A conference presented by the IBA Litigation Committee

4th IBA Litigation Committee Conference on Private International Law

14–15 September 2023
Palazzo Turati, Milan, Italy

Topics include:

• Private international law in a time of war
• Delicta imperii and state immunity
• Litigating in the EU and the UK after Brexit - back to old times or a new dawn?

BOOK NOW AT WWW.IBANET.ORG/CONFERENCE-DETAILS/CONF2349
Programme

Conference Co-Chairs
Angelo Anglani  ADVANT - Nctm, Rome; Member, IBA Litigation Committee Advisory Board
Chris Helmer  Miller Nash, Portland; Co-Chair, IBA Litigation Committee
Carlo Portatadino  TFP & Associati, Milan; Senior Vice Chair, IBA Litigation Committee

Thursday  14 September

1400 – 1600  Young Litigators Forum Seminar
Advocacy – do’s and don’ts in International commercial disputes
Via Agnello, 12, Milan, 20121, Italy
This event is open to young lawyers under the age of 35.
Please click here to register: www.ibanet.org/conference-details/CONF2441

1930 – 2230  Welcome standing dinner
Fondazione Luigi Rovati, Corso Venezia 52, 20121 Milan
Start the conference with a standing dinner prepared by the renowned Milan Chef Andrea Aprea’s Garden and Cafe at the recently opened Fondazione Luigi Rovati Art Museum. You will have the opportunity to look around the exhibits from 1800 to 2000, or simply join from 1930 for an enjoyable evening meal.
The event is open to all delegates.
0830 – 1600 Registration

0830 – 0900 Welcome coffee/tea

0900 – 0920 Welcome address
Chris Helmer  Miller Nash, Portland; Co-Chair, IBA Litigation Committee
Professor Ilaria Viarengo  Università degli Studi di Milano, Milan
Francesca Zanasi  Chair, CRINT Commissione Rapporti Internazionale (Foreign Affairs Committee), Consiglio dell’Ordine degli Avvocati di Milano, Milan

0920 – 1100 SESSION ONE
Private international law in a time of war
This session explores the significance and development of private international law principles in the civil and commercial sphere, in times of crisis and conflict. Our panel of experts will take an in depth look at how legal obligations between private individuals and businesses may be (and are being) affected, including considering questions of governing law and jurisdiction, the recognition and enforcement of judgments and contractual relationships.

Session Chair
Sara Chisholm-Batten  Michelmore, London; Diversity and Inclusion Officer, IBA Litigation Committee

Speakers
Dmytro Marchukov  Integrites, Kyiv
Marina Nitrola  Milan Chamber of Arbitration, Milan
Falk Tischendorf  ADVANT Beiten, Moscow
Professor Marco Torsello  Università degli Studi di Verona, Verona

1100 – 1130 Coffee/tea break

1130 – 1300 SESSION TWO
Delicta imperii and state immunity
This session will delve into state immunity in the context of delicta imperii, exploring the delicate balance between protecting sovereign interests and ensuring accountability of states for crimes under international law that are considered outside the scope of sovereign authority, such as crimes against humanity or the crime of aggression. After an introduction to the governing general principles, the panel will discuss the long-lasting dispute between Germany and Italy regarding compensation for victims of crimes committed by the Nazi forces in the Second World War and will explore potential paths for enforcement of claims against states in light of more recent armed conflicts.

Session Chair
Urs Hoffmann-Nowotny  Schellenberg Wittmer, Zurich; Regional Representative Middle East, IBA Litigation Committee

Speakers
Professor Gilles Cuniberti  Université de Luxembourg, Luxembourg
Professor Fausto Pocar  Università degli Studi di Milano, Milan
Marina Skarbek-Kozietulska  Rö Radwan-Röhrenschef Petruczenko, Warsaw

1300 – 1415 Lunch

1415 – 1545 SESSION THREE
Litigating in the EU and the UK after Brexit – back to old times or a new dawn?
It has now been three years since the UK withdrew from the EU’s jurisdiction and enforcement regime, hence it is a timely moment to take stock of how this has affected litigating around the EU. Is the jurisdiction and enforcement landscape more complicated? What about obtaining interim relief and seeking to enforce that around Europe? Are the old difficulties of parallel proceedings back on the agenda? Are there other consequences arising from Brexit? This panel will review matters from the perspectives of the UK, the EU27 and from a ‘third party’ standpoint.

Session Chair
Tom Price  Gowling WLG, Birmingham; Member, IBA Litigation Committee Advisory Board

Speakers
Hakim Boularbah  Loyens & Loeff, Brussels; Membership Officer, IBA Class Actions Committee
Professor Jonathan Harris KC  King’s College, London
Professor Chiara Tuo  Università degli Studi di Genova, Genoa

1545 – 1600 Closing remarks
Angelo Anglani  ADVANT, Rome; Member, IBA Litigation Committee Advisory Board

Kindly supported by
Information

Date
14–15 September 2023

Venue
Palazzo Turati
Via Meravigli 9 Milan 20123
Tel: +39 02 85155873

Language
All working sessions and Conference materials will be in English.

How to register
Register online by Thursday 7 September 2023 at www.ibanet.org/conference-details/CONF2349 and make payment by credit card to avail of the ten per cent online registration discount or complete the attached registration form and return it to the Conference Department at the IBA together with your proof of bank transfer payment. You should receive an email confirmation of your registration within five days; if you do not, please contact confs@int-bar.org.

All conference delegates must provide full and accurate information regarding their identity and contact information. Failure to do so will result in their conference registration being cancelled.

By registering for the conference you agree to the following, the delegate code of conduct and all venue precaution notifications:

- You will not attend the conference if you are displaying any Covid symptoms
- Should you develop any Covid symptoms during your attendance at the conference you inform a member of IBA staff by email (confs@int-bar.org) and you agree not to attend any further conference sessions or related events
- comply with all local and national restrictions
- You travel at your own risk and you agree that the IBA cannot be held responsible if you contract Covid during the conference or after returning from the conference
- You agree to the extent permitted by law that you shall not hold IBA responsible for: any travel costs incurred for travelling to and from the conference; any travel costs that may be irrecoverable due to the cancellation or postponement of the conference; any losses or liabilities associated with contracting Covid whether on the way to, during or after the conference.
- You agree that, if asked by the relevant local or national authorities, the IBA has permission to pass on your personal information and contact details to those authorities should contact tracing be required.

Fees

Online registrations received:

<table>
<thead>
<tr>
<th></th>
<th>on or before 4 August</th>
<th>until 7 September</th>
</tr>
</thead>
<tbody>
<tr>
<td>IBA member / Members of the Milan Bar*</td>
<td>€640</td>
<td>€745</td>
</tr>
<tr>
<td>Non-member</td>
<td>€795</td>
<td>€900</td>
</tr>
<tr>
<td>Young lawyers (under 30 years)</td>
<td>€480</td>
<td>€535</td>
</tr>
<tr>
<td>Academics/judges (full-time)</td>
<td>€480</td>
<td>€535</td>
</tr>
<tr>
<td>Public Lawyers</td>
<td>€535</td>
<td>€580</td>
</tr>
<tr>
<td>Corporate counsel</td>
<td>€575</td>
<td>€640</td>
</tr>
</tbody>
</table>

Hard copy registration forms and fees received:

<table>
<thead>
<tr>
<th></th>
<th>on or before 4 August</th>
<th>after 4 August</th>
</tr>
</thead>
<tbody>
<tr>
<td>IBA member / Members of the Milan Bar*</td>
<td>€710</td>
<td>€825</td>
</tr>
<tr>
<td>Non-member</td>
<td>€885</td>
<td>€1000</td>
</tr>
<tr>
<td>Young lawyers (under 30 years)</td>
<td>€535</td>
<td>€580</td>
</tr>
<tr>
<td>Academics/judges (full-time)</td>
<td>€535</td>
<td>€580</td>
</tr>
<tr>
<td>Public Lawyers</td>
<td>€535</td>
<td>€580</td>
</tr>
<tr>
<td>Corporate counsel</td>
<td>€640</td>
<td>€1000</td>
</tr>
</tbody>
</table>

* By paying the non-member fee, we welcome you as a delegate member of the IBA for the year in which this Conference is held, which entitles you to the following benefits:
1) Password access to certain parts of the IBA website.
2) Receipt of IBA E-news and access to online versions of IBA Global Insight.
3) Pay the member rate for any subsequent Conference registrations for this calendar year.

** A reduced rate is offered to IBA Corporate Group Members. Please register online to obtain a 25 per cent discount on the IBA Member fee.

If you would like to become a full or general member of the IBA, which includes membership of one committee or more – and inclusion in and access to our membership directory – we encourage you to do so now in order to register for this Conference at the member rate. You can find full details of how to join at www.ibanet.org.

A reduced rate is offered to lawyers who are over the age of 65, have been an IBA member for more than 20 years and are no longer practising law.

Full payment must be received in order to obtain your Conference documentation.

Fees include:
- Attendance at all working sessions
- Access to the Conference materials from the IBA website (www.ibanet.org), including any available speakers’ papers submitted to the IBA before 7 September.
- Access to live delegate search
- Lunch on Friday
- Tea and coffee during breaks
- Invitation to Welcome standing dinner on Thursday 14 September
- Italian VAT currently at 22 and 10%

Please note that registrations are not transferable.

List of participants
In order for your name to appear in the list of participants, your registration form must be received by 7 September 2023 at the latest.
Live delegate search
Delegates are able to use the live delegate search via the IBA website, in order to use this function delegates will need to be logged into their MyIBA. This will allow search access to up-to-date attendance lists.

Registration confirmation
Upon receipt of your payment for the Conference a confirmation email will be sent to you which contains information regarding your attendance at the Conference. You will also be able to view and download your payment information and manage your registration via your My IBA profile on the IBA website.

Book with confidence
- If the IBA needs to reschedule the event, your registration will be automatically transferred to the new date and no additional fees will be charged. If this date is not convenient for a delegate, a refund of the cost of the conference place will be available on request to the IBA.
- If the IBA is unable to reschedule the conference within 12 months of the original scheduled date, a full refund of the cost of the conference place will automatically be made to all delegates.
- Please note that the IBA will not provide refunds for any other costs incurred including any travel costs.

Payment of registration fees by bank transfer or BACS payment
Registration forms received without proof of payment will NOT be processed until proof of payment has been received.

Euro: by bank transfer to the IBA account at the National Westminster Bank, St James’s & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom.
SWIFT address NWBKGB2L, IBAN GB58NWKB6072106570631
Please ensure that a copy of the bank transfer details is attached to your registration form.

Online credit card payments: by Visa, MasterCard or American Express.
No other cards are accepted.

PLEASE ENSURE THAT YOUR NAME AND ‘CONF2349’ APPEAR ON ANY TRANSFER OR DRAFT.
No deductions or withholdings.

Conference sell-outs
The IBA places its conferences in venues of a suitable size for each event; however, there are times when our conferences may sell out. Should this happen, prospective delegates will be informed and a waiting list will operate. The waiting list will function on a ‘first come, first served’ basis, subject to receiving registered delegate cancellations. The waiting list for a conference will close once it has reached ten per cent of the conference venue capacity, as it is very unlikely a place will become available. The IBA will not be liable for any travel or accommodation expenses incurred by an individual who travels to a conference without a confirmed place at the event.

Cancellation of registration or social functions
If cancellation is received in writing at the IBA office by Friday 1 September 2023, fees will be refunded less a 25 per cent administration charge. Refunds will be made minus any monies owed to the IBA.
We regret that no refunds can be made after this date. Registrations or social function bookings received after Friday 1 September 2023 will not be eligible for any refund of fees.

Should you have difficulties in obtaining your visa and are not able to attend the Conference this cancellation policy will still apply.

Upon submission of your completed Conference registration form to the IBA you are considered ‘registered’ pending payment. Please note that the cancellation terms and conditions as indicated will apply as soon as your registration is received.

Photography and filming
Certain sessions and/or social functions may be photographed and/or filmed and some of this content may be used for future IBA marketing materials, member communications, products or services. Should you have any concerns with regard to this, or do not wish to be featured in any of these materials please contact the IBA Marketing Department at ibamarketing@int-bar.org.

Promotional literature
Please note that no individual or organisation may display or distribute publicity material or other printed matter during the Conference, unless by prior arrangement with the IBA. Organisations and companies wishing to discuss promotional opportunities should contact the IBA Sponsorship Department at sponsorship@int-bar.org.

All fees payable to us by you in accordance with the terms contained in this ‘Information’ section shall be paid free and clear of all deductions or withholdings whatsoever.

If any deductions or withholdings are required by law to be made from any fees payable to us by you under the terms contained in this ‘Information’ section you shall pay such sum as will, after the deduction or withholding has been made, leave us with the same amount as we would have been entitled to receive in the absence of any such requirement to make a deduction or withholding.

If we obtain the benefit of any tax credit or other relief by reference to any such deductions or withholdings, then we shall repay to you such amount as, after such repayment has been made, will leave us in no worse position than we would have been had no such deductions or withholdings been required.

Provided you have cancelled your registration to attend an IBA Conference in accordance with the terms of the ‘cancellation of registration’ clause included in the ‘Information’ section of the relevant Conference programme, you must then confirm to us in writing at the IBA office as soon as possible, but in no event later than one year (12 calendar months) from the date of any such Conference, all necessary details to enable any reimbursement owed to you to be paid. We regret that no refunds will be made after the date that is one year (12 calendar months) after the date of the relevant Conference.

Travel arrangements and visas
Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local embassy or consulate. We are unable to dispatch visa invitation letters to support your visa application prior to receipt of your registration form and full payment of registration fees.

Please apply for your visa in good time.
The IBA, its officers and staff accept no responsibility for any views expressed, presentations or materials produced by delegates or speakers at the Conference.

**Hotel accommodation**

The following hotels are within easy reach of Palazzo Turati. The IBA does not have any preferential rates at these hotels, please contact the hotel of your choice directly to make your reservation.

**Clerici Boutique Hotel (4 star, 450 m)**
Via Clerici 11
20121 Milan
Tel: +39 02 8725 3334
[www.clericiboutiquehotel.it](http://www.clericiboutiquehotel.it)

**Grand Hotel et de Milan (5 star, 600 m)**
Via Alessandro Manzoni 29
20121 Milan
Tel: +39 02 723141
[www.grandhoteletdemilan.it](http://www.grandhoteletdemilan.it)

**Hotel Spadari Al Duomo (4 star, 450 m)**
Via Spadari 11
20123 Milan
Tel: +39 02 7200 2371
[www.spadarihotel.com](http://www.spadarihotel.com)

**Park Hyatt Milano (5 star, 500 m)**
Via Tommaso Grossi 1
Milan
Tel: +39 02 8821 1234

**UNAHotel Cusani Milano (4 star, 450 m)**
Via Cusani 13
20121 Milan
Tel: +39 02 85601
[www.gruppouna.it/unahotels/unahotels-cusani-milano](http://www.gruppouna.it/unahotels/unahotels-cusani-milano)

**Unauthorised accommodation agents**

It has been brought to our attention that there are multiple companies contacting past attendees, claiming to represent the IBA, offering ‘assistance’ with registration and hotel bookings. They are operating by cold-calling and spamming companies whose names have appeared on previous List of Participants, Programmes and Sponsorship recognition. The only Accommodation Agent the IBA works with is Judy Lane ICS. Judy Lane ICS do not contact delegates on behalf of the IBA without delegates making initial contact. Please ignore any communication that does not come directly from the IBA or Judy Lane ICS.

**Disabled access**

The Palazzo Turati is wheelchair accessible. Please notify us if you require special assistance.

---

**Continuing Professional Development/Continuing Legal Education**

For Conference delegates from jurisdictions where CPD/CLE is mandatory, the IBA will provide a Certificate of Attendance for the Conference. Subject to CPD/CLE requirements, Conference delegates can use this to obtain the relevant number of hours’ accreditation. The number of CPD/CLE hours available may vary depending on the rules applied by the members’ bar association/law society on time recording criteria.

A Certificate of Attendance is available to Conference delegates on request. Please ask at the IBA Conference registration desk for information on how to obtain the certificate.

**IBA Harassment Policy**

IBA IBA conferences provide unrivalled professional development and network-building opportunities for international legal practitioners and their professional associates. The IBA values the participation of every delegate and member of the IBA and wants all attendees to have an enjoyable and fulfilling experience. Accordingly, all Conference attendees are expected to show respect and courtesy to other attendees, IBA staff and those involved with hosting the events throughout the Conference and at all Conference events, receptions, and parties, whether officially organised by the IBA or others. All delegates, guests, attendees, speakers, exhibitors, staff and volunteers at any IBA event are required to conform to the IBA Harassment Policy.

See [www.ibanet.org/iba-harassment-policy](http://www.ibanet.org/iba-harassment-policy)
Registration form
4th IBA Litigation Committee Conference on Private International Law
Palazzo Turati, Milan, Italy, 14 – 15 September 2023

Please read the ‘Information’ section before completing this form and return it together with your proof of bank transfer to the Conference Department at the address below.

REGISTER ONLINE AT WWW.IBANET.ORG/CONFERENCE-DETAILS/CONF2349 TO MAKE IMMEDIATE AND SECURE PAYMENT BY CREDIT CARD AND OBTAIN A TEN PER CENT DISCOUNT ON THE FEES BELOW

PERSONAL DETAILS (Please attach your business card or write in block capitals)

Title __________________ Given name ____________________________________________ Family name _____________________________________________

Name and country to be shown on badge (if different from above) __________________________________________________________________________

IBA Membership number (if applicable) __________________________________________ Date of birth ______________________

Firm/company/organisation ______________________________________________________________________________________________________________

Address ____________________________________________________________________________________________________________________________

Country __________________________________________

Tel _________________________________________ Email __________________________________________________________________________________

SPECIAL DIETARY REQUIREMENTS

If you have special dietary requirements, due to allergen intolerances, medical, religious reasons or a life choice, please specify the requirement below. The IBA is unable to cater for dietary requirements other than for the above reasons.

☐ Please tick box if you have allergen intolerances and specify __________________________________________________________________________

Please state all other dietary requirements clearly, i.e. I am a vegetarian.

Disclosure of dietary information denotes you have agreed to the IBA sharing this information with relevant third parties who are providing catering on our behalf.

TO OBTAIN A TEN PER CENT DISCOUNT ON THE FEES BELOW, PLEASE REGISTER BY 7 AUGUST ONLINE AT WWW.IBANET.ORG/CONFERENCE-DETAILS/CONF2349
IBA MEMBERS CAN REGISTER ONLINE BY 4 AUGUST FOR €640. PLEASE SEE ‘INFORMATION’ FOR FURTHER ONLINE REGISTRATION DETAILS.

<table>
<thead>
<tr>
<th>HARD COPY REGISTRATION FORMS AND FEES RECEIVED:</th>
<th>on or before 4 August</th>
<th>after 4 August</th>
<th>amount payable</th>
</tr>
</thead>
<tbody>
<tr>
<td>IBA member</td>
<td>€710</td>
<td>€825</td>
<td>€</td>
</tr>
<tr>
<td>Member of the Milan Bar</td>
<td>€710</td>
<td>€825</td>
<td>€</td>
</tr>
<tr>
<td>Non-member *</td>
<td>€885</td>
<td>€1000</td>
<td>€</td>
</tr>
<tr>
<td>Young lawyers (under 30 years)</td>
<td>€535</td>
<td>€1000</td>
<td>€</td>
</tr>
<tr>
<td>Academics/judges (full-time)</td>
<td>€535</td>
<td>€1000</td>
<td>€</td>
</tr>
<tr>
<td>Public Lawyers</td>
<td>€535</td>
<td>€1000</td>
<td>€</td>
</tr>
<tr>
<td>Corporate counsel **</td>
<td>€640</td>
<td>€1000</td>
<td>€</td>
</tr>
</tbody>
</table>

Social function
Welcome Reception and dinner  ☐ I will attend  Nil  Nil

TOTAL AMOUNT PAYABLE  €
FULL PAYMENT MUST BE RECEIVED IN ORDER TO PROCESS YOUR REGISTRATION.
PLEASE NOTE THAT REGISTRATIONS ARE NOT TRANSFERABLE.

METHODS OF PAYMENT

By credit card
Register online at www.ibanet.org/conference-details/conf2349 and make immediate and secure payment by credit card
Note: please do not send your credit card details on the registration form or within an email or fax.

By bank transfer or BACs payment

Registration forms received without proof of payment will NOT be processed until proof of payment has been received.

Euro: by bank transfer to the IBA account at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom.
SWIFT address NWBKGB2L, IBAN GB58NWBK60721106570631
Please ensure that a copy of the bank transfer details is attached to your registration form.
Use the exchange rate prevailing at the time of registration.

WHERE DID YOU FIRST HEAR ABOUT THIS CONFERENCE?

☐ IBA CONFERENCE ☐ OTHER CONFERENCE ☐ DIRECT MAIL ☐ INTERNET ☐ ADVERTISEMENT
☐ EMAIL ☐ EDITORIAL ☐ RECOMMENDATION ☐ OTHER

Please provide further details, quoting code (if applicable)

The International Bar Association would like to keep in touch with you about relevant news, events, publications and membership. You can opt out of receiving information at any time by emailing member@int-bar.org or by logging into My IBA and updating your preferences. Your details will be included in the list of participants. If you do not want your details to be included in the list, please email confs@int-bar.org.
For further details on how your data is used and stored: www.ibanet.org/privacy-policy

PLEASE SEND THE COMPLETED FORM TO:

International Bar Association
Chancery House
53-64 Chancery Lane
London WC2A 1QS
United Kingdom
Tel: +44 (0)20 7842 0090
email: confs@int-bar.org
www.ibanet.org
A sizeable team, with a boutique approach

45
Professionals dedicated to litigation and restructuring

A young, dynamic and flexible environment with a highly qualified approach is what makes LCA both a top boutique and a place where working is a pleasure

“A very close-knit team of professionals with considerable experience. They retain calm and objective judgment even in the most tense moments.”

THE LEGAL 500 - 2023

“The practice group is excellent. Immediacy and flexibility are two appreciable qualities of the law firm. The team knows how to interpret the customer’s needs and provide adequate solutions.”

CHAMBERS EUROPE AND GLOBAL GUIDE 2023

First law firm in Italy to obtain gender parity certification, we publish a “Law & Sustainability” guide plus a social report every year.

www.lcalex.it - info@lcalex.it
International Bar Association
the global voice of the legal profession

The International Bar Association (IBA), established in 1947, is the world’s leading organisation of international legal practitioners, bar associations and law societies.

The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of more than 80,000 individual lawyers and more than 190 bar associations and law societies spanning over 170 countries.

Inspired by the vision of the United Nations, the IBA was founded in the same spirit, just before the Universal Declaration of Human Rights was proclaimed in 1948.

The IBA covers all practice areas and professional interests, providing members with access to leading experts and up-to-date information, enabling them to better represent their clients' interests.

Through its various committees, fora and task forces, the IBA facilitates the exchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of law around the globe.

IBA Litigation Committee overview

The Litigation Committee focuses on the legal, practical and procedural issues involved in conducting litigation. Differences and developments in individual jurisdictions are compared. The issues arising in international litigation receive particular attention, including issues such as jurisdiction, choice of law, and the role of international judicial assistance in dispute resolution. Practitioners involved in larger scale or international litigation can debate topical issues and share their experiences of handling and solving the problems arising from such disputes. In particular, the committee seeks to explore the differences of approach between the common law and civil law traditions, and to encourage a dialogue between practitioners from these two systems.

Contact information:
International Bar Association
Chancery House,
53-64 Chancery Lane
London WC2A 1QS
United Kingdom
Tel: +44 (0)20 7842 0090
Email: confs@int-bar.org
www.ibanet.org