



Nobel Peace Prize winner Rigoberta Menchu Tum on indigenous rights and social justice – see full story on page 9

‘The legal profession needs to embrace AI’

By Ben Edwards

Almost half of lawyers support regulation around the use of AI in the legal profession, according to a new report from the IBA and the Center for AI and Digital Policy (CAIDP).

The report – The Future is Now: Artificial Intelligence and the Legal Profession – is set to be launched at the IBA president’s keynote address this morning. It found that 48% of survey respondents back AI regulations, with 57% calling for regulatory consistency around the world.

IBA president Almudena Arpon de Mendivil said: “Meeting the challenge posed by AI developments at the legal front, the IBA has assessed and highlighted the crucial role lawyers must play remaining at the centre of governance of technological changes. AI may not result in opaque systems endangering fundamental rights and values of modern societies.”

She added that the legal profession needs to embrace AI and that the IBA is committed to providing ongoing support and guidance to ensure AI technologies are developed and used in a manner that benefits the legal profession and society more broadly.

Some 43% of respondents said their firms have policies in place around the use of AI, while 69% said they were unaware of the extent to which AI regulation would impact their firms.

The report also highlights the transformative potential of generative AI, which could bring significant changes to law firm strategies and the way they operate.

It warns, however, that the implementation of AI in law firms will require extensive training and development programmes to ensure it is used safely and effectively.

Firms must also ensure they have effective management around data governance, security, intellectual property, privacy and policy development, the report says. They should also be mindful of AI’s influence on hiring practices and any potential ethical issues that may arise from the use of AI.

Marc Rotenberg, executive director of the CAIDP, who is due to give the keynote address at this morning’s session, said: “As AI continues to evolve, it is imperative that we establish robust policies and frameworks to ensure fairness, accountability and transparency. This report is a crucial step in that direction, providing valuable insights and recommendations for legal professionals and policymakers alike.”

Turn to page 12 for an in-depth preview of today’s keynote address.

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OUTSTANDING ACHIEVEMENT

Meet the SPPI Awards winners

Page 9



DELEGATE VIEWS

What advice would you give to a young lawyer?

Page 7



TAKING THE LEAD ON AI

How the IBA has set out to shape global standards

Pages 12-13

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Sternford Moyo remembered

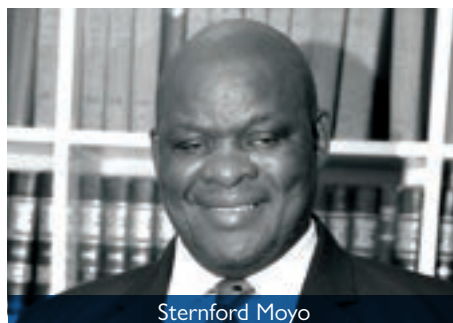
By Ben Rigby

The IBA has mourned the untimely deaths of two of its greats this year, Sternford Moyo and Stephen Denyer.

IBA president Almudena Arpón de Mendivil paid tribute to the IBA stalwarts during the opening ceremony on Monday. Denyer passed away on 14 January (see obituary, page 4), Moyo died, aged 68, on 5 July after a short illness, only a few weeks before this conference was due to kick off where, like Denyer, he would have featured prominently.

Moyo was president of the Law Society of Zimbabwe from 2002-2004, held many senior roles within the IBA and served as president from 2021-2022, becoming the first president of African lineage to assume the role.

Paying tribute, shortly after his death, Arpón de Mendivil said: "The immense contribution that Sternford made to the IBA is impossible to sum up, but the number of senior roles he held and their breadth provide an indication of the time, effort and commitment he gave to the IBA. Sternford was a man of great



Sternford Moyo

courage and integrity and will be sorely missed by those who knew him."

Executive director Mark Ellis said: "Sometimes in life, you meet people you know make the world a better and more just place. Sternford Moyo was one such person. His passing is a huge loss for the legal profession and me personally. I am devastated by his death."

Moyo was a past co-chair of the IBA's Human Rights Institute, among many other roles, including chair of the IBA's African Regional Forum. He sat on the IBA's council and management board and held various IBA trustee appointments.

He was the senior partner and chairman of Scanlen & Holderness in Zimbabwe, one of the country's largest law firms, having been admitted as a lawyer in 1982.

He also served as president of the Southern African Development Community Lawyers Association (SADCLA), where he was recognised for his contributions to commercial, corporate and mining law.

His business appointments included local chairmanship roles at Stanbic Bank, Schweppes, Delta Beverages and directorships at Alpha Media Holdings and other businesses. He was a past chairman of the Zimbabwe Revenue Authority. He was made a Freeman of the City of London in 2021 for his contributions to the rule of law.

Many Zimbabwean lawyers recalled Moyo's positive contribution to upholding the rule of law in online tributes. In a statement, the Law Society of Zimbabwe (LSZ) shared its "heavy sense of grief and loss" on Moyo's "untimely passing".

Senior roles for women at Mexican law firms rank lowest among sectors

While women account for 39% of lawyers at law firms in Mexico, just 17% of them occupy senior roles, the lowest percentage in the country's public and private sectors, according to the IBA's 9th global study on gender disparity in the law.

The report was referenced at Monday's session 'The pervasive nature of bullying, sexual harassment and gender inequality in the legal profession – be part of the solution!'

Overall, the study in Mexico found that

women comprise 34% of all lawyers in the country and 30% of senior lawyers. The Mexican public sector has the highest proportion of female lawyers at a senior level (33%), followed by the judiciary (30%).

Other key findings of the report include:

Part-time working in Mexico is uncommon, with the judiciary and public sector reporting no part-time working at all;

Flexible working, despite being the most popular initiative, is perceived as only the

fourth most effective;

Leadership training for women and coaching and mentoring were regarded as the most effective initiatives; and

Quota setting for senior positions was the least popular initiative by a significant margin. Focused on Mexico, the report is part of the IBA's The 50:50 by 2030: A longitudinal study into gender disparity in law project examining gender disparity in senior roles across the legal profession.

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'States failing on refugee rights'

When the Taliban returned to power in Afghanistan in 2021, 20 years after their ousting by US troops, Tamana Paryani chose to stay. When she spoke up for women's rights and organised protests, she was arrested by the Taliban, imprisoned, tortured and forced into exile in Germany.

"No one should be forced to leave their homeland," she said as part of yesterday's panel discussion 'Sanctuary for the persecuted: Is the refugee convention a dead duck?' which focused on the international refugee crisis and whether the 1951 United Nations Convention on the status of refugees needs to adjust to today's increasing immigration issues.

"We cannot ignore that countries with poor human rights protections and records of serious injustice are causing people to flee into a world that is becoming less humane," said Baroness Helena Kennedy KC, who moderated a panel with Paryani, Alejandra Anchieta, of ProDESC, which promotes the rights of communities in Mexico, Erika Guevara Rosas, of Amnesty International, and Bianca Jagger, of the Bianca Jagger Human Rights Foundation.

"There are issues about how many newcomers any country can take but the reality is that most immigrants are going to the countries next door," Kennedy explained.

Enacted in 1951, the Convention provides a comprehensive codification of the rights of refugees at an international level including non-discrimination, non-penalisation, and



(Left to right) Bianca Jagger, Alejandra Anchieta, Baroness Helena Kennedy, Tamana Paryani, Erika Guevara Rosas

non-refoulement, or forced return to their places of origin.

From Latin America to the Middle East and Africa, panellists discussed atrocities and human rights violations in all areas of the world that are fuelling the crisis just as many countries refuse to accept refugees.

"Make no mistake, the Convention is not failing," Rosas said. "It is the states who are failing on their legal obligations to protect the human rights of those in need."

Jagger, who grew up in Nicaragua and continues to monitor what she calls the 'totalitarian state of terror, repression and impunity' in that country, added: "We should be providing sanctuary for the persecuted, but the [Convention's] asylum principles are really being tested. In many countries, immigration is one of the reasons given by populist national governments

for the economic situations of their countries."

Anchieta discussed the labour issues refugees face when they enter new countries. She explained that while most countries need more workers, certain nations block the policies and procedures that would bring them in.

She commented: "The right to work should be universal regardless of migration status. We're working on a Transnational Labour Corridor that aims to ensure workers are protected under fair labour standards regardless of the country in which they work."

Kennedy concluded that the refugee crisis and the Convention's protections are an 'issue for our age'. "Sanctuary for the persecuted should fall on the nations of the world. We have to ask ourselves: are we wanting to make it impossible for people to flee from danger?"

Levelling the playing field

Joining a network is increasingly important for ambitious local firms to compete with international firms – as long as you choose carefully.

Joining a law firm network can help local firms access the resources and contacts to reach the next level of strategic growth, according to panellists at the 'Offices or networks' session on Wednesday.

The panellists from France, Mexico, Estonia and the UK discussed the benefits of expanding their global reach, building relationships with firms around the world and sharing best practices, as well as the pitfalls of choosing the wrong network.

Nadege Nguyen of France's Gide Loyrette

Nouel said that "in the late 90s we joined Lex Mundi, because of the prestigious nature of the network, with firms with the same model and reputation as us.

We thought it would give us global reach to compete with global firms and it has worked well. It's a matter of defining your strategy – what clients do you want to serve and which firms do you want to associate with".

Panellists also discussed key questions when choosing a network, such as always asking if a network has ever terminated a member for underperformance. If they say no, then you should look elsewhere. They also cautioned against joining any networks mandating exclusivity.

Sophia Rook-Blackstone of Alliot Global Alliance, talked about the advantage for busy managing partners having the functions of an executive office for trusted support to find solutions for cross-border client needs. "It means you can be a fixer to your client – in today's world your clients expect you to be able to do that immediately," she said.

Moderator Paul Sherrard of the UK's Sherrards concluded with advice to firms about where to start to look for a network: "Legal directory Chambers has a list of well-known alliances – start there. Then talk to people, look at jurisdictions covered, specialities and events – word of mouth is vital."

Remembering Stephen Denyer and his ‘unmatched’ support for the IBA

By Ben Rigby

Tomorrow's IBA Rule of Law Forum will feature the posthumous presentation of the 2024 Benjamin B Ferencz Rule of Law Lifetime Achievement Award to Stephen Denyer. The award will be accepted by his family.

Denyer was a stalwart in the legal community renowned for his extensive domestic and international contributions. He was also an ever – present figure at the IBA, deeply committed to its principles.

His career spanned several decades, with a notable tenure of more than 36 years at Allen & Overy (A&O), which he joined as a trainee after studying law at the University of Durham.

At A&O, he helped establish 11 of the firm's international offices, alongside roles as global markets partner and international development partner.

On his retirement from the firm, he became director of strategic relationships at the Law Society of England and Wales, a role that perfectly matched his skills.

He was a mainstay of the society's work with City law firms, fostering strategic relationships with key stakeholders, including local law societies, governments, universities and law schools, both within the UK and internationally.

Paying tribute to Denyer, shortly before his memorial service on 21 June at the Temple Church in London, Law Society chief executive Ian Jeffery said: "Stephen was a brilliant lawyer and hugely well-connected ambassador, combining those qualities to lead discussion among members on the issues of greatest significance to the profession. His wisdom and wise counsel were sought by colleagues and by others in the profession across the world."



Stephen Denyer

Denyer's influence extended far beyond national borders. He was a member of the IBA's management board, a former chair of the Section on Practice and Professional Interests and advised its Law Management Committee.

The IBA's executive director, Mark Ellis, also speaking ahead of Denyer's memorial service, said: "Stephen Denyer was a dear friend – someone I met during my first visit to London 24 years ago. His support of the IBA was unmatched. His collected contributions were measured, thought-provoking and inspiring in every dealing I had with Stephen. He was also an incredibly kind person. His absence from the legal profession will be both sad and profound."

Denyer also played a pivotal role helping to establish London International Disputes Week (LIDW), according to its organisers.

LIDW co-chair Richard Bamforth, head of arbitration at CMS, said: "From the outset, he was a huge supporter of LIDW and attended many of our events, where he was always a welcome presence."

"LIDW has become the internationally recognised event it is today, thanks to his support for London as a centre for international disputes and the use of English law in commercial transactions, the latter of which played a huge role in his international career. Our thoughts are with his family, friends and colleagues."

Friday

Rule of Law Forum

09:30 – 16:00

Palacio de Inturbide 1, Level E1

See page 14 for further details

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Bank for International Settlements economist maps out Latin America's digital future

By Ben Rigby

As part of Tuesday's Legal Practice Division's Showcase: Digital Assets and the Future of Financial Services, delegates heard a keynote speech from Jon Frost, head of economics for the Americas at the Bank for International Settlements, Mexico City.

In a wide-ranging talk on the future of digital finance, looking particularly at the Americas, Frost's address focused on digital innovation in the financial sector.

Key points included the global spread of fintech, with significant adoption in emerging markets, and the rapid growth of digital payments in Latin America, exemplified by Brazil's Pix system, with radical changes in financial services, including payments, credit, insurance, and wealth management, driven by digital innovation.

Although early fintech activity was in the US, UK, and some Asian institutions, it has become global, with emerging markets and developing economies adopting it rapidly. Frost illustrated this range with examples from payments, such as e-money, mobile money, and quick response (QR) codes.

Similarly, on credit (online lending, big data-based credit scoring, fintech and tech credits) as well as insurance (significant data-based insurance pricing, automation and digital interfaces) and wealth management (mobile interfaces, social trading, and crypto).

Emerging markets and developing economies (EMDEs) are both heavy adopters and, in some cases, exporters of fintech services. Frost discussed the rapid adoption of digital payments in Latin America, with examples like Brazil's Pix and Sinpe de Costa Rica.

At the same time, Peru has seen exponential growth in digital payments, with 260 digital payments per person per year, up from 20 a few years ago. Frost provided a detailed overview of Brazil's Pix system.

Pix is a Brazilian instant payment ecosystem that was created to reduce cash transactions and offer an alternative to existing payment instruments, such as bank slips or ATMs, and it is faster and more affordable.

Nearly two-thirds of the Brazilian population has signed up for Pix, with 170 million adults using it. It has surpassed credit and debit card transactions, substituting cash transactions without declining traditional card transactions.

According to Frost, the system is universally adopted, with QR codes in taxis and street vendors, making digital transactions commonplace.

The conversation also covered the impact of central bank digital currencies (CBDCs) in the Bahamas and Jamaica and the importance of legal and regulatory frameworks for future innovations like the "internet of finance".

Frost outlined this vision, which unified different systems and allowed for

integration and innovation; it involved connecting systems, enabling access to data with user control, and fostering competition and innovation. However, responding to speakers from the floor, he noted concerns about social inclusion, including disparities in digital adoption by income, age, and gender.

Digital assets

The Showcase also saw experts discuss how blockchain, distributed ledgers, and digital assets like cryptocurrencies and NFTs are revolutionising traditional financial paradigms —trading, investing, payments, and savings — promising increased efficiency, speed, and accessibility.

The speakers explored the evolving role of these technologies. A significant theme was adapting private commercial law to the digital realm, particularly in the US, where the Uniform Commercial Code has been amended to include digital assets, now defined as "controllable electronic records". This change requires proof of control to establish ownership, aligning with international efforts by organisations like UNIDROIT to standardise ownership principles globally.

The U.K.'s introduction of 'data objects' as a new asset class and the ensuing legal nuances, such as whether digital assets are tangible or intangible, highlighted ongoing legal challenges. The debate extended to how digital assets intersect with traditional financial instruments and commodities, like central bank digital currencies and tokenised deposits.

The panellists advocated harmonising laws across jurisdictions to ensure consistent regulation, drawing parallels to historical precedents like the E.U.'s financial collateral directive. They discussed adapting private law to accommodate digital ecosystems, such as distributed ledgers and DeFi platforms. They addressed the practicality of implementing a choice of law clauses in digital asset protocols.

This discussion considered the evolution of property law, including recognising intangible assets like goodwill and copyright, highlighting national legal frameworks' struggles to keep up with new technologies.

The panel also focused on the interplay with traditional financial instruments and commodities through digitisation (central bank digital currencies, digital securities, tokenised deposits, and crypto commodities).

Common to all was a hope for harmonising laws across jurisdictions, such as the UK, US, and EU, to ensure consistency in regulation.

Linda Jeng, founder & CEO of Digital Self Labs, a regulatory, policy & tech advisory firm, summarised the panel's sentiment: "Until comprehensive property and financial regulations are established, crypto assets will be mainly governed by contractual law and agreements between parties."

IBA's International Legal Practice Programme launches in October

Developed in collaboration with the IBA, a new five-week, online International Legal Practice Programme begins on 29 October. Jointly offered by FGV Sao Paulo Law School in Brazil, King's College London in the UK, and IE Law School, the programme features a blend of self-paced content, live classes and real-world case studies.

Designed for global legal professionals,

participants will learn the skills necessary for international legal practice including international legal frameworks, cross-border transactions and dispute resolution.

To accommodate participants in multiple world time zones, the course features a combination of live, synchronous sessions that are also recorded for on-demand viewing, and asynchronous content that

participants can engage with at their convenience.

Faculty includes professors from FGV Sao Paulo Law School, King's College in London, IE Law School as well as Northwestern University School of Law in Chicago and Jindal Global University in India.

IBA members receive discounted tuition fees. Registration is open at www.myie.com.

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Delegate Views

What advice would you give to a young lawyer starting a career today?

Ajra Azhar

Founding Partner,
Colombo Associates
Sri Lanka



Life is short. Young lawyers must start putting their goals in place now. At the age of 28, I started my own law firm and now we have clients across the globe. The IBA was the platform that helped me start. But for young lawyers today, they might look to AI, robotics, or other emerging technologies to make their mark.

Joseline Rodriguez

Associate, DLA Piper
United States



As the US national representative of the Young Lawyers' Committee, I've found the IBA to be invaluable to my growth as a cross – border attorney at DLA Piper. My advice to new lawyers is to stay curious, embrace growth, and be authentic. Build relationships, seek diverse experiences, and keep learning to thrive.

Ondřej Trubač

Founding Partner,
Bříza & Trubač
Czech Republic



Focus on your strengths rather than your weaknesses. Don't be afraid of making mistakes and if you make any, don't feel like it's a tragedy but it's an opportunity to learn. Try to find something that makes you different from others and try to develop this side of you as much as possible.

Ruhullah Qarizada

President, Afghanistan
Independent Bar
Association in Exile
Belgium



Belong to your bar association and education committee. This is the way young lawyers will gain the skill training they need. Sadly, 6,000 members of our association have been unable to practice law in our country since 2002 because of the Taliban's restrictions against women working and not allowing men to practice criminal law. With the IBA's support, we are continuing our efforts to have the international community help us change this.

Ally Bolour

Managing Partner, Bolour/
Carl Immigration Group
United States



Volunteering during law school helped me shape the career I really wanted, and it will also help a young lawyer who is starting a career. When I began law school, I wanted to be an entertainment lawyer. But when I volunteered at an Aids clinic and was assigned to the immigration centre, that's when I realised what I really wanted to do.

Kate Brown de Vejar

Global Co-Chair of
International Arbitration,
DLA Piper
Mexico



It is never too early to think about how you can have an impact beyond the work that is on your desk. Get involved in a sector, a chamber of commerce, a thought leadership initiative, a young lawyer's group. Volunteer your time. Not only will you broaden your network, but you will make friends and colleagues for life.

Poorvi Chothani

Founder and Managing
Partner, Law Quest
India



The IBA is a great place to network. If it's your first time attending a conference, go the Young Lawyers' Committee breakfast and its introductory session. Join the committee that aligns with your practice area. Meet the officers of the committee. Once you do this, there's no stopping you and you'll fly.

Stephan M. Klinger

Senior Expert Counsel,
LGP Law
Austria



Cherish your curiosity and strive for continuous learning and expansion. Gaining knowledge and perspectives from various fields will help you view cases from multiple angles, including the winning ones.

Gerson Vaca Avendaño

Partner, Basham
Mexico



Differentiation. You need to start thinking how you will set yourself apart from your competition. You need to find creative ways to stand out.

Katie Pearson

Co-Founder, Claritas
Cayman Islands



Find yourself some role models within the profession and within your firm – people who will promote and sponsor you and help you develop as a lawyer. If you find those people within your firm, then nurture those relationships. And if you find yourself in a firm without them, maybe it's time to move on.

Roxana Kahale

Managing Partner, Kahale
Abogados
Argentina



First, be curious; don't be afraid to ask questions. Be courteous to everyone. Try to find a mentor. And remember, your career is a learning career. You are just starting your career, but this is a long and exciting journey.

Tim Goerigk

Corporate Legal Counsel,
Kaefer
Germany



With the advent of AI and large language models, legal review and analytics become a commodity, and the creative part of the profession is more important. Young lawyers need to develop a sense of business and a sense of the core of legal services. They need to understand what type of lawyer they want to be in our complicated world. And if you want to become an in-house lawyer, focus on knowing the business and knowing your boundaries.

EVENT CALENDAR 2024/25

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anticounterfeitingworldlawsummit.com

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womenanddiversityinlawawards.com

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SPPI Awards to honour lawyers for human rights, pro bono achievements

By Ben Edwards

Lawyers from the Netherlands, India and Pakistan were due to pick up awards at the annual Section on Public and Professional Interest (SPPI) Awards breakfast this morning. The awards, which are held in association with LexisNexis, seek to recognise commitment in areas including human rights and pro bono work, as well as the IBA's outstanding young lawyer. William Fry corporate partner and SPPI chair Myra Garrett was due to introduce the awards.



Sam Sasan Shoamanesh

IBA Award for Outstanding Contribution by a Legal Practitioner to Human Rights

Dutch International Criminal Court lawyer Sam Sasan Shoamanesh collected the IBA's Human Rights Award in recognition for his contribution to advance and protect human rights worldwide. He is commended for working tirelessly to address some of the most pressing human rights issues of our time, such as supporting marginalised communities, combating discrimination and promoting international justice. Awards judges from the IBA's Human Rights Law Committee added that Shoamanesh's work has led to significant legal and policy changes and inspired "countless individuals and organisations to join the fight for human dignity and justice".

IBA Human Rights Law Committee co-chairs Wajiha Ahmed and Shirley Pouget were due to present the award.



Vineetha MG

IBA Pro Bono Award

India's Vineetha MG received the IBA Pro Bono Award for her two decades of commitment to pro bono work and its impact in her country. Award judges from the IBA's Pro Bono Committee noted that MG – who is a partner at Samvad Partners in Mumbai – has partnered with multiple non-governmental organisations in India to support issues such as gender equality and microfinance and to help end child marriages and gender-based violence. "Vineetha demonstrates sensitivity in understanding issues of marginalisation and supports our requirement of legal services to ensure we work with a rights-based approach on children's issues," said a nominator.

IBA Pro Bono Committee co-chairs Flavia Regina de Souza Oliveira and Paula Samper were due to present the award.



Mashal Aamir

IBA Outstanding Young Lawyer Award

Pakistan's Mashal Aamir won the IBA Outstanding Young Lawyer Award for her work on sensitive issues ranging from women and child prisoners in Pakistan, vulnerable witnesses, women's rights, transgender persons rights, human rights in North Korea and the victims of crimes and harms caused by the use of drones. Awards judges from the IBA's Young Lawyers' Committee said: "From Pakistan to Guantanamo, from South Korea to the UK, even before the United Nations, Mashal is leaving her positive mark everywhere. It seems she has done it all, but the great thing is she is just starting."

IBA's Young Lawyers' Committee co-chairs Adriana Castro and Bruno Maggi were due to present the award.

Nobel Winner Rigoberta Menchu Tum's fight for social justice

Nobel Peace Prize laureate and human rights activist Rigoberta Menchu Tum recounted her decades-long fight against oppression in Guatemala and the broader struggle for indigenous peoples' rights in a moving keynote speech on Wednesday morning.

Menchu discussed her rural upbringing in the Guatemalan mountains before tragedy struck her family during the Guatemalan civil war. With her brother and mother kidnapped and murdered by the Guatemalan army and her father among 37 people massacred when the Spanish Embassy was burned to the ground with everybody trapped inside, Menchu was forced into exile in Mexico.

In 1983, while the civil war raged on, she met Venezuelan anthropologist Elizabeth Burgos and together they wrote *I, Rigoberta Menchu* – a book that brought international attention to

her story and the suffering of indigenous people worldwide.

"All I wanted to do was speak," she said. "I didn't know it was going to be so controversial. People said these were fantasies that I had made up. Questioning my truth rallied other victims and said we have the same stories repeated everywhere. This is what led to the campaign for the 500 Years of Indigenous, Black and Popular Resistance, a campaign which gathered all of these voices together in this cause."

That book and her international activism that followed led to Menchu winning the Nobel Peace Prize in 1992, recognising her work for social justice. Since then she has continued to advocate for the human rights of indigenous people and, through the courts, hold former members of the Guatemalan military to account for their crimes against the Maya people of Guatemala.

Can't Buy Me Love: Is money the key success

The challenges facing law firms today highlight the tensions within traditional approaches to reward and remuneration. As we look to the future, how should we define 'success' within our firms and adopt approaches that better deliver on our promises to our people and clients?

During workshops with law firms, we regularly ask leadership groups, "What behaviours do you require of an ideal partner?" Typically, the first response is "making money". With some prompting, groups then develop a long list of key behaviours such as investing in people, building a sense of direction and purpose, developing stronger firm-wide client relations, and introducing successful management systems.

As a follow – up, it is always interesting to ask, "What partner behaviours would you say that our approach is currently rewarding?" Over the years, it has been surprising how many will again answer: "Making money". The gulf between the behaviours required to ensure a sustainable business, and the current financial rewards within law firms is bigger than ever.

“What partner behaviours would you say that our approach is currently rewarding?”

As organisations review and redefine 'success' in this new era, it is crucial to ask: "Do partnerships get the behaviours they really need for success or the behaviours they reward?"

People at the Top of the Agenda

The majority of our work is with law firms, where recent research shows that four of the top five threats to profitability are people-related: lawyer recruitment and retention, poaching of staff by competitors, associate salary increases, under – performing lawyers, and (fifth) competition between law firms over fees.

Today, talent is at the top of virtually every managing partner's agenda. The current war for talent is leading to extraordinary

demands for money. Many managing partners are concerned about a two-part profit squeeze: clients demanding lower fees, and associates and partners demanding higher salaries and Profit per Equity Partner (PEP).

We have been assisting firms across five continents with the challenge of how best to recognise and reward the law firm's only real asset – its people. The traditional approaches to partner pay – Eat What You Kill and traditional lockstep – have strengths and weaknesses.

However, as shown in our most recent survey of over 200 law firms globally, neither optimises the wider behaviours which unlock the long – term value of tomorrow's partnership.

When individual agendas drive the business, those who bring in the most money often get what they want, regardless of the partnership's long – term interests. Every firm needs to find its own way of answering these issues – and although the challenges are similar, the solutions will inevitably be unique. We have also seen firms that have swung (for example) from traditional lockstep to a pure Eat What You Kill system, resulting in a

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factor for our people and our partners?

dramatic decline in the firm's collegiality, trust in leadership, and the partnership's culture.

Performance Management

With current uncertainty, firms are becoming more open to adopting new approaches. We are therefore seeing a higher number of law firms reviewing what they see as 'success' and how best to achieve that.

Our research shows that a purely financial – based reward system does not maximise long – term value at a law firm. It goes without saying that it is vital for partners and associates to deliver this year's financial success for the firm – that is a basic requirement. But it is not enough.

Financial results are simply the outputs of the successful leadership of an organisation's clients and their people. The traditional focus on financial results within a 12-month PEP period does not create longer – term value and differentiated competitive advantage.

Crucially, this builds the foundation for a law firm to grow, offering more opportunities for its people, and a virtuous circle of more profits, more investment, and more rewards.

To build the law firm beyond the 12-month PEP horizon also requires a clear strategic vision of where partners want the firm to be and, most importantly, the behaviours and personal accountabilities required to achieve that. This co – creation of strategy (as opposed to a top – down, managing partner – imposed strategy) also builds buy-in and ownership. This both makes for easier strategy implementation and higher partner and associate commitment to the firm, resulting in fewer regretted people losses.

Successful firms are, therefore, adopting a hybrid reward and recognition system, rooted in the values and 'special sauce' of each unique law firm.

This entails:

- agreeing specific objectives for financial performance, revenue, profitability, and cash flow);
- people (eg "X will be mentored so that she will be ready for partnership by 2027");
- clients (eg "I will cross – sell litigation and commercial into client X by end 2025"); and
- recognising leadership initiatives – whether a management committee role or leading a specific initiative.

This is typically weighted into four quadrants: it is important that the weighting and all aspects here are tailored to each law firm.



Moray McLaren

This can then be used to set specific career development objectives – with real clarity about what is needed for an associate to make partner and what a partner must do to progress (typically through clearly calibrated career and then ownership bands).

Above all, the key is to agree as partners your expectation of each at the different stages of a successful career – defined as partner 'contribution'. In parallel, you need a 'trusted' approach to review yourselves against this. In many firms, this can be the more challenging part.

The Beatles' message, 'Money can't buy me love', seems truer than ever, though some organisations are still catching up.

“Do partnerships get the behaviours they really need for success or the behaviours they reward?”

Moray McLaren is an officer of the IBA's Law Firm Management Committee and co – founder of Lexington Consultants. He is a Professor at the Law Ahead Centre on the Legal Profession at IE Law School and a member of the Moller Centre at the University of Cambridge. He can be reached at moray.mclaren@lexingtonconsultants.com.

IBA initiative sets out to shape AI

Ben Rigby previews today's morning keynote, which draws together the work of three IBA working groups on AI



Today, the International Bar Association (IBA) is due to receive the report of a groundbreaking task force dedicated to addressing artificial intelligence (AI) within the legal sector.

Launched at the IBA 2023 Annual Conference in Paris, the initiative signals a proactive approach to the intersection of AI and law.

Today's Showcase is reserved for presenting the new IBA report: 'The Future is Now: Artificial Intelligence, the Legal Profession, and Society'. It will feature keynote speaker and project director Marc Rotenberg, founder and executive director of the Center for AI and Digital Policy.

He will be joined by speakers from all parts of the IBA.

Drawing on work undertaken by IBA members, Rotenberg will provide an overview of how AI is transforming the legal profession, the emerging norms for the governance of AI, and the next steps for the IBA in a session chaired by IBA president Almudena Arpón de Mendivil.

Under the leadership of Arpón de Mendivil and vice – president Claudio Visco, the task force aims to guide the legal profession through the evolving landscape of AI technology. The initiative supports the IBA's strategic goal of safeguarding core professional values while enhancing member services and knowledge of pertinent legal developments.

The task force has concentrated on three primary areas: regulating AI; evaluating

its impact on the legal profession; and advocating for best practices among bar associations. The work has been organised into three corresponding working groups, each spearheaded by a different arm of the IBA: the Legal Practice Division (LPD), the Section on Public and Professional Interest (SPPI), and the Bar Issues Commission (BIC).

AI Regulation (LPD): Led by Lawrence Teh, a senior partner in the dispute resolution practice of Dentons Rodyk in Singapore, this group has been tasked with crafting high – level principles for AI regulation. They engaged with various IBA committees and regional forums to gather broad perspectives on necessary legal frameworks.

AI's Impact on Legal Practice (SPPI): Guided by Sönke Lund, who heads ECIIA's German desk in Barcelona and Myra Garrett, managing partner of Irish firm William Fry, this team initially focused on AI's effects on private legal practice and conducted focus group interviews with major law firms and a comprehensive literature review.

Best Practices for Bar Associations (BIC): Headed by Steven Richman, vice – chair of the BIC's policy committee, the group assessed current professional conduct rules to identify if adjustments are needed and provide resources for bar associations to adopt best practices.

Work from all these groups has led to the comprehensive report now slated for presentation tomorrow, encapsulating the

“The issue is really new wine (this relatively recent technology) essentially being contained in old bottles.”

task force recommendations and findings, aiming to influence policymakers and lawyers worldwide.

The project benefits from a diverse leadership team, including prominent figures such as the project director, Rotenberg, who brings a wealth of knowledge and expertise in AI policy to the task force.

Why is such a task force necessary? One clue lies in the IBA's digital content. In a recent edition of IBA Global Insight, Daniel Swanson, a competition partner at Gibson, Dunn & Crutcher, who works out of Los Angeles and Brussels, expressed concerns about the complexity of AI technologies and their broad implications across various sectors.

“I'm not sure how great a grasp we have on what seems to be a very complicated stack of distinct activities that are all being roped together, tied up in a bow with this concept of artificial intelligence’, argues Swanson, who is past co – chair of the IBA Antitrust Section.

A session at the IBA Bar Leaders Conference in Bucharest in May, steered by Richman, who

legal standards globally

will speak at the Showcase, advanced the debate from bar associations.

Experts from the United States, France, Australia, Turkey, Singapore, and Italy debated whether AI modifies existing ethical frameworks or repackages traditional concerns. They also discussed the adequacy of current ethical rules in managing AI, jurisdictional differences in professional conduct, lawyer competency requirements concerning AI, and the management challenges posed by AI within law firms.

The focus was on managing AI in legal practices and cross – border issues and whether a uniform approach could be effectively implemented across varied legal systems and cultures. They also considered achieving consistency and predictability while respecting unique jurisdictional practices in seeking “old wine from new bottles”.

Although, as Richman noted wryly in a recent newsletter, instead of old wine in new

bottles, “the issue is really new wine (this relatively recent technology) essentially being contained in old bottles”.

Significantly, various jurisdictions are already crafting guidelines to address these challenges. In the United States, the California Bar has adapted the American Bar Association (ABA) model rules to AI contexts, covering aspects from confidentiality to supervising legal work involving AI.

The ABA itself has issued guidance on the ethical use of AI in law practices, stressing the importance for lawyers to understand AI’s capabilities and limitations, ensure data integrity, and uphold professional judgement.

AI is discussed across 30 sessions at the conference, addressing ethical, practical, and legal considerations, as well as future directions for legal practitioners worldwide. These range from the impact of generative AI on news content, disinformation, and the

media industry (co-chaired by Mark Stephens, CBE of the IBA HRI) to one led by the Young Lawyers Committee, entitled ‘The AI revolution: are we too young to die?’

Organisations are rapidly integrating AI to gain a competitive edge. In Mexico City, the IBA aims to shape legal standards related to AI, enhancing the legal profession globally.

IBA Annual Conference Mexico City 2024

PALACIO DE VALPARAISO 1, LEVEL E1

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

Thursday 18 September
(0915 - 1045)

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IBA 2024 Mexico City

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



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.

1115 – 1230

BHR & ESG: Practical Application of the 2023 IBA Business and Human Rights Guidance

Palacio de Canal 1, Level E1

The session will provide fresh insights into the UN's Guiding Principles on Business and Human Rights, rights to a healthy environment, due diligence approaches for human rights and the environment, and other trends in transnational business and human rights litigation. Chaired by Trinity International's Stephane Brabant.

1115 – 1230

Corruption and Organised Crime: Can Prosecutors and Judges Break a Vicious Circle?

Palacio de Canal 3, Level E1

Autocratic leaders pose a new threat to democracy in Latin America as they chip away at key safeguards to the separation of powers, including judicial independence, fair trial standards, electoral fairness, freedom of expression and freedom of the press. Chaired by Baroness Helena Kennedy KC, this session will explore the challenges to the rule of law in Latin America and the role of judges and prosecutors in maintaining a system of checks and balances.

1245 – 1415

African Regional Forum Lunch

Galeri Restaurant, Level E3

A lunchtime session with guest speaker Godfred Yeboah Dame, Ghana's Attorney General and Minister.

1900 – 2300

Law Rocks! Mexico

Foro Total Play, Antara Polanco Piso 1

Law Rocks! returns to the IBA conference again as musically gifted legal professionals and their bands battle it out in aid of Applesseed Mexico and the IBA's Human Rights Institute. Tickets are available at www.lawrocks.org/iba-mexico

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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