The government is looking to attract investment that brings added value for Cuba and supports the local economy. Some of that is in industrial sectors such as manufacturing but also other areas including energy, infrastructure, real estate, and biotechnology. There are also interesting tax incentives for businesses including total tax exemption for key sectors."

How can businesses structure their investments in Cuba?

"The legal system is comparable to other countries in Latin America using the civil law system from Spain. In Cuban company law, foreign businesses can set up as an investment vehicle through a joint venture with the government or as a 100% private company or by creating collaboration agreements. A joint venture with a Cuban partner is the most common investment structure because typically international companies don't want to take the risk and go it alone."

How would you characterise the general business culture in Cuba?

"Given the economy is opening up step by step, there is still some reticence to be fast. Authorisations can be slow. Even if it says you will have approvals in 60 days, it may take as long as a year. But on the positive side, compared to the rest of Latin America, it is a safe country. People are very educated, many to university level; Cuban education statistics



Cuba wants to attract more foreign investment to support the local economy

are very similar to countries in northern Europe. So, companies don't need to worry about the standard of human resources locally, the workforce is very good."

What challenges do businesses face given US sanctions on Cuba?

"This is one of the biggest challenges that affects the legal aspects and legal structure that we need to create to help our clients to invest in Cuba. Because it is not a piece of Cuban law work, we normally team up with a US law firm to get some legal opinions regarding the risk of sanctions in the specific business. It's a very case by case basis because it depends on many different things – who is the company that wants to invest, where is the country of origin of that investment, what sector is the investment going to be focused on, is there a US person involved in the transaction? So, you have to do due diligence before going in. For companies with Asian origin – Chinese or Indian companies, say – they are not very worried about the US sanctions. But for occidental companies based in Europe or Latin America, they care because even if the sanctions cannot affect their business or them as an individual, they want to know the level of risk. And even if there is some risk, it doesn't mean you can't do business in Cuba, it just means that we need to change the structure of the investment."

What is the dispute resolution landscape like in Cuba?

"Cuba has signed all the international conventions available. Cuba is one of the smallest countries that has, for instance, a treaty for investment protection. It has signed investment protection treaties with more than 70 countries, which includes how to deal with disputes. Dispute resolution can be agreed completely freely by the relevant parties in a contract. Cuba is a party of the

New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, and there is also an arbitration court in Cuba. So Cuban dispute resolution is very well advanced and very open minded. However, our recommendation is always to use international arbitration when dealing with foreign investments and not to deal with local courts – it's not advisable even here in Spain – so it's better to have international arbitration, and this is very acceptable in Cuba."

What other factors should businesses be aware of before investing in Cuba?

"It will be interesting to watch how the situation with the US develops and if a Kamala Harris presidency would help relations. Because even if companies are affected or not by the sanctions, the international community wants to know what the political and economic relationship is like with the US, because the US market is very close to Cuba and so Cuban businesses may depend on the future of the US-Cuba relationship."



Lourdes Dávalos León is managing partner of Dávalos Abogados in Madrid, the first Spanish-Cuban boutique commercial

law firm specialising in complex international matters involving Cuba.

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For more information about Dávalos Abogados visit www.davalosabogados.com

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Delegate Views

What are some of the most pressing legal issues in your country?

Andrea Abascal

Partner,
Bofill Mir Abogados
Chile



There are many legal issues in Chile but one of the most pressing is access to new medications and new medical technologies for what we call weird diseases. Sadly, affected people must initiate litigation against the public or private system to get access.

David Gutiérrez

Partner, BLP
Costa Rica



Costa Rica remains a beacon of hope and stability amidst the political challenges in Latin and Central America. As some neighbouring countries grapple with governance and institutional issues, Costa Rica continues to lead in promoting environmental protection, sustainable development, and human rights. Costa Rica's focus on social equality and inclusivity keeps human rights at the forefront of national priorities.

Sabine Wildfeuer

Managing Partner,
Redeker Sellner Dahs
Germany



While there are many legal issues in Germany, one of the most important legal and political areas is digitalisation. We are second to last in the European Union when it comes to Fibre to the Premises (FTTP) coverage and we need to accelerate the pace of digitalisation, in particular for our public services.

Vittoria di Gioacchino

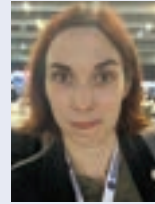
Partner, BLP
Costa Rica



We have issues related to foreign and direct investment into our country. The most important concern is being able to move as fast as the market is moving and protect all the parties in the transaction. For example, semiconductors are one of the hottest issues and luckily, the US has chosen us to be the first alliance with them.

Andrea Harrington

Professor, McGill Institute
of Air and Space Law
Canada



In my area, which is international air and space law, the key issues are the legalities around close approach of other countries' satellites. Other important issues include how to govern space mining and space resources on the moon.

Fabiola Cavalcanti

Partner, FAC Law
Brazi



Brazil's reliance on fossil fuels and transition to clean energy, including solar, wind and other forms of power, is an important issue for our country. Brazil recently legalised sports betting and that's another big legal issue. We have the legal framework in place but are in the process of establishing and launching this market, where we expect a lot of foreign investment.

Sandhiya Sophie Argent

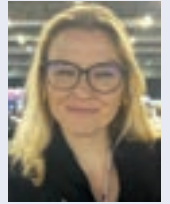
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One of the most pressing issues in the UK is still access to justice. Legal aid is almost nonexistent except for criminal cases. Legal services, particularly public services, are in decline and need investment as do our courts and prison system.

Anna Wyrzykowska

Partner, WKB Lawyers
Poland



Because of the reforms made by the previous government, we need to restore the judicial system. Various changes to the law must be implemented and this will take time but the new Polish government led by Prime Minister Donald Tusk pledges to restore the country's independent judiciary.

Ngozi Uchidiuno

Deputy General Manager,
Federal Mortgage Bank
of Nigeria
Nigeria



The rule of law is the most pressing issue in Nigeria as well as independence of the judiciary and then the independence of the INEC, or the state-owned Independent National Electric Commission. Beyond that, gender equality is an issue, especially for women to have a voice in the government.

Saroj Ghimire

Managing Partner,
Himalayan Lawyers and
Associates, Nepal



One of the important issues in Nepal is the independence of the judiciary and judicial appointments. The other is the implementation of our constitution; we have the second youngest constitution in the world, just nine years old.

One of the most pressing issues in the UK is still access to justice.

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Lawyers must educate public on their role in maintaining the rule of law

By Ben Edwards

The rule of law only works if people have access to justice, and it is incumbent on lawyers to be more vocal about their role in providing representation to less advantaged members of society, said Baroness Kennedy KC, speaking at the 'A world without lawyers' keynote address on Tuesday.

The session was promoting the launch of the IBA's Impact Report on the social and economic contribution lawyers make to society. The report underscored a clear gap in public perceptions about the impact lawyers have and the role lawyers think they play. More than three-quarters of lawyers (78%) said they have a positive impact, compared to just 54% of the public who think the same.

"The problem is the narrative – we are all aware about the jokes about lawyers, but we are not so aware of the good work that lawyers are doing, and this report emphasises the other side of the coin," said Tshepo Shabangu of the Law Society of South Africa.

Panellists at the session, which also featured former UK attorney general Lord Goldsmith KC and MinterEllison partner Peter Bartlett, said lawyers need to do more to make the public aware of the role the profession plays in upholding the rule of law.

"The importance of the lawyer is making the rule of law work," said Kennedy, who is the director of the IBA Human Rights Institute. "The rule of law is meaningless unless people have access to justice and unless there are lawyers who are going to represent different interests in society which are affected by the law."

Kennedy pointed out that there is often a perception that lawyers and



(Left to right) David Rivkin, Stephane Brabant, Tshepo Shabangu, Lord Peter Goldsmith KC, Peter Bartlett, Baroness Helena Kennedy KC, Victor Olea Pelaez, Gloria Macias, Almudena Arpon de Mendivil

their clients are interchangeable and that lawyers are always aligned with their clients' beliefs, a perception that must be challenged.

"We have to make the argument that lawyers representing their clients don't necessarily share their clients' view of the world," she said. "We're lending our professional expertise to people to make their case. But it doesn't mean that we share the views or the ideology of our clients. Too often, that's misunderstood and

often quite deliberately misrepresented to the general public."

Lawyers must also do more to raise awareness about the broader contribution they make to society.

"It is not recognised sufficiently... the tremendous amount of pro bono work that lawyers do," said Bartlett. "Our firm does 67,000 hours a year of pro bono work and 20% of that goes to the indigenous people of Australia. The main focus of that is human rights and access to justice, domestic violence, homelessness, education and indigenous empowerment and reconciliation."

The report – which was produced with support from consultancy McKinsey – found that the rule of law had deteriorated in 82 countries where 80% of the global population lives. Just over half of delegates attending Tuesday's session (53%) said it is important to educate the younger generation and society on the importance of the rule of law, while 45% said working to improve access to legal representation and justice can help to advance the rule of law.

"This is not about celebrating lawyers – it's about celebrating the law and the role lawyers play in that," said Lord Goldsmith KC.

Justice no longer independent, says Mexican bar leader

Mexico's judicial reform plans seriously impair the separation of powers, judicial independence and endangers the country's democracy, said Victor Olea Pelaez, president of the Mexican bar association.

Speaking during Tuesday's keynote address on 'A world without lawyers', Olea Pelaez said the amendment to the constitution and the establishment of popular elections for judges and other high-ranking judicial officials would lead to the judiciary being subjected to executive power, resulting in the loss of independence and neutrality.

"In Mexico, there will no longer be either independent or expeditious justice," he said.

Olea Pelaez also thanked the IBA for raising awareness of the challenges Mexico's legal system is facing.

"The IBA's solid support gives us legitimate hope that this setback to the rule of law can be reversed in the near future," he said, adding: "The Mexican bar will not fall into discouragement or despair, we will continue to fight... so the division of power, judicial independence and the

freedom to exercise in the profession will prevail."

Lord Goldsmith KC also highlighted that it was important for the IBA to provide a global spotlight on the reforms and its impact on judicial independence.

"One of the things that the IBA does well is [draw attention to] where there is an issue, about people being oppressed, about people not having rights, about freedoms not being respected," he said.

Enhancing accountability for international

The IBA's eyeWitness to Atrocities app has been helping bring criminals in conflict zones to justice for almost a decade

By Valmira Gkioni

Amid several ongoing global conflicts, the IBA's eyeWitness to Atrocities (eyeWitness) initiative has continued to assist frontline documentation teams to record and secure authentic footage of atrocities with the eyeWitness to Atrocities app, and supporting investigators in using this footage for justice. The footage captured across high-risk zones, often underreported in the media, has revealed attacks on civilians, assaults on healthcare and the destruction of residential buildings, educational facilities, cultural heritage sites, food and water infrastructure, commercial properties and other critical infrastructure.

To date, more than 70,000 authenticated photos, videos, and audio recordings of potential international crimes and human rights violations have been captured and preserved by human rights documenters on the frontlines in conflict situations with the eyeWitness app, including Ukraine, Palestine and Nigeria. Over the years, eyeWitness has supported more than 70 human rights

organisations across high-risk regions that document human rights violations and atrocity crimes – war crimes, crimes against humanity and genocide. This support has streamlined the path from documentation to justice, enabling accountability mechanisms at national, regional and international levels to access authenticated footage through more than 80 submitted files and related metadata, confirming the date, time and location of incidents.

The initiative's accountability impact would not be possible without the meticulous review, cataloguing and analysis of the footage uploaded to the eyeWitness access-controlled database, aided by more than 250 qualified pro bono lawyers from eight top international firms. Through its work and strategic collaborations, eyeWitness has significantly contributed to bringing justice for victims by providing information to numerous accountability efforts, proving the value of collecting and preserving digital evidentiary material.



Notably in 2018, footage captured with the eyeWitness app was admitted as evidence at a military tribunal in South Kivu, DRC, leading to the conviction of two commanders for crimes against humanity. The footage presented in court, including 92 images and metadata, corroborated photos taken five years earlier and witness testimony, proving the contextual and material elements of murder and torture through images of graves and survivor injuries.

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crimes through digital footage

This evidence, along with witness statements, was crucial in securing the convictions.

In Ukraine, eyeWitness has been used by documenters since 2017 and more extensively since Russia's full-scale invasion, capturing more than 45,000 pieces of photo, video and audio footage. Based on footage captured by documentation teams using the eyeWitness app, and in collaboration with several non-governmental organisations (NGOs), eyeWitness has published two reports revealing critical evidence of Russia's attacks on Ukrainian healthcare infrastructure, and how Russia's actions have not only endangered civilians' right to health but also jeopardised access to essential healthcare services. These reports also contributed to a joint submission informing the UN Human Rights Council working group in advance of Russia's fourth Universal Periodic Review (UPR).

In addition to these initiatives, in 2022, eyeWitness submitted evidence of human rights violations to the United Nations Independent International Commission of Inquiry on Ukraine, contributing to its investigation of incidents that occurred

between late February and late March 2022 in the areas of Kyiv, Chernihiv, Kharkiv, and Sumy. Furthermore, in 2021, eyeWitness submitted a report to the UN Special Rapporteur on Adequate Housing.

In Nigeria, users of the eyeWitness app have uploaded more than 7,000 photos, videos and audio files documenting the aftermath of attacks on villages in the Middle Belt region. In June 2022, eyeWitness filed an urgent appeal to the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, detailing 69 attacks by non-state actors between October 2017 and January 2022. The report, based on footage and open-source information, revealed the killing of civilians, village burnings and food reserve destruction. In 2023, eyeWitness submitted a joint report for Nigeria's fourth Universal Periodic Review (UPR), analysing violations of the right to life, adequate housing, food, freedom of religion and access to effective remedy.

In 2021, the UK National Contact Point (UKNCP) found British company J.C. Bamfords Limited (JCB) in violation of its human rights responsibilities due to its equipment being used in demolitions in Palestine. This finding

followed a complaint by Lawyers for Palestinian Human Rights (LPHR), which included footage captured with the eyeWitness app. Additionally, eyeWitness provided verified photos and videos to the UN Independent Commission of Inquiry on the Protests in the Occupied Palestinian Territory, contributing to its 2019 report that found reasonable grounds to believe that Israeli Security Forces had violated various rights, including the right to life, freedom of expression, peaceful assembly and children's rights.

In The Gambia, lawyers from TRIAL International uncovered illegal logging of protected timber in Casamance by combining eyeWitness' geolocation metadata with satellite imagery. Between June 2014 and March 2017, Westwood, a Gambian company linked to a Swiss businessman and former President Yahya Jammeh, exported more than 315,000 tons of rosewood. And in June 2019, TRIAL International filed a criminal complaint with the Swiss War Crimes Unit against the Swiss individual for alleged pillaging of protected Senegalese rosewood.

Valmira Gkioni is communications coordinator at eyeWitness to Atrocities

THE GLOBAL LEGAL POST

Law Over Borders Comparative Guides



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The (legal) insiders' guide to the sites

Local IBA delegates pick their favourite places



Arturo Tiburcio

**Tax Partner,
Hogan Lovells**

Definitely go to Coyoacan. This is the neighbourhood where Frida Kahlo's house is and where she spent the end of her life. Ten minutes away is another important place, the Leon Trotsky House Museum. The centre of the complex is the house where Trotsky and his second wife, Natalia Sedova, lived from April 1939 to August 1940, and where he was murdered



Carlo Pérez Arizti

**Partner,
Baker McKenzie**

I would recommend visiting the Chapultepec Castle, which is the only royal palace in North America which was inhabited by monarchs. It has great views of the city and a museum worth visiting. It's best to arrive in the morning and take a small train up, which is easily available in the bottom entrance. The castle closes at 5:00 pm, so if you go in the afternoon, you can also dine at any of the good restaurants that are within walking distance.



Chantal Williams Orozco

**Communications, Marketing &
Business Development,
Von Wobeser y Sierra**

If you want a cool place to enjoy a relaxed drink, I recommend three speakeasy places: Hanky Panky Cocktail Bar, Handshake Speakeasy (reservations required) and Xaman Bar.



Pyramid of the Moon at Teotihuacan



Fernando Peláez-Pier

**CEO,
LexLatin**

If it is your first time to Mexico, you must go to Teotihuacan, the site of many of the most architecturally significant Mesoamerican pyramids built in the pre-Columbian Americas, namely the Pyramid of the Sun and the Pyramid of the Moon. It's about 40 kilometres from Mexico City but will transport you to a world of ancient civilisation.



Horacio De Uriarte

**Co-Managing Partner,
Mijares Angoitia Cortes y Fuentes**

You have to go to the Saturday market, or Bazaar Sabado in the historic San Angel neighbourhood. Go around noon and enjoy all the local artists and traditional arts and crafts both indoors and outdoors.



Inside the Castillo de Chapultepec



Saturday Bazaar in the San Angel neighbourhood

and sounds of Mexico City



Hugo Hernandez-Ojeda

**Partner,
Hogan Lovells,**

Visit the neighbourhood of San Jacinto which is famous for its picturesque streets, lively weekend markets, historical buildings and dining options. Pick up a bargain at the flea market at stalls which spread into the Jardin del Arte. Very near is a very old restaurant, San Angel Inn, which is one of the best for Mexican chiles en nogada and ribeye tacos.



Frida Kahlo's house in Coyoacán



Marcos Carrasco Menchaca

**Partner,
Foley & Lardner**

I would recommend having dinner at Terraza Cha Cha Cha. Located in the downtown area of Mexico City at Avenue de la República 157, Colonia Tabacalera, Cuauhtemoc, the restaurant offers a spectacular view of the Monumento a la Revolución from its rooftop balcony. Cocktails and every item on the menu are amazing – the tacos are a must have! Beware of the spicy sauces known to make guests cry. Make sure to ask the wait staff before trying these. Tables on the rooftop are quite popular, especially around the golden hour of sunset. Make sure to call ahead for a reservation the morning of, or better yet, the day before to enjoy one of the best views in the city.



Miroslava De Olaguibel

**Senior Attorney,
Clark Hill**

When I look out my Clark Hill office window in Mexico City, I see the lovely Polanco neighbourhood. It's in the city's Miguel Hidalgo borough and known for its restaurants, luxury shopping along Presidente Masaryk Avenue as well as for its museums including the National Museum of Anthropology and the Museo Soumaya, which houses the largest collection of Rodin sculptures outside of France. I was born in Veracruz but Mexico City has been my home since 1987. My favourite thing to do is to visit Parque Lincoln, walk around while drinking coffee, watch people and enjoy nature.



The Aztec Sun Stone is the most iconic artifact in the National Museum of Anthropology



Ricardo Mendoza

**Associate,
DLA Piper**

I would visit Azul Histórico or Expendio de Maíz for high-end Mexican cuisine. For other cuisines, go to Sartoria (handmade pasta) or Suntory (high-end Japanese). For an hacienda experience, try Hacienda de los Morales or San Angel Inn.

I also suggest visiting the Castillo de Chapultepec, in the heart of Mexico City. I recommend one of Frida Kahlo's houses (there are two – the one in Altavista is avant-garde and the one in Coyoacan is more traditional and crowded). I would recommend the Ballet Folklorico de Amalia Hernandez, a Mexican ballet experience that is unique worldwide. For jazz, Zinco Jazz Club or Jazzatlán.

I strongly suggest taking a tour with one of the best tour guides in town and a close friend of mine, Nicolas Caillens at The Travelling Beetle (Dua Lipa took her last tour with him). Nicolas offers rides in vintage cars. The guides are architects who explain the history of the places visited.



Silvia Garcia Garrido

**Marketing and Business Development Manager,
Ritch Mueller**

I would strongly recommend Petite Roquefort, it's one of my favourite outdoor restaurants for breakfast after a walk or bike ride along Paseo de la Reforma, an avenue that is closed to cyclists every Sunday from 8 am - 2 pm. The restaurant is beautiful. It is located in an old house in the Juarez neighbourhood, decorated in a rustic style, surrounded by trees, and is pet-friendly. Upon arrival, you must try their almond croissant and a latte! For the main course, I recommend the chicken chilaquiles or the egg sandwich; they are delicious. The portions are quite large, so I suggest arriving very hungry. Afterward, within the same space, there are other shops selling Mexican crafts, clothing, jewellery and more.

IBA 2024 Mexico City

Key sessions to look out for during a week that will set the agenda for global law



Wednesday

09:15 – 10:45

Morning Keynote Address: The Power of Cultural Diversity - A Conversation with Dr Rigoberta Menchú Tum, Nobel Peace Prize Winner 1992

Palacio de Valparaiso 1, Level E1

Join Nobel Peace Prize laureate Rigoberta Menchú as she reflects on equality, inclusion, diversity, and the rights of Indigenous people. Menchú will share her journey from her Maya upbringing in Guatemala to becoming a global advocate for indigenous rights.

The session will explore her life's work, the impact of her Nobel Prize, and her vision for future generations. Chaired by IBA president Almudena Arpón de Mendivil and Berit Reiss-Andersen, vice chair of the Bar Issues Commission, this interactive conversation will invite questions from the audience.

14:30 – 17:30

Bar Issues Commission Showcase: Beneficial Ownership

Palacio de Inturbide 1, Level E1

This session will explore the complex legal landscape surrounding beneficial ownership laws, focusing on anti-corruption measures and privacy concerns. The panel will discuss the implications of recent regulations, including the EU's privacy ruling on beneficial ownership and the Corporate Transparency Act in the United States. Chaired by Sara Louise Carnegie, member of the IBA Diversity & Inclusion Council, and Steven Richman, chair of the Bar Issues Commission policy committee, the session will address how these laws impact lawyers, law firms, and their obligations to clients.

Thursday

09:15 – 10:45

Morning Keynote Address: The Future is Now: Artificial intelligence, the Law, and Society with Keynote Speaker Marc Rotenberg

Palacio de Valparaiso 1, Level E1

Artificial Intelligence is identified as the top challenge facing the legal profession. This session will present the findings of the IBA's 2023 presidential project report, The Future is Now: AI, the Legal Profession and Society, developed with the Center for AI and Digital Policy. Keynote speaker Marc Rotenberg, executive director and founder of the think tank, will explore AI's impact on legal practice and governance. Chaired by IBA president Almudena Arpón de Mendivil and IBA vice president Claudio Visco, this session will feature insights from the AI Task Force and engage the audience in discussion.

09:30 – 12:30

SPPI Showcase: Creating Great Pro Bono Programmes

Palacio de Inturbide 1, Level E1

Pro bono work plays a critical role in providing access to justice and protecting human rights, offering legal assistance to those in need and mobilising lawyers in impactful cases. This session will explore the intersection of pro bono efforts, access to justice, and human rights, highlighting best practices for creating successful programmes. Chaired by Babatunde Ajibade SAN, SPPI vice chair and treasurer, Myra Garrett, SPPI chair, and Flavia Regina de Souza Oliveira, co-chair of the IBA Pro Bono Committee, the session will feature insights from legal professionals on enhancing pro bono initiatives.

Friday

09:30 – 16:00

Rule of Law Forum

Palacio de Inturbide 1, Level E1

IBA president Almudena Arpón de Mendivil will set the stage for the Rule of Law Forum, which is co-chaired by Federica D'Alessandra, senior vice-chair of the IBA Rule of Law Forum, and Adam Goodman, co-chair of the IBA Rule of Law Forum. The day will include a posthumous presentation of the 2024 Benjamin B Ferencz Rule of Law Lifetime Achievement Award to Stephen Denyer, accepted by his family.

The symposium will feature three key sessions:

- **09:30 – 11:00:** Defending and restoring the global rule of law
- **11:30 – 13:00:** The rule of law in the Americas
- **14:00 – 16:00:** When the rule of law and democracy clash, which prevails?

Registration and Access

The symposium is open for free registration, even if you are not attending the main conference. Registration must be completed by 18 September.

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Our IBA team: Back row (l to r): Danielle Lobo, Mevan Bandara, Shahram Safai, Charles Laubach.
Front row (l to r): Bashir Ahmed, Saurbh Kothari, Chatura Randeniya.

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