



# International Bar Association

THE GLOBAL VOICE OF THE LEGAL PROFESSION



the global voice of  
the legal profession®

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# W E L C O M E M E S S A G E S

## IBA President Sternford Moyo

I greet you all in the spirit of friendship, solidarity and collegiality, which lies at the heart of the relationships within our great association and trust that I find you well in the light of the Covid-19 pandemic. The pandemic emphasises the importance of positive human relationships and the need for us all to discharge our responsibility to care for one another and treat all with whom we interact, with dignity, fairness and equality.

Among the main objects of our Association is the creation and fostering of positive relationships and exchanges among lawyers, law societies and bar associations, in order to strengthen our capacity as a profession to promote and protect the rule of law, human rights and an effective administration of justice. We furthermore endeavour to build the capacity of our national bar associations and embark on profession development programmes, to enable us to collectively and effectively promote and protect core values of our profession.

The rule of law has been challenged in many parts of the world, including in those nations traditionally considered to be developed democracies. The situation has been exacerbated by failure by governments in many parts of the world to respond to national emergencies, such as the health emergency that we face within the framework of the rule of law and observance of human rights. Consequently, it has become important for us to implement and maintain active and extensive programmes highlighting the importance of the rule of law and capacitate national bars, particularly developing bars, to respond appropriately to these challenges.

It is refreshing to witness, across all nations and cultures, an encouraging rejection of all forms of discrimination, the embracing of equality in relation to gender, ethnicity, beliefs, disability and others. In many parts of the world, we have witnessed demonstrations which are a manifestation of impatience with inequality and injustice, and a quest for a better world.

Working through our Rule of Law Forum, the Human Rights Institute and across our great association geographically and thematically, we propose to deepen our commitment to promote the positive values we have always promoted and reject all forms of discrimination and unfairness in the practice of law and the administration of justice.

Diversity, in all its forms, is a value which we ought to pursue vigorously. Law, a field of human endeavour based on a philosophy of even handedness, should really be the first place where all forms of discrimination and inequality ought to be eliminated.

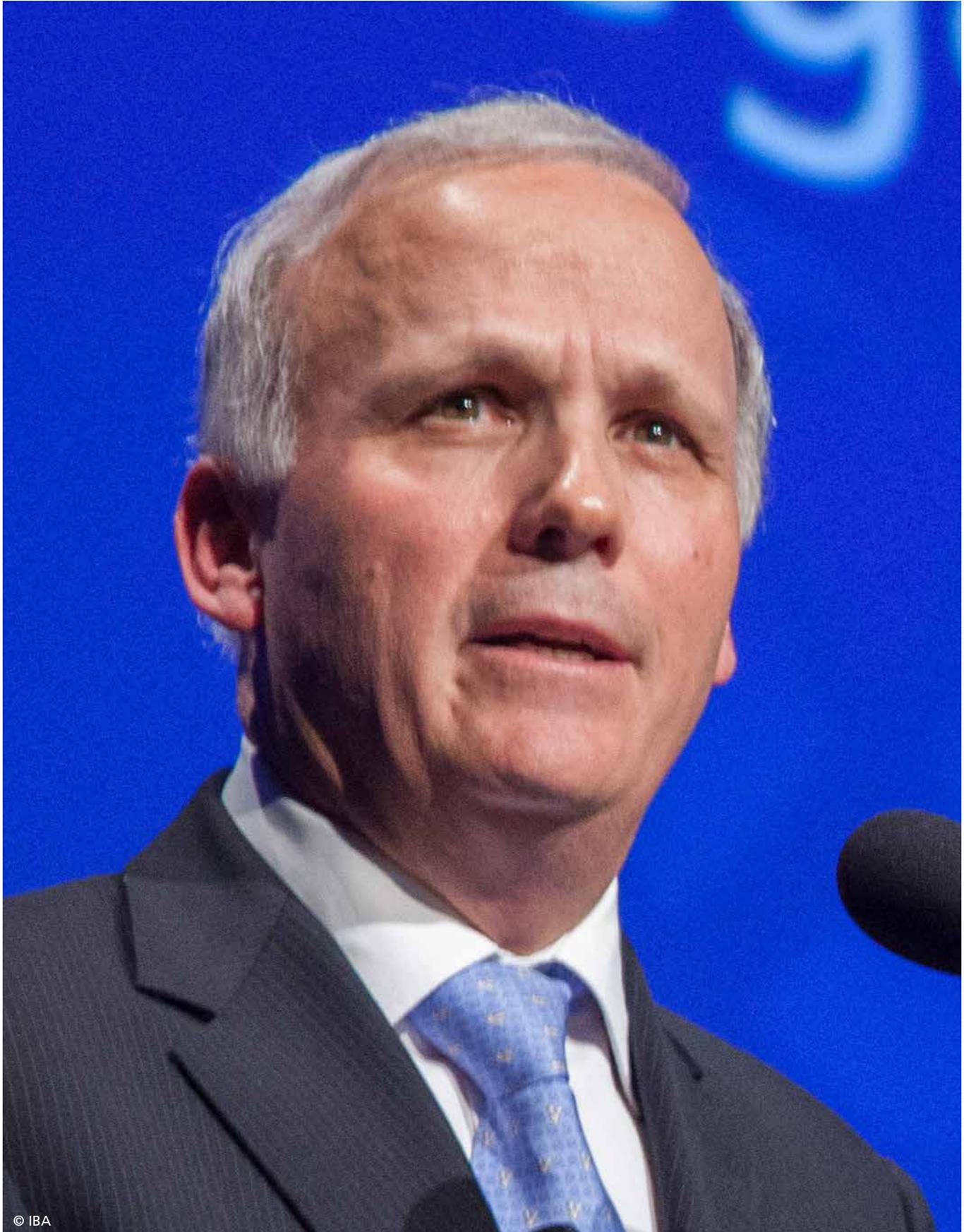
Many of our committees work within commercial law specialisations, helping to share knowledge across peer groups and across borders, and creating precedents, standards and guidelines to make international transactions more efficient. This is often achieved by recommending potential cross-border harmonisations, or by proposing model contracts to balance diverse interests, such as the right to have safe and secure investments working in harmony with the rights of the communities where the investment takes place. By helping to develop and promote such ideas and models, the spirit of justice and the rule of law is served,

as well as providing more secure pathways to stability and prosperity.

In addition to hosting events, developing projects, and leading campaigns, the Association produces extensive digital content – whether film, audio or the written word – providing insight on issues of specialist areas of law, and on the legal and ethical aspects of wider global issues that shape current international decision-making, in diverse fields such as technologies, poverty, the environment, geopolitics, mass migration, corruption, protectionism, or numerous others. We aim to help equip and empower our members and all others who use these resources to engage more fully with the defining challenges of our time.

I invite you to learn more about our Association by reading this brochure, and by engaging with the wide range of content on our website. If you would like to join us as a member and take part in our activities, you would be especially welcome. We would love to have your voice added to ours.





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# IBA Executive Director Mark Ellis

This past year has been the most challenging in the IBA's history. As for so many organisations, the onslaught of Covid dashed our plans for a busy year of collaboration and connections. Out of necessity, we immediately pivoted to a fully functioning virtual association. Thanks to strong financial reserves and remarkable volunteers in countless leadership positions within the Association, we had what we needed to succeed and even excel in the Covid-19 world. Paraphrasing Martin Luther King Jr., it's easy to lead in times of comfort, but it's how we lead in times of challenges that in the end will define us.

I want to thank and pay tribute to the IBA staff. Facing the most significant challenge in our history, they persevered, embracing Horace's lesson that, *'in adversity, remember to keep an even mind [Aequam memento rebus in arduis servare mentem]'*, that is exactly what they did! Stationed around the world, they came together virtually as a highly efficient, finely-tuned team to get the job done. They deserve our eternal gratitude.

As an association, we shifted all the liabilities associated with the spring specialised conferences and our mid-year council meetings. We moved the IBA 2020 Annual Conference scheduled for Miami, and all its attached liabilities, to 2022.

During the last ten months of 2020, we created a Covid-19 website with 153 articles focused on the law in the pandemic area.

The IBA committees and staff worked tirelessly to launch 134 webinars, attracting over 100,000 registrants.

We then turned our attention to producing the IBA's 2020 – Virtually Together Conference. The month-long Conference attracted 13,323 registrants, making it by far the largest virtual conference of lawyers in the world. We presented 197

working committee sessions, organised 131 networking events, and broadcast 20, Conversations with..., featuring such luminaries as John Kerry, 68th US Secretary of State; Martin Luther King III, Global Human Rights Leader; John B Bellinger III, Senate-confirmed Legal Adviser to the Department of State (2005-2009); The Honourable Chief Justice Geoffrey Ma Tao-li, GBM, Chief Justice of the Hong Kong Court of Final Appeal; Rt Hon Lord Patten of Barnes CH, Governor of Hong Kong (1992-1997); Rt Hon David Miliband, President and CEO of International Rescue Committee; Rt Hon Nicola Sturgeon MSP, First Minister of Scotland; Kerry Kennedy, President of Robert F Kennedy Human Rights; Mary Robinson, President of Ireland (1990-1997); Justice Richard J Goldstone, Chief Prosecutor of ICTY and ICTR (1994-1996); Dr Fatou Bensouda, ICC Prosecutor; and Gordon Brown, Prime Minister of the United Kingdom (2007-2010).

The success of our operations during these extraordinary times is, I believe, a reflection of who we are. The IBA has always been more than a trade association. We are *the global voice of the legal profession*. Thus, in times of crisis it is not surprising that people look to the IBA for insight, guidance, and even solutions to the issues at hand. We are rightfully seen as a thought leader, shaping and enhancing commercial transactions, speaking out against global human rights violations, representing the legal profession, and advocating for, and protecting, the rule of law.

This last area – protecting the rule of law – is particularly salient today as we witness the destructive rise of *populism*. Seemingly born of unfulfilled expectations, perceived loss of cultural identity, and income disparity, *populism* has taken root in countries across the world, even in surprising places.

Accompanying it is a kind of nationalism that adds a sinister layer of ideology and threatens the values of liberal democracy.

Embedded in today's populist movements are remarkable ignorance and disregard for the rule of law. Anti-democratic and authoritarian forces attack the most basic benchmarks of the rule of law – an independent judiciary, free press, and civil society. Mainstream media is seen as the enemy and the judicial system part of the corrupt elite. International institutions like the United Nations, European Union, the World Bank and the IMF are rejected. Transatlantic relations rupture.

When I was at university, I remember reading the seminal publication, *The Open Society and its Enemies*, written in 1945 by Karl Popper. He defended liberal democracy and warned of the dangers of totalitarian ideology in the post-World War II period. I think those dangers are now manifest and require an innovative response by the legal community. This is a crisis of our time. This should be our programmatic focus for 2021.

Despite the now-trending retreat from globalisation, we, as diverse nations and people, remain interdependent. Those of us in the legal profession, and indeed defenders of the rule of law everywhere, must not abandon our global perspective and commitments. The IBA, with its worldwide membership, remains a strong voice for international commerce, and it holds true to its founding principles to be a force for peace through justice, fair practice and accountability.





In 2020 we held our first virtual conference attended by over 13,000 participants from 160 countries. The month-long Conference included over 238 working sessions and 100 networking sessions.



# ABOUT THE INTERNATIONAL BAR ASSOCIATION

The IBA, established in 1947, is the world's leading organisation of international legal practitioners, bar associations, law firms 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 nearly 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 principal aims and objectives of the IBA are to:

- protect the rule of law and enhance the rule of law globally;
- support the independence of the judiciary and the right of lawyers to practise their profession without interference;
- support human rights for lawyers worldwide through the IBA's Human Rights Institute;
- provide members with world-class professional development to enable them and their organisations to deliver outstanding legal services;
- promote an exchange of information and views among its members as to laws, practices and professional responsibilities around the globe
- deliver top-level international network-building opportunities;
- be committed to the development of international law reform; and
- contribute to the advancement, development and harmonisation of law at an international level.

The IBA covers all practice areas and professional interests, providing members

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.

## Global partnerships

The IBA has created partnerships and works closely with a number of global bodies, including the:

- UN Conference on Trade and Development (UNCTAD);
- UN Office on Drugs and Crime (UNODC);
- UN Commission on International Trade Law (UNCITRAL);
- Organisation for Economic Co-operation and Development (OECD);
- Financial Action Task Force (FATF);
- B20;
- European Commission
- European Parliament;
- World Bank;
- World Trade Organization (WTO);
- International Institute for the Unification of Private Law (UNIDROIT); and
- Office of the UN High Commissioner for Human Rights (OHCHR).

The IBA brings together the worldwide legal fraternity to develop the harmonisation of law across borders and provide an environment conducive to international business. Examples include: the IBA OECD UNODC Anti-Corruption Strategy for the Legal Profession; the IBA Women Business Lawyers Initiative; the Anti-Money Laundering Forum; the IBA Working Group on Business and Human Rights; the collaboration

between the IBA Legal Policy and Research Unit (LPRU) and the European Parliament's Rapporteur on Whistleblower Protections, MEP Virginie Rozière; or the IBA LPRU's participation in several Expert Working Groups of the UNODC.

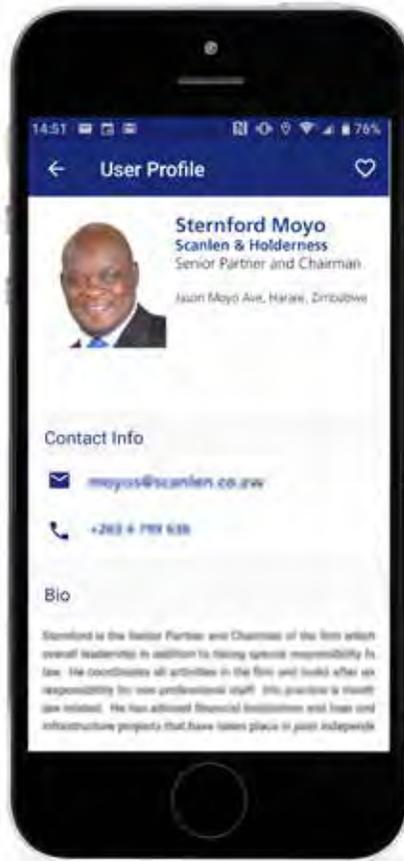
## IBA presidential task forces and special projects

As part of its mandate to be the voice of the legal profession, the IBA convenes a number of task forces and presidential priorities to explore and address pressing contemporary issues.

These include focus on a wide variety of areas:

- Us Too: Bullying and Sexual Harassment in the Legal Professions – a global report
- Whistleblower Protections
- Climate change justice and human rights, addressing this fundamental justice concern and assessing the challenges to the current national and international legal regimes on climate change
- Human trafficking and how the legal profession can contribute to mitigate the problem
- Independence of the legal profession, assessing the threats to the independence of lawyers around the world; and
- Digital contact tracing for the Covid-19 pandemic – a business and human rights perspective

Current key interest areas for the IBA include cybersecurity, the future of the legal profession, judicial integrity and the rule of law.



*Clockwise from top: Screen-shot from the IBA app; eyeWitness to Atrocities logo; delegates at the Opening Ceremony, IBA Annual Conference, Rome*  
*Opposite page: Business Law International, Journal of Energy & Natural Resources Law and Competition Law International*



## IBA Bar Issues Commission

The IBA's Bar Issues Commission (BIC) represents the interests of nearly 190 bars and law societies from over 170 countries that are members of the IBA.

It provides an invaluable forum for IBA member organisations to discuss all matters relating to law at an international level and to exchange views and expertise, with the aim of raising standards and sharing best practice. Representatives from bar associations sit on the IBA Council, which is the governing body of the IBA.

The BIC is engaged in a number of projects to address contemporary issues relevant to bar associations and law societies.

## IBA's Human Rights Institute

The IBA's Human Rights Institute (IBAHRI), an autonomous and financially independent entity, works with the global legal community to promote and protect human rights and the independence of the legal profession worldwide.

It provides human rights training and technical assistance for legal practitioners and institutions, building their capacity to effectively promote and protect human rights under a just rule of law. A leading institution in international fact-finding, it produces expert reports with key recommendations, delivering timely and reliable information on human rights and the legal profession. The IBAHRI supports lawyers and judges who are arbitrarily harassed, intimidated or arrested through advocacy and trial monitoring.

A focus on pertinent human rights issues, including the independence of the judiciary and legal profession, sexual and gender based violence, the abolition of the death penalty, sexual orientation and torture prevention, forms the basis of targeted capacity-building and advocacy projects based on thematic areas.

## IBA International Criminal Court and International Criminal Law Programme

The IBA International Criminal Court and International Criminal Law (ICC & ICL) Programme monitors issues related to fairness and equality of arms at the ICC and other Hague-based war crimes tribunals, and encourages the legal community to engage with the work of these Courts. Programme information is disseminated through regular reports, expert discussions, workshops and other events. The IBA Hague Office selectively monitors other courts and tribunals with a mandate to try international crimes. The Programme also acts as the interface between the Courts and the global legal community, and consults and interacts with Courts' officials, civil society organisations, academics and international lawyers.

## eyeWitness to Atrocities

eyeWitness to Atrocities, an initiative of the IBA, is a registered charity seeking justice for the worst international crimes. Launched in 2015, eyeWitness seeks to facilitate justice for atrocity crimes by providing human rights documenters with a mobile camera app to capture verifiable photos and video for investigations or trials. The information received by eyeWitness is reviewed by legal analysts who identify the appropriate regional, national and international justice mechanisms to act on the information. eyeWitness works closely with its partners around the world to collect, curate and tag relevant information, which is used to build photo and video dossiers that can later be used by accountability mechanisms.

## IBA conferences, publications, website and app ([www.ibanet.org](http://www.ibanet.org))

The IBA's world-class events and high-quality media content provide unrivalled professional development and network building opportunities for international legal practitioners and professional associates. The IBA organises over 50 specialist conferences globally each year, interactive webinars, and the IBA Annual Conference, the world's largest gathering of international lawyers, attracting around 6,000 attendees each year.

Publications and committee updates cover a wide variety of interests with high-quality information for practitioners. The IBA's flagship magazine *IBA Global Insight* keeps members informed of the issues affecting the legal profession around the world. All publications and reports are available through the IBA website and app.



# A B R I E F H I S T O R Y

Inspired by the vision of the United Nations and with the aim of supporting the establishment of law and the administration of justice worldwide, representatives of 34 national bar associations gathered in New York on 17 February 1947 to create the International Bar Association.

## From strength to strength

IBA membership grew steadily and was accelerated in 1970 by the admission of individual lawyers to the Association and the formation of the IBA Section on Business Law (SBL), with 20 member committees covering different practice areas established under the SBL by the following year.

Further sections and committees were created in subsequent years and by the end of 2004, when the SBL was reorganised into the Legal Practice Division (LPD), there were around 60 committees and fora covering all areas of legal practice. (See p 20.)

The Public and Professional Interest Division (PPID) was established in 2005, focusing on key issues that may affect lawyers

regardless of practice area, such as law firm management, professional ethics and legal training. (See p 25.) The PPID includes the Bar Issues Commission (BIC), which coordinates activities and projects in the interest of IBA member organisations (bar associations and law societies). (See p 28.)

To build on the principles of the IBA's regional fora, which represent the interests of lawyers practising in or with links to a particular region, and adding to the head office in London, England, IBA offices were established in São Paulo, Brazil in 2005; in Seoul, South Korea in 2012; and in Washington, DC, United States in 2013. These developments underline the IBA's continuing aim to remain the global voice of the legal profession.

Over the past decade the Association's membership has broadened in focus to include younger lawyers and associates and, since 2010, law students with an interest in international and cross-border legal issues, in an ongoing effort to foster relationships and facilitate the exchange of information between more experienced practitioners and the legal minds of the future.

## Human rights

The IBA Standing Committee on Human Rights and the Just Rule of Law was formed in the 1980s. In 1992, an Action Plan was adopted to establish a Trial Observer Corps and investigate cases where judges and lawyers or the independence of bar associations were threatened. In 1995, the formation of the IBA's Human Rights Institute (IBAHRI) expanded this work and gave member organisations and individual members the opportunity to contribute actively. Today, the IBAHRI works across Africa, the Americas, the Asia Pacific region, Europe and the Middle East in promoting, protecting and enforcing human rights under a just rule of law. (See p 31.)

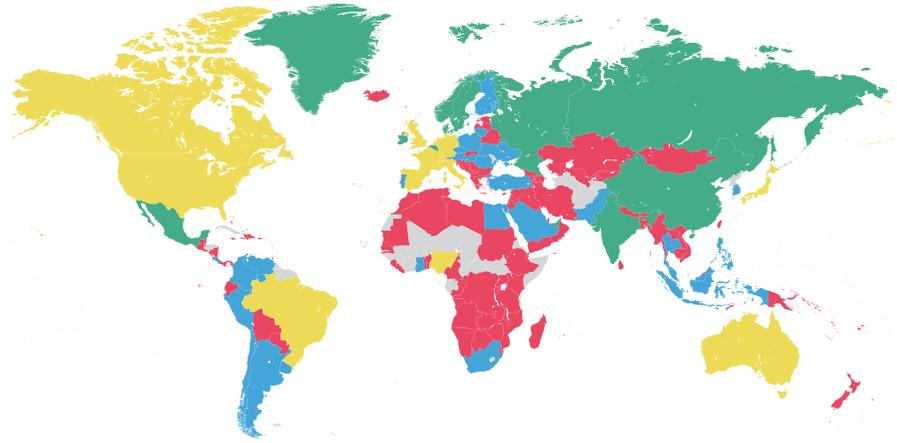
Clockwise from top: Volume I, Issue I of *International Bar News*, September 1947 (now *IBA Global Insight*); banquet to mark the first Conference of the IBA, New York, 21 October 1947; portrait of George Seward, Honorary Life President of the IBA and Founder of the Business Law Section of the Association in 1970.



# MEMBERSHIP

Where do IBA members come from?

- 1-100
- 101-500
- 501-1,000
- 1,001+



## IBA at a glance

**80,000+** individual members



Established in New York in 1947, the IBA is the world's leading association of international legal practitioners, bar associations and law societies

**188** member organisations

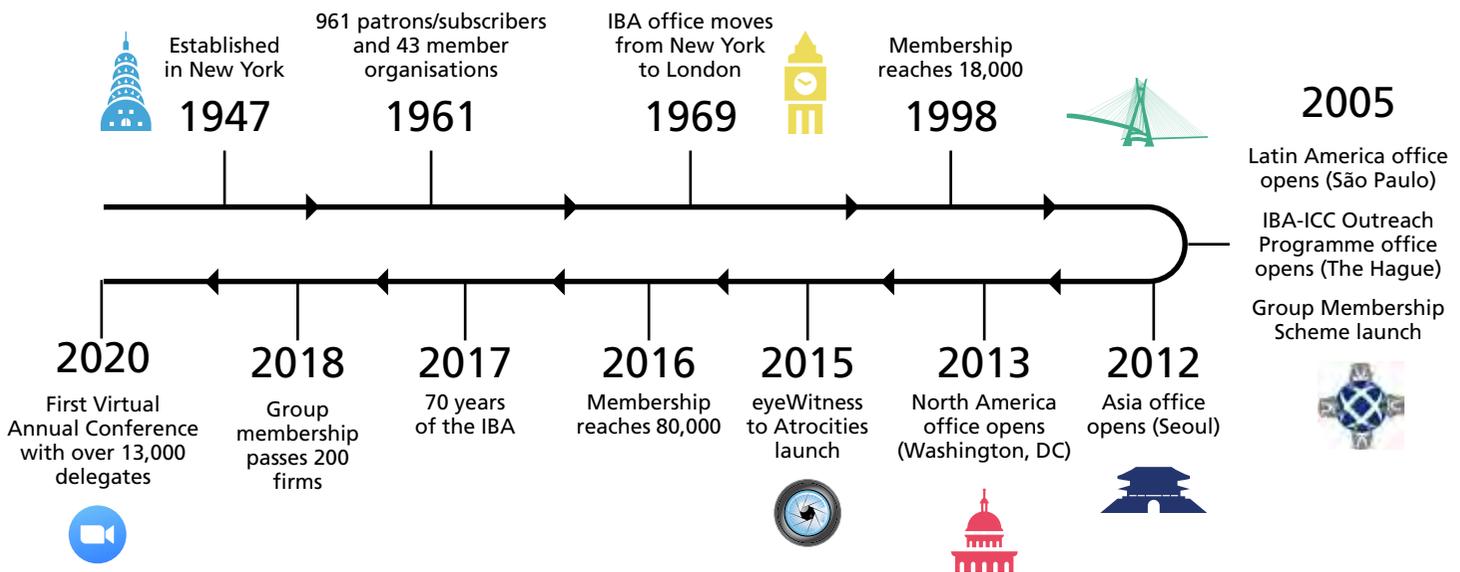
**171** countries

**220+** group membership firms

**59,000+** webinar registrants in 2020



## IBA milestones and members worldwide



# IBA membership

Nearly 70 per cent of international IBA members come from private practices



- 0.2% retired
- 0.3% qualified non-practitioner
- 1.2% barrister
- 23.3% unknown
- 0.5% public
- 1.2% solicitor
- 3.4% corporate counsel
- 0.7% academic
- 0.2% judge/justice
- 69% private practitioner

## What membership offers



**80,000+**

International lawyers: **a unique global networking opportunity** with access to the world's largest international legal network



**World-class conferences and webinars:** access to top-level professional development every year



**Build your profile**  
Make contacts through practice committee membership, speaking to and building connections with your peers worldwide and being part of the **IBA online network**

**70+**

**Membership committees:** access to expertise development spanning every area of law



**Access to practice**  
Relevant legal resources – articles and committee updates from leading practitioners worldwide available to members only



**Business development**  
Opportunities through networking with the world's leading business lawyers

# What your membership means to your firm



**Referral network**  
The IBA is the biggest international referral network in the legal world



**Risk awareness**  
Business intelligence on issues allowing you to pre-empt their impact and to exploit the opportunities they present



**Global reach**  
Conferences held in locations worldwide attract an international audience



**Time efficient**  
The IBA brings professional contacts to you in one place – 2,700 international organisations and law firms at the IBA Annual Conference



**Cost saving**  
Discounted delegate fee for IBA members at all IBA conferences worldwide, including the IBA Annual Conference

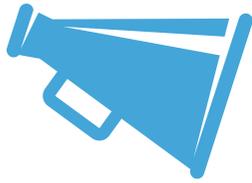


**Local knowledge and contacts**  
Participation in regional forums – what's happening in regions where your firm's clients have interests

**Free resources**  
The latest information on legal developments in your chosen committee practice areas as part of membership



## What IBA members are saying



The IBA is a friendly network that provides you with great personal support. It can help you meet people who you can rely on in terms of your day-to-day work, but it also offers a tremendous opportunity to meet people from all over the world. The IBA helps remind you of the importance of the rule of law and why you became a lawyer.

Jessica Roland  
*Mourant, Guernse*

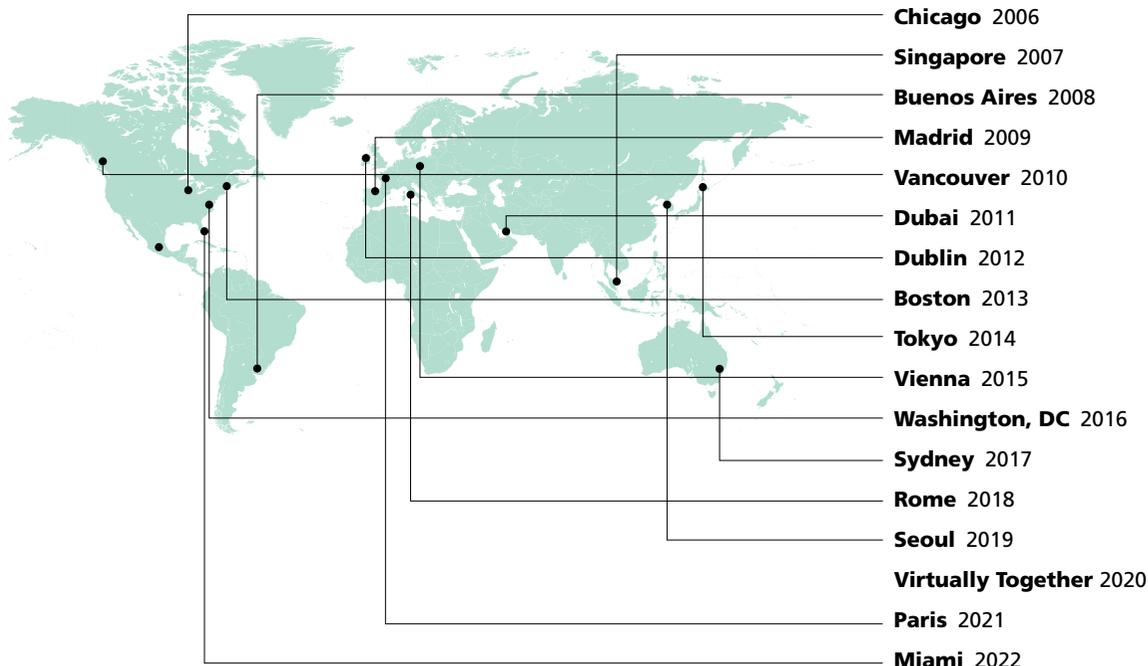
Being an IBA member has been professional life-changing opportunity for our firm. We've met so many people and learned so much about the legal industry and different practice areas of the law. We've also gained insight about the future of the legal profession, how to manage a law firm, the trends and hot topics in a range of different legal areas, and the experiences of the best law firms in the world.

David Gutierrez  
*BLP, Madrid*

I believe that being a member of the IBA and having attended the Annual Conferences for many years has really helped shape my international career. The IBA has certainly made a difference for me in terms of getting to know a lot of colleagues around the world, and after so many years, making some real friends. I've been able to interact with jurisdictions that have expertise in natural resources and I really think that has made a difference for me.'

Florencia Heredia  
*Allende & Bre, Buenos Aires*

## IBA Annual Conferences



Attracting over 6,000 attendees from 2,700 organisations and law firms around the world

Over 200 working sessions covering all areas of practice

Up to 25 CPD/CLE points

A variety of social functions providing opportunities to network and see the host city's famous sights



IBA Council meeting, IBA Annual Conference, Vienna

# IBA STRUCTURE

## IBA Divisions

The IBA membership committees are grouped in two divisions: the Legal Practice Division (LPD) and the Public and Professional Interest Division (PPID). The LPD covers all areas of legal practice in practice area committees. The PPID comprises of committees focusing on matters relevant to all lawyers, regardless of practice specialisation and includes the Bar Issues Commission (BIC), the IBA's Human Rights Institute (IBAHRI) and the Section on Public and Professional Interest (SPPI).

## IBA Council

The IBA Council is the governing body of the IBA. It elects the IBA President, Vice-President, Secretary-General and the BIC Officers; it

proposes, debates and passes resolutions; and receives reports from all IBA Divisions. When the Council meets, it aims to provide an international platform to give a fair hearing to all points of view from its members. Through the IBA, all member organisations can find a voice on this international stage.

The Council's membership comprises up to two representatives (IBA Councillors) of each member organisation, the present IBA Officers and immediate past president, the senior Officers of each division and their immediate past chairs, the Deputy Secretary-Generals, the Chairs of IBA Standing Committees and the Honorary Life Members of the Association.

The Council meets twice each year: once during the IBA Mid-Year Meetings, held in May, and again during the IBA Annual Conference, held in September/October of each year.

## Management Board

Although the IBA Council is the governing body of the IBA, it delegates the day-to-day running of the Association to the IBA Management Board. The Management Board is comprised of the President, Vice-President, Secretary-General and senior leadership of each division. They meet at least three times a year and are concerned with administrative and managerial matters, whereas matters of policy are raised for the attention of the Council.

## Legal Practice Division sections, committees and fora

African Regional Forum  
Agricultural Law Section  
Anti-Corruption Committee  
Antitrust Section  
Arab Regional Forum  
Arbitration Committee  
Art, Cultural Institutions and Heritage Law Committee  
Asia Pacific Regional Forum  
Asset Management and Investment Funds Committee  
Aviation Law Committee  
Banking Law Committee  
Business Crime Committee  
Business Human Rights Committee  
Capital Markets Forum  
Closely Held and Growing Business Enterprises Committee  
Communications Law Committee  
Consumer Litigation Committee  
Corporate and M&A Law Committee  
Corporate Counsel Forum

Criminal Law Committee  
Diversity and Equality Law Committee  
Employment and Industrial Relations Law Committee  
Environment, Health and Safety Law Committee  
European Regional Forum  
Family Law Committee  
IBA Global Employment Institute  
Healthcare and Life Sciences Law Committee  
Immigration and Nationality Law Committee  
Indigenous Peoples Committee  
Insolvency Section  
Insurance Committee  
Intellectual Property and Entertainment Law Committee  
International Commerce and Distribution Committee  
International Construction Projects Committee  
International Franchising Committee

International Trade and Customs Law Committee  
Latin American Regional Forum  
Leisure Industries Section  
Litigation Committee  
Maritime and Transport Law Committee  
Media Law Committee  
Mediation Committee  
Mining Law Committee  
Negligence and Damages Committee  
North American Regional Forum  
Oil and Gas Law Committee  
Power Law Committee  
Private Client Tax Committee  
Product Law and Advertising Committee  
Public Law Section  
Real Estate Section  
Securities Law Committee  
Space Law Committee  
Taxes Committee  
Technology Law Committee  
Water Law Committee

## Public and Professional Interest Division committees and other entities

### Bar Issues Commission (BIC)

Bar Executives Committee  
BIC International Trade in Legal Services Committee  
BIC Regulation Committee  
BIC Policy Committee

### IBA's Human Rights Institute (IBAHRI)

#### Section on Public and Professional Interest (SPPI)

Academic and Professional Development Committee  
Access to Justice and Legal Aid Committee  
Alternative and New Law Business Structures Committee  
Forum for Barristers and Advocates  
Human Rights Law Committee  
Judges' Forum  
Law Firm Management Committee

Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Law Committee  
Poverty and Social Development Committee  
Pro Bono Committee  
Professional Ethics Committee  
Regulation of Lawyers' Compliance Committee  
Rule of Law Forum  
Senior Lawyers' Committee  
War Crimes Committee  
Women Lawyers' Interest Group  
Young Lawyers' Committee

# LEGAL PRACTICE DIVISION

The IBA Legal Practice Division (LPD) covers all practice areas of law. The objectives of the LPD are to:

- promote an interchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of law throughout the world;
- facilitate communication among its members;
- provide the opportunity to all its members to be active in the LPD through its sections, committees, fora and other groupings; and
- undertake such related projects as may be approved from time to time by the LPD's council.

## Selected highlights from the LPD

The LPD continues to enhance the IBA's global offering through a number of projects initiated by the committees and/or by contributing to the impressive work of the IBA Legal Policy and Research Unit.

The following projects are being developed under the leadership of the LPD:

### *IBA Corporate and M&A Law Committee Legal Due Diligence Guidelines*

The IBA Corporate & M&A Law Committee, with contributions from a significant number of IBA committees across various areas of practice, has published a set of guidelines for conducting legal due diligence investigations in the context of M&A transactions.

The objective of these guidelines is to provide useful information on topics that are relevant in M&A legal due diligence, as well as practical guidance for conducting well-organised due diligence processes. In this regard, the guidelines are intended to serve as an overview and baseline to legal practitioners around the world, promoting a broader comprehension of what would be expected by clients and, therefore, helping to improve the quality of due diligence investigations.

The guidelines can be downloaded from the Committee website at [www.ibanet.org/LPD/Corporate\\_Law\\_Section/Corporate\\_MA\\_Law\\_Committee/Default.aspx](http://www.ibanet.org/LPD/Corporate_Law_Section/Corporate_MA_Law_Committee/Default.aspx).

### *The future of work*

The IBA's Global Employment Institute (IBA GEI) was formed in early 2010 for the purpose of developing a global and strategic approach to the main legal issues in the human resources and human capital fields for multinationals and worldwide institutions.

The Institute is fast becoming the leading voice and authority on global HR issues by virtue of having a number of the world's leading labour and employment practitioners in its ranks, and the support and resources of the world's largest association of international lawyers.

Strengthening its relationship with the International Labour Organization, in 2019 the IBA GEI recently formalised an agreement between the two organisations to collaborate and contribute to the debate on 'The Future of Work' from a multidisciplinary legal perspective. Globalisation, climate change, demography and, in particular, the continuous and disruptive process of automation and digitalisation are big drivers for changes that directly affect the future of work. The joint report can be accessed here.

Drawing on the wealth and resources of the IBA membership, the IBA GEI's skilled, dedicated and experienced members provide a unique employment, discrimination and immigration law contribution to private and public organisations throughout the world on a diverse range of global issues.

The reports of the IBA GEI can be downloaded from the IBA GEI website at [www.ibanet.org/LPD/Human\\_Resources\\_Section/Global\\_Employment\\_Institute/Global\\_Employment\\_Institute\\_Home.aspx](http://www.ibanet.org/LPD/Human_Resources_Section/Global_Employment_Institute/Global_Employment_Institute_Home.aspx).

### *LPD committees partner with UNIDROIT to harmonise global contract law*

A number of LPD committees are collaborating with the International Institute for the Unification of Private Law (UNIDROIT) to enhance its Principles of International Commercial Contracts.

First published in 1994, the UNIDROIT Principles have influenced contract law reform worldwide and are increasingly used as an authoritative reference in international commercial arbitration and contract practice.

An IBA working group has been set up, in consultation with relevant committees, comprising about 50 specialist lawyers, judges and academics from 30 countries, to consider how the Principles can be made more user-friendly and business-focussed for legal practitioners.

The group has compiled summaries of about 300 court and arbitration cases where the Principles have been applied or have been used for the interpretation of national and international law, as an aid for practitioners. It's also prepared a series of country reports on the application of the Principles.

A working document was produced and submitted to the UNIDROIT Governing Council and there are plans to produce a hardcopy publication by the American Law Institute in 2021. The project has helped ensure international legal and business communities obtain a wider knowledge and understanding of the Principles. **A link to the report can be found at [www.ibanet.org/Publications/Perspectives-in-Practice-of-the-UNIDROIT-Principles-2016.aspx](http://www.ibanet.org/Publications/Perspectives-in-Practice-of-the-UNIDROIT-Principles-2016.aspx).**

### *LPD Task Force on Government Access to IT Systems*

The LPD has set up the Task Force on Government Access to IT Systems, consisting of members from various committees of the IBA Intellectual Property, Communications and Technology Law Section, to draw up a

Delegates at IBA Annual Conference, Seoul



set of working principles that aim to set a framework to reconcile the different rights and interests involved in governments gaining access to data.

The final report was published on the IBA website in September 2020 and can be found here at [www.ibanet.org/LPD/Government-Access-to-IT-Systems.aspx](http://www.ibanet.org/LPD/Government-Access-to-IT-Systems.aspx).

### *Doing Business in Asia Pacific*

In 2020, the Asia Pacific Regional Forum published a comprehensive, innovative guide to doing business in the Asia Pacific, covering 11 jurisdictions. The guide focuses on the common pitfalls and cultural differences of doing business throughout the region. This is the first edition (2020) of a project that the Forum intends to update every two years and can be accessed at [www.ibanet.org/Regional\\_Fora/Regional\\_Fora/Asia\\_Pacific\\_Forum/Doing-business.aspx](http://www.ibanet.org/Regional_Fora/Regional_Fora/Asia_Pacific_Forum/Doing-business.aspx).

This guide is an important tool for both investors and the legal profession when approaching certain critical aspects in Asia Pacific jurisdictions.

### *Data Protection Privacy Guide for Lawyers in Africa*

The Guide addresses privacy/data protection planning, functionality and management of a legal practice in Africa. The guide will provide lawyers in Africa with sustainable, practical and easy to implement data protection controls/protocols. It has been developed drawing from the basic principles contained in the various laws and frameworks on the Continent of Africa as well as global trends such as the General Data Protection Regulations (GDPR) of Europe and other associated international best practices.

The Guide also provides an overview of the data protection landscape in Africa, a checklist for assessment of data protection compliance by legal practitioners, privacy-by-design mechanisms, a step-by-step guide to the implementation of data protection principles and data classification methods for privacy management of a legal practice.

The report is now in production and will be published very shortly.

### **Training**

All LPD committees regularly contribute to the IBA's Training Programme, organised and run by the IBA Young Lawyers' Committee and designed to assist young and newly qualified lawyers in their understanding of the fundamentals of international legal practice. The LPD also contributes to more specialised training programmes such as the Antitrust Committee's 'Advocacy for Regulators' training workshops, which provide advocacy and training for anti-trust authorities and anti-trust lawyers in developing countries in the area of anti-trust enforcement principles, and also working in partnership with other organisations such as PRIME Finance, offering training to judges in the area of complex financial transactions.

These are just a few examples of the work the LPD committees have been engaging in. The majority of committees have also been involved in planning and holding IBA conferences of specific interest to their members and participating in the IBA Annual Conference. LPD committees are involved in a diverse range of sessions at the Annual Conference, in both leading and supporting roles.

### **Specialist conferences**

The committees and fora of the LPD are involved in over 80 conferences/events on an annual basis, with new events and training being added to the calendar each year. Some of the larger conferences that are held annually are the IBA Annual Mergers and Acquisitions Conference and the European Corporate and M&A Conference – both are presented by the Corporate and M&A Committee and are supported by the relevant regional forum. The Biennial Latin American Regional Conference, Annual Financial Law Conference, Annual Arbitration Day, Annual Competition Conference and Annual International Conference on Private Investment Funds are just a few of the successful conferences that are presented and supported by the LPD.

In 2020, due to the pandemic, the IBA moved all of its events to online platforms and staged over 130 webinars and virtual conferences. Many of the topics were presented by LPD Committees.

Many committees produce updates featuring timely, relevant articles and news on developments in their specific areas of practice. Many of the LPD committees are also working to make their committee webpages more interactive and a greater source of information for their members. (See p 46 for more information about IBA publications and media content). The IBA website now hosts more digital content than it ever has before and throughout 2020, as a response to the impossibility of the IBA hosting in-person conferences, the LPD committees undertook an impressively wide range of webinars, bringing together leading experts in their fields from around the world. The films of these events are available to view on the IBA website. This strand of content has proven enormously popular and will continue throughout 2021.

# REGIONAL FORA

IBA regional fora represent the interests of members practising in, or with links to, a particular region. They provide networking opportunities, organise conferences or sessions at conferences and produce publications with regional relevance. They focus on enhancing the objectives of the IBA in their respective regions through co-operation and support for bars. They assist with the building of the membership, profile and influence of the IBA within their region. There are six regional fora, which between them cover the globe.

## Recent highlights

The **African Regional Forum** provides support for bar associations in developing countries and development of laws and exchange of information. The African Regional Forum works closely with other committees of the IBA in bringing their conferences to Africa and has recently worked with the Litigation Committee, the North American Regional Forum, the Environment, Health and Safety Law Committee, and the Corporate and M&A Committee.

The **Arab Regional Forum** provides lawyers active in, or with an interest in the region, with a means to establish contact and exchange information with each other. A particular focus of interest is the continuing economic importance of the region, including reconstruction and investment projects following peace initiatives.

The Forum continues to support IBA conferences on Islamic and international law, among other topics. A particular focus

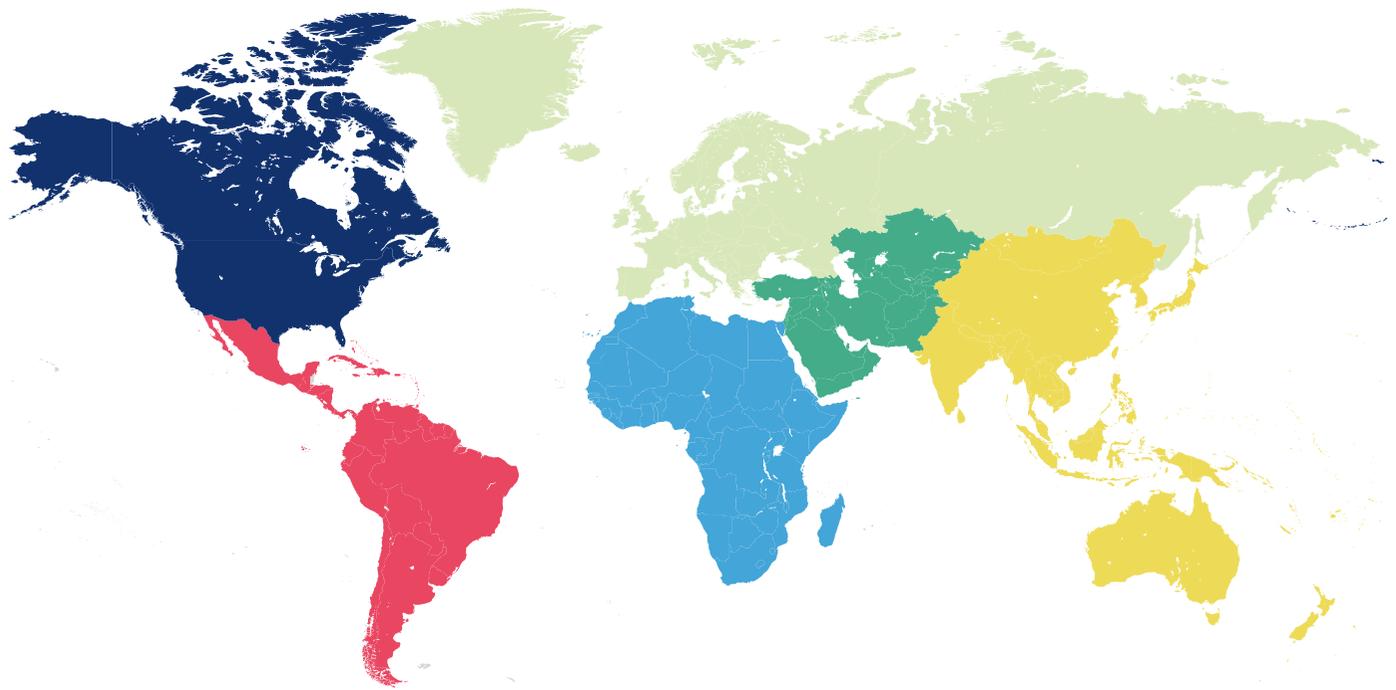
of interest is the continuing economic importance of the region, including reconstruction and investment projects following peace initiatives.

The **Asia Pacific Regional Forum** works closely with IBA committees by supporting them in presenting their conferences within the Asia Pacific region. Committees that have presented conferences in the region include: the Corporate and M&A Committee, the Private Equity Subcommittee, the Law Firm Management Committee and the Arbitration Committee. The Asia Pacific Regional Forum has been working with the Public and Professional Interest Division in providing training days to assist young lawyers and junior members of the profession with their understanding of the fundamentals of international legal practice.

The **European Regional Forum** continues to develop and strengthen the existence of the IBA within Europe by disseminating professional know-how and assisting committees and other constituencies of the IBA. The goals of the Forum include addressing current and long-term needs of professional organisations and individual members within the geographical reach of the Forum, as well as increasing membership and participation in the IBA and integrating them within the Association. The European Regional Forum supports a number of IBA committee conferences annually, covering a wide variety of topics, including private equity, M&A, corporate governance, global insolvency and competition. The Forum also presents events such as the European Start Up Conference, Balkan Legal Forum and the Mediterranean Conference.

The **Latin American Regional Forum** provides a focus for all IBA activities in the region. The Latin American Regional Forum is very active in supporting and developing the profile and membership of the IBA in the region and seeking to facilitate networking and knowledge-sharing opportunities.

The aims of the **North American Regional Forum** are to spread knowledge about legal practice within North America; expand the international perspective of lawyers practising in North America; give North American practitioners access to the IBA's extensive network of specialist members around the world; and give the world a unique way to network with North American lawyers.



- African Regional Forum
- Arab Regional Forum
- Asia Pacific Regional Forum
- European Regional Forum
- Latin American Regional Forum
- North American Regional Forum



*From left: Delegates at the IBA Annual Conference, Seoul, 2019; Elif Goksen, IBA Outstanding Young Lawyer Award winner 2019; Delegates at the IBA Annual Conference, Seoul, 2019*



*Clockwise from left:* Neri Colmenares was given the IBA Award for Outstanding Contribution by a Legal Practitioner to Human Rights at the IBA 2020 – Virtually Together Conference; Daye Gang was named winner of the IBA Outstanding Young Lawyer Award for her work, dedication and efforts in the emerging field of restorative justice for victims of sexual and family violence, as well as her pursuit for accountability of perpetrators of crimes committed in North Korea at the IBA 2020 – Virtually Together Conference; and Ishrat Hasan received the IBA Pro Bono Award for her dedication to removing barriers to access to justice, specifically for the poor, disadvantaged and marginalised communities in Bangladesh at the IBA 2020 – Virtually Together Conference



# PUBLIC AND PROFESSIONAL INTEREST DIVISION

The IBA Public and Professional Interest Division (PPID) includes the Section on Public and Professional Interest (SPPI), the Bar Issues Commission (BIC) and the IBA's Human Rights Institute (IBAHRI), providing a wide array of projects, activities, committees and other entities focusing on issues and professional interests that make the practice of law a profession and not solely an occupation.

The objectives of the PPID are to:

- promote an interchange of information and views among member organisations of the IBA and its individual members about the public and professional interest activities of the legal profession throughout the world;
- support and promote those activities, the rule of law and the defence of human rights;
- facilitate communication among member organisations and its members;
- provide the opportunity to member organisations and all members to be active in the division through its BIC, committees, fora and other groupings; and
- undertake related and relevant projects through its entities.

## PPID Activity Fund

Annually, the PPID provides financial assistance for the launch of projects and activities that promote public interest and professionalism, and raise the stature and visibility of both the PPID and the IBA. To date, over £1,160,000 has been awarded to various projects, including:

### *IBA Global Cross Border Legal Services Database*

The BIC International Trade in Legal Services Committee, with the support of the PPID Activity Fund, extended the IBA Cross Border Legal Services Database to include a further 61 developing or emerging countries that were not previously covered, bringing the total of countries covered in the database to 146. The second phase of this project focussed on the emergence of regional trade agreements and gathered additional information about regulation around digital trade and restrictions on data traffic, which has fed into work by the committee on digital legal services. Data storage and flows are significant for lawyers and whilst privacy and security concerns are highly pertinent, impediments to the free flow of data will increasingly affect lawyers' ability to work collaboratively across borders.

[www.ibanet.org/PPID/Constituent/Bar\\_Issues\\_Commission/BIC\\_ITILS\\_Map.aspx](http://www.ibanet.org/PPID/Constituent/Bar_Issues_Commission/BIC_ITILS_Map.aspx).

### *Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Law Committee project: respect for sexual orientation in the Caribbean – criminalisation of sexual relations between persons of the same-sex*

The Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Law Committee has been working with the Inter-American Institute of Human Rights and the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD) on a research project to determine, inter alia, the ongoing harm that is caused

by the continuing legislative criminalisation in a number of Caribbean jurisdictions involving consenting same-sex behaviours. With support of the PPID Activity Fund, the goal of the research is that a final report should determine whether there is ongoing harm to LGBTI persons in these jurisdictions as a result of the failure to decriminalise, which may then, if appropriate, be brought to the attention of the Inter-American Court of Human Rights (the 'Court') for an advisory opinion. Although a judgment of the Court may not be legally binding on the Organization of American States (OAS) member states, in the past, individual member states have effected change when required by advisory judgments of the Court. The purpose of the research is to facilitate such an eventuality. This report is due for publication spring 2021.

### *Inspiring a new generation of human rights lawyers*

The IBA's Human Rights Institute (IBAHRI) has carried out a number of projects aimed at enthusing a new generation of human rights lawyers in Tajikistan and Kazakhstan with assistance of the PPID Activity Fund. In 2019 The IBAHRI embarked on a new project to contribute to human rights protection in Zambia, by enthusing a new generation of young Zambian lawyers to engage in human rights, be human rights-aware, and pursue careers in human rights practice, including at the domestic, regional (SADC) and international level (with the UN). The project is on-going and in 2021 the IBAHRI plan to develop a series of five webinars aimed to build awareness and support the development of young lawyers in Africa on a broad spectrum of human rights issues.

# SECTION ON PUBLIC AND PROFESSIONAL INTEREST

## Selected highlights

### *The future in legal services*

Together with the Law Schools Global League (LSGL), the IBA's Future of Legal Services Commission is currently in the final stages of an ambitious research to study the trends that are shaping the future of legal services, with a particular focus on the impacts of globalisation and technological disruption. This project has analysed what those drivers mean for legal education globally. The overarching objective of this research project is to produce a 'blueprint' that aims at inspiring the necessary reform of legal education at global level to respond to the challenges of the legal professions. The blueprint starts by outlining a range of key challenges facing law schools, ranked by importance and categorised by region, and is currently being updated to include the Covid-19 crisis. The report is due to be published early 2021.

### *Rule of law*

The IBA's focus on the rule of law has become more critical than ever. The IBA's Rule of Law Forum aims to provide relevant content and information, and has put together three excellent videos published online, following on to the Rule of Law Symposium in Seoul. This is part of the IBA's commitment to make resources available online, such as podcasts, videos and webinar recordings. Annually, a big Rule of Law Symposium is being held, looking at the rule of law in different jurisdictions and within current political and socio-economical contexts. All content is available at [www.ibanet.org/PPID/Constituent/Rule\\_of\\_Law\\_Forum/Default.aspx](http://www.ibanet.org/PPID/Constituent/Rule_of_Law_Forum/Default.aspx).

### *Challenges of access to justice*

The IBA's Access to Justice and Legal Aid Committee worked on a global study in partnership with the World Bank, aimed to demonstrate the economic benefits of legal aid services. The project provides the empirical foundation to demonstrate that legal aid services offer net economic benefits to governments that invest in them. The global study offers a key advocacy tool that the IBA and its partnering national bar associations and civil society organisations can use to encourage governments to budget adequately for legal aid programmes. The study was launched at the IBA Annual Conference in Seoul 2019 and the report can be downloaded from the IBA website. [www.ibanet.org/PPID/Constituent/AccessToJustice\\_LegalAid/Projects.aspx](http://www.ibanet.org/PPID/Constituent/AccessToJustice_LegalAid/Projects.aspx).

### *Training for young lawyers*

Providing the future generations of lawyers access to content, education and a global networking is of high importance to the IBA. Annually, the Young Lawyers' Committee organises a series of highly interactive training events designed to assist young and newly qualified lawyers in their understanding of the fundamentals of international legal business practice. The courses provide exposure to international legal business practice, which, in light of the climate of globalisation, is becoming increasingly important for the next generation of the profession. The committee works closely with the local bar associations for these training courses, and recent events have taken place in Boston, Tokyo, Vienna, Sydney, Madrid, Abuja, Jakarta, Santo Domingo, Rome and Seoul. [www.ibanet.org/Education\\_and\\_Internships/PPID\\_Training\\_Course\\_Programme.aspx](http://www.ibanet.org/Education_and_Internships/PPID_Training_Course_Programme.aspx).

### *Women in law*

The Women Lawyers' Interest Group offers a forum for women lawyers across the globe, and as part of its mandate, biennially brings together some of the world's leading practitioners to participate in sessions on recent legal topics, offering attendees an excellent opportunity to network and exchange experiences. In 2018, the group commenced a project together with LexisNexis and the Law Society of England and Wales titled 'International Women and the Law Programme'. It address matters relevant to gender rights and gender equality internationally, looking to achieve the promotion and support for gender equality, striving to level the playing field for women and, in particular, female lawyers, judges and prosecutors. Activities such as exchanges, capacity-building training and research also help to strengthen the solidarity linkages between female lawyers in the UK with their fellow lawyers in foreign jurisdictions.

### *Online content*

The SPPI and its committees are committed to providing a wide range of online content to the global legal community. Central to this are a number of webinars organised over the past years, looking at various aspects of law firm management, professional ethics in the legal profession, diversity and equality, pro bono work, human rights issues, rule of law, and leadership. [www.ibanet.org/webinars.aspx](http://www.ibanet.org/webinars.aspx).

### *Awards*

The Section on Public and Professional Interest (SPPI) continues to recognise outstanding achievements among young lawyers, women lawyers, as well as lawyers in the field of pro bono and in human rights, thanks to the support of LexisNexis and their on-going sponsorship of the awards. The very first virtual award ceremony launched during the IBA 2020 – Virtually Together Conference and can be viewed online. [www.ibanet.org/VirtuallyTogether-films.aspx](http://www.ibanet.org/VirtuallyTogether-films.aspx).

Clockwise from top: Zeid Ra'ad Zeid Al-Hussein interviewed by Federica D'Alessandra, then-Secretary (now Co-Chair), IBA Human Rights Law Committee; Baasanjargal Khurelbaatar, IBA Pro Bono Award 2018 winner; Panel at SPPI Showcase, IBA Annual Conference 2018, Rome; Human Rights and Rule of Law Seminar, Zambia, 2019; Mr Minjus speaking at Human Rights and Rule of Law Seminar, Zambia, 2019



# BAR ISSUES COMMISSION

The IBA's Bar Issues Commission (BIC) supports the activities and interests of the IBA's nearly 190 member organisations by providing a forum for discussion on issues of common interest.

## Conferences

The BIC holds an annual Bar Leaders' Conference with approximately 130 senior bar representatives from over 80 countries attending. There are also sessions and discussions arranged for bars at the IBA Annual Conference and regional conferences on key topics such as professional ethics and the changes to the regulation of legal services.

## BIC Policy Committee

The BIC Policy Committee addresses issues of concern to bar associations and law societies by creating and recommending policies and guidelines for adoption by the IBA Council, and by ensuring that proposed IBA policies affecting member organisations are reviewed to be certain that such policies have the support of member organisations before being submitted to the IBA Council. The Policy Committee comprises 20 representatives from a cross section of jurisdictions and legal frameworks worldwide. The many documents approved by the IBA Council such as the *International Principles on Social Media Conduct for the Legal Profession* and *Guidelines on Anti-Corruption* are now international benchmarking documents used by bar associations and law societies across the globe.

## BIC International Trade in Legal Services Committee

The BIC International Trade in Legal Services Committee focuses on cross border legal practice and the rules as set out by the General Agreement on Trade in Legal Services

(GATS) on the foreign trade regimes for legal practice. The Committee monitors the work of the World Trade Organization globally and provides information and guidance to bar associations and law societies to answer questions potentially raised by trade negotiators from their own countries.

## BIC Regulation Committee

The BIC Regulation Committee monitors, researches and exchanges information regarding developments in lawyer regulation around the world. The Committee has produced an online global directory of regulators of lawyers as a resource for practising lawyers and bar associations. [www.ibanet.org/IBA\\_Regulation\\_Directory\\_Home.aspx](http://www.ibanet.org/IBA_Regulation_Directory_Home.aspx).

## Bar Executives Committee

The Bar Executives Committee brings together senior executive members of bar associations to exchange knowledge and ideas on the administration, structure and role of bar associations and law societies worldwide.

## Projects

The BIC continues its efforts to engage with and connect the member organisations through its committees and various projects.

In September 2019, Dr George Artley joined the IBA in the newly created role of BIC Project Lawyer. He has assisted with a number of projects, as well as helped plan and coordinate the BIC's sessions at the Virtual Annual Conference 2020.

The BIC's projects, many of which relied on international in-person travel, have been heavily disrupted by the Coronavirus pandemic. However, there have been some project highlights, including the following:

## Capacity building

At the end of 2017, responsibility for capacity building for developing bars shifted from the IBAHRI to the BIC. Capacity building includes, among other things, governance and leadership structure, strategic planning, financial responsibility, membership services, regulations, professional ethics, disciplinary procedures, risks and compliance, and access to legal aid.

The BIC was approached in 2018 by the Ethiopian Lawyers' Association for assistance with a capacity-building project, the goal of which would be to support the large-scale reform of the legal profession in Ethiopia, and the establishment of an independent mandatory bar with government support. This project proceeded during 2019 and 2020, although it has been heavily delayed due to the impact of the pandemic and recent political instability in Ethiopia.

The BIC Project Lawyer, in conjunction with Sara Carnegie, Director of Legal Projects, continue to engage with the BIC's contacts within the Ethiopian Lawyers' Association, and are advising on the latest draft legislation put forward by the government for the creation of a new bar. At present though, the structure of the bar as envisaged by the legislation does not match the best international standards of independence for the profession.

## New international seminar series on 'Globalisation, Ethics, and Professionalism'

The BIC has previously organised international legal ethics seminars in Hanoi, and Ho Chi Minh City, while its International Trade in Legal Services Committee has held globalisation seminar series in Africa and Latin America. The BIC subsequently decided to pilot a combination of these seminar series in Jakarta, Indonesia.

Bar Executives Committee meeting in Budapest, May 2019



This seminar was originally scheduled for March 2020, but was inevitably postponed. It is hoped that the seminar might be possible as soon as world events, and new local bar elections, permit. In the meantime, the BIC is investigating the possibility of making its seminar series available in a virtual format.

### *IBA-UN Environment model curriculum on continuing legal education in environmental law for National CLE programme*

The United Nations Environment Programme (UNEP) and the IBA (BIC; Academic and Professional Development Committee; Environment, Health and Safety Law Committee) have developed a model curriculum for a continuing legal education programme in environmental law, designed to be built into national professional development programmes. The model curriculum is borne out of the recognition by UNEP and the IBA of the critical role of lawyers in the realisation of the environmental dimension of sustainable development.

It was originally hoped that the closed session of Latin American Bar Leaders' Summit in March 2020 would have been dedicated to the Environmental Model Curriculum, though this, and plans for the project more broadly, have predictably been disrupted by the Covid pandemic. The BIC intends however to continue to focus on climate change, and its impact on bars and bar activity, as a major project area during 2021.

### *Presidential Task Force on Attorney Wellbeing*

The BIC, via Deborah Enix-Ross (BIC Vice-Chair) and Steven Richman (BIC Senior Officer), and project coordinator George Artley (BIC Project Lawyer), have been tasked with leading a Presidential Taskforce into mental wellbeing within the global legal profession.

The initial stages of the project involved the launch of two major global surveys, one for individual lawyers, and the other for legal institutions such as law firms and bars. The surveys will run until December 2020. The taskforce then aims to begin its initial work assessing the results of the surveys, planning regional events, as well as reports and recommendations for publication next year.

### *BIC Covid Project*

At the beginning of June 2020, the BIC launched a global survey on the impact of Covid-19 on its member organisations. In the two months that it was open, over 30 law societies and bar associations responded. Further results were added following a decision to cooperate with the CCBE (Le Conseil des Barreaux Européens), which allowed the BIC to add the responses of a further 16 European bars to its own survey where relevant. This means that in total, the survey includes insights from 50 organisations across the world (the largest number of global responses yet gathered on the subject).

Following an analysis of the responses, a report was prepared by the BIC Project Lawyer summarising the headline results and conclusions of the survey, as well as specific examples of how bars have been impacted, and responded, to the effects of the pandemic. The report is now available through the IBA and BIC websites. It is planned that the BIC's Covid-related work will continue into 2021, particularly on the regulatory aspects of the crisis, and how this will impact bars.

### *News updates and website*

The BIC Bar Executives Committee produces the Bar Executives Exchange newsletter twice a year before its major conferences, and the BIC website has links to a range of resources that bars can access for free. There is also a full list of contact details for member organisations of the IBA.

*From top:* Representatives from the South Pacific Lawyers' Association (SPLA) at the Fiji Law Society Conference in September 2019; BIC representatives, including BIC Chair (then Vice-Chair), Kimitoshi Yabuki, meeting with the representatives of PERADI, one of the national bar associations in Indonesia and an IBA member organisation, Jakarta, December 2019.



# IBA'S HUMAN RIGHTS INSTITUTE

**T**he IBA's Human Rights Institute (IBAHRI), an autonomous and financially independent entity, works with the global legal community to promote and protect human rights and the independence of the legal profession worldwide.

## What the IBAHRI does

We provide human rights training and technical assistance for legal practitioners and institutions, building their capacity to effectively promote and protect human rights under a just rule of law.

A leading institution in international fact-finding, the IBAHRI produces expert reports with key recommendations, delivering timely and reliable information on human rights and the legal profession.

The IBAHRI supports lawyers and judges who are arbitrarily harassed, intimidated or arrested through advocacy and trial monitoring. The IBAHRI is a lawyers' organisation working for the protection and promotion of the rule of law, the

independence of the Judiciary and the legal profession.

A focus on pertinent human rights issues, including equality and non-discrimination, media freedom, torture prevention, the abolition of the death penalty, sexual and gender-based violence, sexual orientation and the independence of the legal profession, forms the basis of targeted capacity-building and advocacy projects based on thematic areas.

## Why the IBAHRI is here

Lawyers and judges play a fundamental role in facilitating access to justice, ensuring accountability of the state and upholding the rule of law. When the legal profession is not able to function independently or effectively, this gives rise to human rights violations, impunity and injustice. As part of the world's leading organisation of international legal practitioners, bar associations and law societies, the IBAHRI is uniquely placed to build the capacities of the legal profession to promote and protect human rights and professional independence worldwide.

The IBAHRI's objectives include the:

- promotion, protection and enforcement of human rights under a just rule of law;
- promotion and protection of the independence of the judiciary and of the legal profession worldwide;
- adoption and implementation of standards and instruments regarding human rights accepted and enacted by the community of nations;
- acquisition and dissemination of information concerning issues relating to human rights, judicial independence and the rule of law; and
- practical implementation of human rights and the rule of law worldwide, such as through capacity-building initiatives.



*Clockwise from top:* Delegation of Kazakh lawyers in the UN, Geneva, 2019; Lawyer from the Kachin region casts his vote in a mock election for the Independent Lawyers' Association of Myanmar; IBAHRI Programme lawyer, training for Syrian legal professionals, 2019; Training for young Azerbaijani legal students, Tbilisi, May, 2019

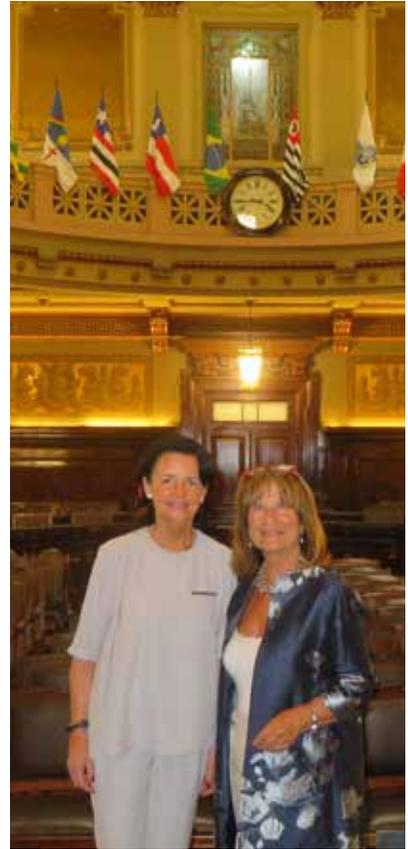




## Human Rights Institute

25 years promoting and protecting human rights worldwide

*Clockwise from top:* Training of young  
Zambian lawyers, 2019; Director of IBAHRI  
Baroness Kennedy and Co-Chair Anne  
Ramberg, Brazil, February 2019; IBAHRI  
short film celebrating 25th anniversary



From top: Meeting of the High Level Legal Panel on Media Freedoms, London, May 2019; Amal Clooney, Jonathan Rugman, Nasser Amin and Nagi Mikail at the launch of IBAHRI fact-finding report, *Separating Law and Politics*, London



## IBAHRI focus on current projects

**Training:** In January 2020, off the back of its training and mentorship programme with Azerbaijani legal students, the IBAHRI began establishing a first of its kind legal clinic with ADA University, to be run by legal students. Also in January 2020, the IBAHRI launched the *Toolkit to help protect lawyers at risk of persecution for carrying out their professional duties* at an event in Geneva. It aims to enhance the capacity of lawyers' to use international human rights norms and recommendations, raise lawyers' awareness about risks attached to the practice of law and the need to develop a security plan. Based on this, the IBAHRI conducted a series of virtual trainings for lawyers in Central Asia. Alongside the American Bar Association, the IBAHRI is operating a further series of webinars for Kyrgyz young lawyers.

To continue training given to Judges in Tunisia on the justiciability of economic, social and cultural rights (ESC) in February 2020, the IBAHRI returned to Tunisia to conduct training for judges on the judicial enforcement of ESC Rights within the national context. To conduct the second phase of this project, the IBAHRI returned to Tunisia in March 2020 to conduct training for lawyers. This training intended to 'train the trainers', so that these lawyers are equipped to subsequently train other lawyers in Tunisia. After the Covid-19 outbreak, the project was forced to be postponed as a lack of resources in the country meant it could not operate virtually. However, in September the programme was able to relaunch with a two and a half day 'training of trainers' refresher workshop held in Tunis for twenty-one Tunisian lawyers facilitated by the IBAHRI and led by the IBAHRI's partners at the UNHCR, who then went on to train twenty of their lawyer peers at two 'application workshops' in October.

In 2020, the IBAHRI also completed two further training manuals. The first, a *Manual on incorporating a gender perspective into the administration of justice* is for justice system professionals on how to consider the specific needs and experiences of women in criminal justice systems, and in procedural

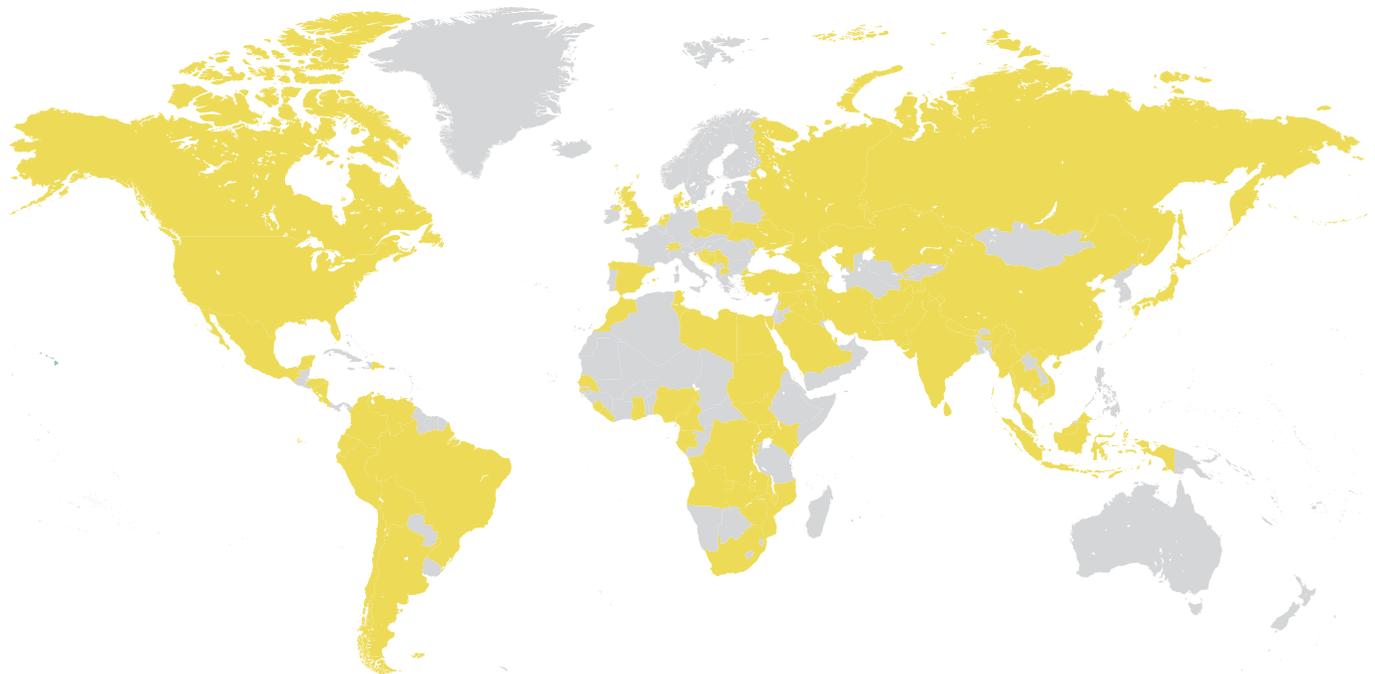
rights in criminal cases. The second, a *Manual on addressing sexual and gender-based violence within the criminal justice system* aims to prompt justice professionals to think critically about the experiences of sexual and gender-based violence victims and how such considerations can improve the system's functioning as a whole.

In 2020 the IBAHRI has laid the foundations for a new wave of virtual trainings to take place in 2021, on torture prevention for legal professionals in Peru, on sexual and gender-based violence for Judges in India, and for legal professionals in India on statelessness.

**Trial observation:** The IBAHRI has conducted several trial observations, most prominently the cases of businessman and human rights activist Osman Kavala and 16 other defendants involved in the Gezi Park protests in Turkey, and Judge Maria Lourdes Afiuni in Venezuela. Following the conclusion of this trial observation, the IBAHRI published the final trial observation report and continue to monitor her case closely.

### Note

1 American Bar Association Center for Human Rights (ABA CHR), International Commission of Jurists (ICJ), East Africa Law Society (EALS), Pan African Lawyers Union (PALU) and Southern African Development Community Lawyers' Association (SADCLA).



● IBAHRI project locations

Trial observers are independent, international lawyers and judges who monitor fair trial and due process rights. When the IBAHRI monitors a trial it is because it involves a legal professional who is on trial because of activities undertaken in the course of their professional duties or involves important issues relating to one of the IBAHRI's thematic areas.

The IBAHRI closely monitors trials against lawyers conducted worldwide, and has made a record number of interventions in 2020 to protect lawyers at risk and defend the upholding of international human rights law.

**Thematic areas and task forces:** Taking an interest in topics that relate to particularly pressing issues, the IBAHRI has adopted a number of resolutions and focuses much of its efforts on thematic areas. Thematic areas include: media freedom, human rights in the administration of justice (with particular focus on torture prevention, abolition of the death penalty and post-conflict justice), equality and non-discrimination (sexual and gender based violence, sexual orientation and gender identity) and the independence of the legal profession (lawyers at risk, the independence of the judiciary and trial observations).

Of particular note, at the end of 2019 the IBAHRI was appointed as Secretariat to the High Level Legal Panel on media freedom, an independent body that was convened at the request of the Canadian and UK governments.

The High Level Panel comprises a diverse group of leading lawyers from around the world. The Chair is Lord Neuberger of Abbotsbury and the Deputy Chair is Amal Clooney. In 2020, they have assisted with the release of four enforcement reports with recommendations to States on how to better protect journalists at risk and media freedom. The project will continue into 2021 with seven further reports.

**UN Programme:** The IBAHRI launched its UN Programme in 2014, with the aim of informing and fostering lawyers' engagement in UN mechanisms and strengthening the dialogue between states and the legal community on human rights. UN human rights mechanisms provide effective and accessible tools to promote international standards, which protect the legal profession's ability to safeguard the rule of law. The UN Programme undertakes three main activities: advocacy, research and training. In 2020, the IBAHRI celebrated the 30th anniversary of the UN Basic Principles on the Role of Lawyers and the IBA Standards for the Independence of the Legal Profession with a Call for Action in support of the Principles, the publication of an educational booklet and the creation of a video and an event with speakers highlight the importance of the anniversary.

During 2020, the IBAHRI has continued its advocacy at the UN level through statements delivered virtually during UN Human Rights Council sessions and collaborations with partner non-governmental organisations. The

IBAHRI is currently working with the UN Special Rapporteur on Freedom of Assembly and Association to inform his upcoming report to be presented to the UN Human Rights Council, regarding the role of lawyers before, during and after peaceful protests. The IBAHRI has undertaken interviews with global lawyers and will pass on a finalised report to the Rapporteur.

## IBA HRI Council

The IBAHRI is governed by a Council made up of renowned lawyers and judges from across the world. As of 1 January 2021, the IBAHRI's Co-Chairs are the Hon Justice Michael Kirby AC CMG, former Justice of the High Court of Australia and Anne Ramberg, immediate past Secretary General of the Swedish Bar Association.

# O U T R E A C H

## Legal Policy & Research Unit

The IBA Legal Policy & Research Unit (LPRU) is made up of a Director, six programme lawyers and three interns. The team undertakes research, and develops and implements innovative strategies, projects and initiatives that are relevant to business and the rule of law, the global legal profession and the broader international community. The LPRU, as of September 2019, incorporates a dedicated Bar Issues Commission (BIC) project lawyer to coordinate and engage with BIC specific activity.

In pursuit of these aims, and to ensure innovative, collaborative, and effective outcomes, the team, made up of mixed-discipline lawyers, engages with legal professionals, law firms, law societies and bar associations, governments, non-government organisations, and international partners, who oversee, coordinate and/or lead a range of projects undertaken by an entity within the Legal Practice Division (LPD), Public Professional Interest Division (PPID) or Bar Issues Commission (BIC) of the IBA.

### Presidential task forces/ priorities

IBA Presidents have previously called upon the LPRU to assist with their Presidential Taskforce Projects.

### *Mental wellbeing in the legal profession*

At present, the team Director, and the BIC Project Lawyer, alongside two senior BIC officers, are leading a Presidential Taskforce into mental wellbeing within the global legal profession.

The initial stages of the project involved the launch of two major global surveys, one for individual lawyers, and the other for legal institutions, such as law firms and bars.

The surveys concluded in December 2020. The taskforce will assess the results of the surveys, plan regional events where possible, in addition to a report with recommendations during 2021. A launch event will take place later in the year.

### *The Climate Crisis*

In May 2020, the IBA passed its Climate Crisis Statement: a recognition that the legal profession has a key role to play in the ongoing fight against the climate crisis. The LPRU played a key role in drafting this document and running the consultation with relevant IBA committees to ensure the Statement took differing views into account. The President then adopted and issued it as an IBA statement. The Statement contains a short preamble and five high-level resolutions concerning how different areas of the legal

profession can address the climate crisis. Broadly speaking, these five resolutions cover:

1. How lawyers can work a more climate-conscious approach into their day-to-day activities
2. Examples of how lawyers can support positive legislation and policy reform to address the climate crisis
3. The need for lawyers to engage and support the UN Sustainable Development Goals
4. How bars and law societies can actively engage with law students and members in their jurisdiction on education and current efforts to combat the climate crisis
5. How lawyers can be responsible in their everyday lives and how workplaces can transition to being more climate-friendly

The LPRU has also responded to European Union and United Nations consultations regarding the role of lawyers in combatting the climate crisis.

### *Bullying and Sexual Harassment*

In 2019, the LPRU published *Us Too? Bullying and Sexual Harassment in the Legal Profession*. This research drew on a survey of 7,000 lawyers from 135 countries, the largest of its kind, and revealed widespread inappropriate behaviour within the profession. The LPRU subsequently undertook a global engagement campaign, holding 100s of events and meeting with 1000s of stakeholders during visits to 30 cities across six continents. Following the campaign, the LPRU is developing a range of tools, materials and further research to help the profession effectively address bullying and sexual harassment.

## Committee led work

### *The Gender Project*

The IBA is committed to promoting diversity within the legal profession, acknowledging that diversity has a benefit for all, not only the entire profession, but also for wider society.

The IBA, alongside external partners, will collaborate on a long-term research project (The Gender Project), with the Lexis Nexis Rule of Law Foundation, to identify the disparity in representation between males and females at senior levels in the legal profession on a global level. It will begin with a pilot study of two to three countries out of a selected 15 jurisdictions in total (for the wider project) in 2021. It will look at private practice, in-house, public and judicial sectors.

Females still constitute a far smaller proportion of those at senior level when compared with their male counterparts. The Project will seek to address this gap via a longitudinal study, to identify whether diversity initiatives introduced to address this disparity are having any impact, and to provide practical conclusions and guidance to the profession. The IBA will also engage with individuals, to track their careers in the law over a number of years. The aim of these individual case studies is to give a personalised account of the individuals' career trajectories, including whether they rose to positions of seniority and any life decisions that may have impacted upon their career.

The Project will build on the work already done by the IBA and our external partners. The IBA's relevant projects include: the 2017 *Women in Commercial Legal Practice* report and the 2019 report *Us Too: Bullying and*

*Sexual Harassment in the Legal Profession*.

This project will begin in 2021 and will be supported by Vice-President Almudena Arpón de Mendivil, and the Diversity and Inclusion Council throughout its anticipated 9-year duration.

### *Young Lawyers Survey*

In 2020, the LPRU and Young Lawyers' Committee ran the Young Lawyers Survey, to which there were over 3,000 respondents. Targeted at lawyers aged 40 and under, and available in English and Spanish, the survey has gathered data on the collective interests, priorities and concerns of young lawyers around the world. We will be using this data to draft a publication in 2021 and to generate dialogue between young lawyers and the current leaders of the legal profession, and encourage positive changes (where necessary).

### *Lawyer-Client Confidentiality*

Two members of the LPRU are part of the IBA Working Group on Lawyer-Client Confidentiality, and actively contribute to the group's work. The Working Group is preparing a Discussion Paper setting out the importance of lawyer-client confidentiality to the administration of justice, rule of law, and democracy on a jurisdiction-neutral basis. The Paper also addresses the tensions between the need to protect lawyer-client confidentiality and tackle the unintentional misuse, unwitting, or intentional abuse of claims of privilege. The Working Group presented a well-attended session at the Virtually Together Conference and are also speaking with external organisations working on this topic.

### *Business and human rights*

The LPRU has created a handbook and developed an in-depth training programme to educate commercial lawyers on business and human rights. The work was done in conjunction with academics from top-level Australian universities and an advisory group that helped to develop the training programme. The LPRU's Business and Human Rights Project page was launched in October 2018.

The material for the training programme was piloted in Melbourne and Sydney in May 2018. In 2019, a training was conducted in Colombia and, in 2020, online training was held in collaboration with the Human Rights Lawyers Network Japan. The LPRU is currently engaging with the Milan Bar to sign a memorandum of understanding for a training program in 2021.

External engagement: The LPRU has engaged with the UN Working Group on the issue of human rights and transnational corporations and other business enterprises to support their UNGP10+ project, marking the ten-year anniversary of the UN Guiding Principles on Business and Human Rights (BHR). The LPRU, together with the BHR Committee and with the Anti-corruption Committee, is also planning to contribute to the UN consultation on Connecting the business and human rights and anti-corruption agendas. We will engage with the EU on the consultation on sustainable corporate governance, which will lead to European legislation on mandatory human rights and environmental due diligence by 2021.

## AI and Human Rights

The LPRU has launched a benchmark project with the Business Human Rights Committee on developing a set of principles that address legal challenges and risks faced by business entities, when preventing, mitigating and addressing the adverse human rights impact associated with use of artificial intelligence (AI). We will engage with stakeholders from different sectors (notably the financial sector and the healthcare sector) to identify best practices and practical solutions. A guideline document will be published by the end of 2021.

We have been granted the status of 'observer organization' at the Council of Europe and have been admitted to contribute to the work of their Ad Hoc Committee on Artificial Intelligence. In addition, we have engaged with the UN B-tech project and with the OECD.

## Anti-corruption

The Anti-Corruption Strategy for the Legal Profession was a joint initiative of the IBA, the Organisation for Economic Co-operation and Development (OECD) and the UN Office on Drugs and Crime (UNODC) which commenced in 2010. The initiative focused on the role that lawyers play in international corruption and methods to improve their compliance with international laws and standards. Since this initiative was launched, and particularly in the last two years, the LPRU has worked on a range of anti-corruption projects and has a very good relationship with the IBA's Anti-Corruption Committee.

Since 2019, the LPRU has been working with the Anti-Corruption Committee's Subcommittee on Non-Trial Resolutions regarding the OECD Working Group on Bribery's (WGB) current review of the *2009 Recommendation on Further Combating Bribery of Foreign Bribery in International Business Transactions*. As part of the review, the Subcommittee has recommended to the WGB to develop international guidelines on non-trial resolutions of foreign bribery cases.

The LPRU and the Subcommittee are preparing several documents to be circulated to IBA members to advise on the likely contents of the guidelines and assist with successful implementation of the guidelines in domestic jurisdictions. The LPRU has also worked on preparing a Model Framework Curriculum on Non-Trial Resolutions, which bar associations and law societies can use and adapt into their jurisdiction to educate lawyers in-country about the guidelines.

The LPRU has also been engaged on other anti-corruption projects focusing on judicial integrity, sextortion (a form of corruption where the currency of the bribe is a demand for sexual favours), and appropriate application and understanding of legal professional privilege and professional secrecy. Further work is in hand to explore a potential wildlife trafficking project in 2021, which would include a significant anti-corruption focus.

## Judicial Integrity Initiative

The Judicial Integrity Initiative (JII) was launched by former IBA President, David W Rivkin, at the beginning of his term. A report identifying the patterns underlying corrupt behaviour in the judiciary, the types of corruption that affect judicial systems and the roles played by the various professionals operating within them was released in May 2016. The LPRU then developed a project with the aim of analysing how allegations of corruption against judges are investigated and prosecuted in different judicial systems, using a compilation of five case study countries: Costa Rica, France, Ghana, the Philippines and UK. The LPRU collaborated with the National Center for State Courts and the Research Institute on Judicial Systems on this project. The desk research and interview phase on the five pilot case studies has been completed and the report with policy recommendations will be published in early 2021.

External engagement: the LPRU has presented a first draft of the study during the UNODC High-Level Meeting of the Global Judicial Integrity Network in Doha in February 2020. We are exploring a possible

collaboration between the LPRU, UNODC and the International Association of Judges for the launch of the report and the endorsement of our recommendations in 2021.

## Modern Slavery

On 11 November 2020, as part of the IBA Virtually Together Conference, the LPRU held a webinar on this topic and launched a multi-faceted initiative against forced labour, human trafficking and child labour. The focus will be on the definition and implementation of effective legislative measures to tackle forced labour in global supply chains. In addition, we will look at the protection of victims and at the implementation of the non-punishment principle. The IBA, through the establishment of a working group of experts, will look at these challenges, in order to define practical guidelines for lawyers. In November 2020, the webpage of the modern slavery project was launched, together with a short awareness raising video.

External engagement: The LPRU has engaged with IBA members and external stakeholders, such as the UK Anti-Slavery Commissioner; the UN Special Rapporteur on Contemporary Forms of Slavery; corporate representatives (such as IBM, Tesco and Princes); non-governmental organisation groups (including International Justice Mission and Oxfam) and other academic and business contacts.

## Disruptive Innovation

The LPRU continues its key work in analysing the role of technological innovation and its interface with the legal sector, with a focus on identifying gaps, creating collaborative solutions, and facilitating global dissemination.

This builds on global initiatives launched by the LPRU comprising of – (i) reviewing of the global cybersecurity guidelines for legal professionals; and (ii) assessing social media principles for lawyers, and exploring the impact of Internet of Things (IoT) on the legal profession.

For 2021, in a post-pandemic world, the LPRU along with the bars, North American Regional Forum and AI and Ethics Working Group will carry out a survey to understand the present-day use of emerging technologies in the provision of legal services. This will lead to a report which is intended to guide jurisdictions in how they embrace technological change and manage digital priorities, while adhering to lawyers' professional obligations and ethics.

External engagement: the LPRU continues to participate in multi-stakeholder collaborative activities on framing global standards and best practices on cross-border digital law and e-commerce with the United Nations Commission on International Trade Law (UNCITRAL) and with the United Nations Centre for Trade Facilitation and Electronic Business (UNCEFACT).

### **Whistleblowing**

For some time now, the LPRU has been at the forefront of global thought leadership in the field of whistleblower protection regulation – with the assistance and input of numerous IBA committees. In January 2021, the LPRU published – together with Government Accountability Project – a landmark report,

*Are Whistleblowing Laws Working? A Global Study of Whistleblower Protection Litigation.*

This research drew on a comprehensive study of whistleblowing case law across 38 jurisdictions. The LPRU has also engaged on whistleblower protection issues with the European Union, OECD, World Bank Group, B20, International Federation of Accountants (IFAC) and national justice ministries.

### **Professional Indemnity Insurance Project**

The LPRU with the Bar Issues Commission is studying and analysing the existing, [or lack of], rules on professional indemnity insurance for legal professionals in leading, experienced jurisdictions, and will be publishing a report in 2021 with recommended international standards and principles. This will be followed by organising of awareness raising sessions at IBA conferences in the latter half of the year.

### **BIC specific work**

The LPRU assists the BIC with its projects primarily through the BIC Project Lawyer's work. He, and the Director of the LPRU, are currently involved in a number of BIC initiatives, including:

- capacity building for developing bars: establishing an independent bar in Ethiopia;
- IBA-UN model curriculum on continuing legal education in environmental law for national CLE programmes;
- BIC Covid Project; and
- the BIC's planned work in relation to the impact of climate change on bar activity.

For further details of the BIC's projects, please see the separate 'Bar Issues Commission' section of the brochure.

For further details of the LPRU's projects, please see our website [www.ibanet.org/LPRU/Home.aspx](http://www.ibanet.org/LPRU/Home.aspx).



*Clockwise from top:* Evidence in International Criminal Trials Conference panel, The Hague, November 2016; Business and Human Rights, Bogotá, 2019; Bullying and Sexual Harassment report launch, London, 2019



*Opposite page, from left:* New judges of the International Criminal Court (ICC) were sworn in at a ceremony held at the seat of the Court in The Hague, Netherlands, March 2018; ICC Judge Kimberly Prost, keynote speaker at the Seeing Justice Through Roundtable, October 2019



## IBA International Criminal Court and International Criminal Law Programme

The IBA commenced the IBA International Criminal Court and International Criminal Law (ICC & ICL) Programme in 2005.

The ICC & ICL Programme monitors issues related to fairness and equality of arms at the ICC and other Hague-based war crimes tribunals, and encourages the legal community to engage with the work of these Courts. The Programme's work includes thematic legal analysis of proceedings and ad hoc evaluations of legal, administrative and institutional issues that could

potentially affect the rights of defendants, the impartiality of proceedings and the development of international justice.

The Programme also acts as the interface between the Courts and the global legal community. As such, special focus is placed on monitoring emerging issues of particular relevance to lawyers and collaborating with key partners on activities to increase engagement of the legal community on ICC and ICL issues.

Programme information is disseminated through regular reports, expert discussions, workshops and other events, and expert legal analysis on issues relevant to its mandate.

Based in The Hague in the Netherlands, the IBA's ICC & ICL Programme consults and interacts with Courts' officials, civil society organisations, academics and international lawyers.

# CONFERENCES

Conferences fulfil one of the IBA's most important objectives: the promotion of useful contacts and interchange between lawyers throughout the world, as well as providing a forum for the dissemination of specialist information on all areas of the law.

The IBA stages around 50 specialist conferences each year in major cities throughout the world, reflecting the breadth of practice areas, professional interests and the global scope of the IBA.



The IBA's flagship Annual Conference, held in September/October each year, brings together all elements of the IBA to benefit from over 200 working sessions and more than 50 social functions.

Future IBA Annual Conference venues are 2021 Paris and 2022 Miami.

## Webinars and Virtual Conferences

The IBA has been running interactive webinars for its members since 2017. In 2020, due to the pandemic, the IBA moved all of its events to online platforms and staged over 130 webinars and virtual conferences. The events, which have been viewed by over 96,000 participants, covered a multitude of practice areas and provided valuable content to both members and non-members who had never had the opportunity to attend an IBA event previously.

As a replacement for the postponed Annual Conference, the IBA launched the hugely ambitious IBA 2020 – Virtually Together Conference, a virtual conference that attracted over 13,000 registrants from more than 160 jurisdictions. The month-long conference featured over 250

working sessions and over 100 networking opportunities, as well as an incredible line-up of international speakers.

## Annual Conference

The Annual Conference is the largest gathering of the international legal community in the world: a meeting place for more than 6,000 lawyers and legal professionals, including partners from the world's leading international law firms. It offers the opportunity to network, generate new business and increase knowledge of the latest international legal developments through the working sessions.

Many IBA members regard the Annual Conference as the pre-eminent opportunity to meet, learn network and build their knowledge.

The IBA Annual Conference attracts many distinguished speakers, who in recent years have included:

Ban Ki-Moon, former UN Secretary-General; John Kerry, former 68th US Secretary of State; Martin Luther King III, Global Human Rights Leader; Romano Prodi, former President of the European Commission and former Prime Minister of Italy; Kofi Annan, former UN Secretary-General; Mary Robinson, former President of Ireland; José María Aznar, former President of Spain; José Manuel Barroso, former European Commission President; Fatou Bensouda, Prosecutor of the International Criminal Court; Anders Fogh Rasmussen, former Secretary-General of NATO and Prime Minister of Denmark; Rt Hon Kenneth Clarke CH QC MP, one of the longest-serving MPs in the UK; Jeh Johnson, former United States Secretary of Homeland Security; Christine Lagarde, President, European Central Bank; Loretta E Lynch, former US Attorney General; Robert S Mueller III, former Director of the Federal Bureau of Investigation; and General Colin L Powell, former US Secretary of State.





*Clockwise from top:* Baroness Valerie Amos, United Nations Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator (2010-2015); Ban Ki-Moon, United Nations Secretary-General (2007-2016); John B Bellinger III, Senate-confirmed Legal Adviser to the Department of State, (2005-2009); Kerry Kennedy, President of Robert F Kennedy Human Rights; Hyeonsoo Lee, North Korean Defector, New York Times Best Selling Author



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**/** I became an IBA member after attending my first annual meeting. I really got bitten by the bug and got into the IBA spirit because of the dynamisms there. Because of what I learned and the exchanges that I had, I wanted to continue and enrich my engagement with the IBA and with its members. After a number of years, I became an officer of a committee and made a deeper dive into the Association which, for me, has been a very satisfying personal and professional experience.

Gary Birnberg  
JAMS, Miami, Florida





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**/** An IBA membership offers the most visibility and engaging content, because of the quality of the participants and officers of their respective practice groups. I enjoy the content that you can find on their website – I know of no other association that offers this quality of materials.

Fabio Trevisan  
*Bonn Steichen & Partners, Luxembourg City*



*Clockwise from top:* Shinzō Abe, Japanese Prime Minister, with the Emperor and Empress of Japan; Robert S Mueller III, former Director of the Federal Bureau of Investigation; Rt Hon Kenneth Clarke CH QC MP; Madeleine K Albright, former US Secretary of State.

*From top:* Professor Joseph E Stiglitz, Nobel Peace Prize winner and leading economist; General Colin L Powell, former US Secretary of State; Christine Lagarde, President, European Central Bank.



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‘I joined the IBA for three reasons. First, I needed to develop as an independent firm. Second, I needed to create a network of lawyers and firms around the world who can actually service my clients abroad. Finally, I hoped to create opportunities to grow my own practice and for professional enrichment. And in the process of doing that, what I’ve found is that I’ve developed very close relationships with my friends and my colleagues here.’

Noreen Weiss  
*MacDonald Weiss, New York*



# IBA DIGITAL CONTENT

You can keep up-to-date with our comprehensive collection of films, podcasts and online content, covering the breadth of the IBA's activities and areas of interest, at [tinyurl.com/IBA-digital](https://tinyurl.com/IBA-digital).

## Global insight: Film

The IBA's filmed content includes interviews, webcasts and documentaries as well as coverage of IBA events and conference sessions. All IBA films can be viewed at [tinyurl.com/IBA-film](https://tinyurl.com/IBA-film).

### *Interviews*

The IBA has filmed numerous exclusive one-to-one interviews with leading figures across international law, business and human rights.

#### **KOFI ANNAN**

This in-depth interview with the United Nations Secretary-General (1997-2006) covers the global responsibility to protect, business and human rights, and the sustainable development goals.

#### **MARY ROBINSON**

The former President of Ireland (1990-1997) and UN High Commissioner for Human Rights (1997-2002) discusses climate justice.

#### **JOHN KERRY**

The 68th US Secretary of State (2013-2017) on the role of the US in today's world, multilateralism, China, Israel, Palestine and climate change.

#### **FATOU BENSOUDA**

The Prosecutor of the International Criminal Court talks about the Court's role as a vanguard for today's focus on accountability in justice.

#### **THE HONOURABLE CHIEF JUSTICE GEOFFREY MA**

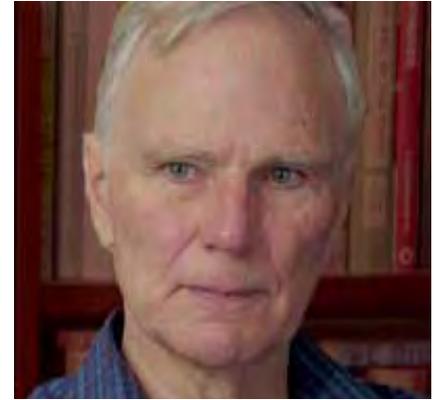
The most senior judge in Hong Kong discusses the challenges of upholding rule of law as rights and freedoms come under increasing pressure from the Chinese authorities in Beijing.

#### **NICOLA STURGEON**

In this extended interview, the first female First Minister of Scotland speaks about divided countries, multilateralism and a potential second Scottish referendum in the wake of Brexit.

#### **PHILIP ALSTON**

The former UN Special Rapporteur on extreme poverty and human rights (2014-2020) addresses the injustice of wealth inequality in the US.



*Clockwise from top:* Fatou Bensouda, Prosecutor of the International Criminal Court; David Miliband; Philip Alston; Interview with Gordon Brown, UK Prime Minister, 2007-10; IBA 2020 – Virtually Together Conference; John Kerry, US Secretary of State, 2013-2017; Mary Robinson, Rt Hon Lord Chris Patten of Barnes CH, the last British governor of Hong Kong.

## Global insight: Podcasts

The IBA's podcast series started in 2016 and provides succinct analysis of pressing legal, business and human rights issues.

All podcasts can be accessed at [tinyurl.com/IBA-pod](https://tinyurl.com/IBA-pod).

### ECONOMIC AGENDA FOR THE US – LARRY SUMMERS

Larry Summers discusses the US' economic situation, inequality and the actions he believes are necessary for President-Elect Biden to take.

### 'THE RULE OF LAW IS IN DIRE STRAITS' – DR MARGARET NG ON HONG KONG NATIONAL SECURITY LAW

Dr Margaret Ng discusses the implications of the national security law recently enacted in Hong Kong by China.

### RULE OF LAW IN THE TIME OF COVID-19

IBAHRI Director Baroness Helena Kennedy QC and IBA Content Director James Lewis discuss security and freedom in Hungary, India, Russia, the UK and US during Covid-19.

### WOMEN AND THE JUSTICE SYSTEM

*Global Insight* assesses how legal and judicial systems continue to let down victims of sexual harassment and violence.

### DAVID MILIBAND ON REFUGEE CRISIS

David Miliband addresses climate change migration, the importance of practical measures to assist refugees, and the need for passion and reason in confronting populism.

## #METOO AND THE LEGAL PROFESSION

Diversity champions across the legal profession assess cultural and structural changes to drive equality and influence of women lawyers.

### CLIMATE CHANGE: A TIPPING POINT

Mary Robinson, James Thornton and John Cruden address the urgent need for governments and business to redouble efforts on global warming.

### TOXIC DEBATE THREATENS RULE OF LAW

The debasement of political debate is threatening the rule of law and eroding trust in democracy, warn leading figures from Washington.

### SYRIA: AN INTERNATIONAL CRISIS

Leading figures including former General Counsel of the United Nations Patricia O'Brien and José Manuel Barroso assess the obligations of the international community to intervene.

### RUSSIA: THE DIPLOMATIC STANDOFF

The dangerous decline in relations between the West and Putin's Russia is addressed by Anders Fogh Rasmussen, Robert Gates and Jack Straw.

## IBA Global Insight magazine

The IBA's flagship magazine, *IBA Global Insight*, is published six times per year and is available online and as an app.

## Journals, magazines and books

The IBA publishes several other journals and magazines online, covering diverse practice areas and professional interests.

The IBA publishes or co-publishes a number of print books and e-books. Recent titles have covered energy law and justice, corporate responsibility and sustainable business, and contested histories.

## Website and social media

The IBA website, [www.ibanet.org](http://www.ibanet.org), represents a valuable source of information and analysis on major international legal, business and human rights issues. The website receives around four million page views per year, and welcomed over one million website users in 2020.

The IBA and the IBAHRI are active on Twitter and Facebook. Track major developments in international legal, business and human rights issues, get updates from the IBA on the latest content, as well as conference and events news.

 @ibanews

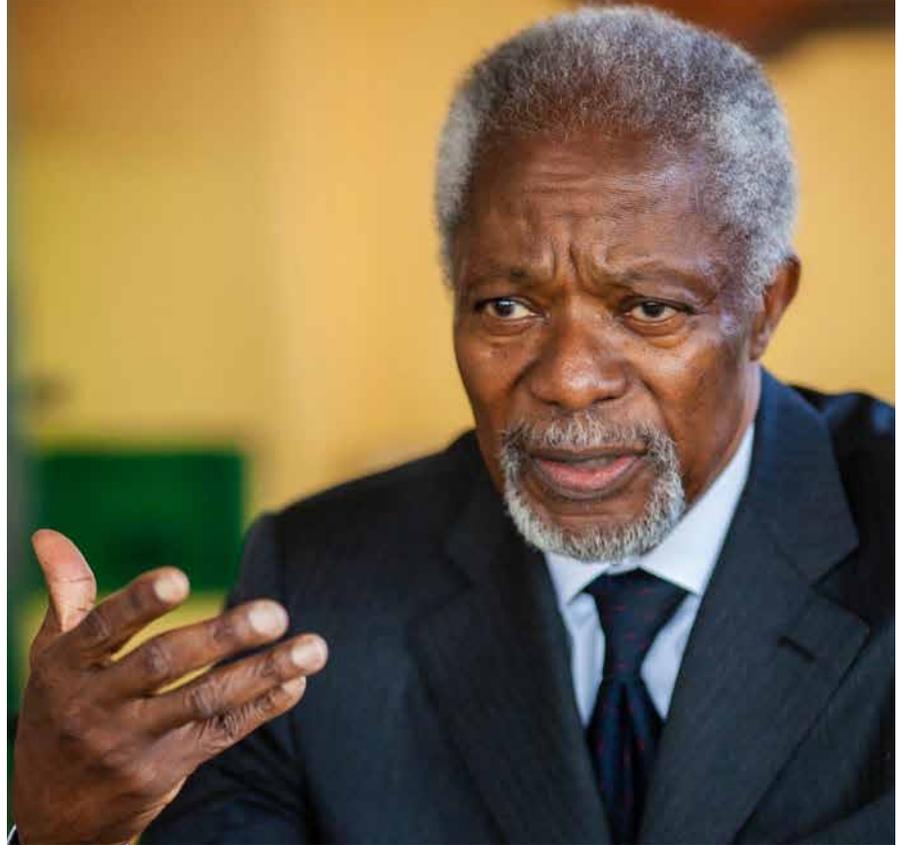
 @ibahri

 @ibaevents

 /internationalbarassociation

 /ibahumanrights

*Clockwise from top:* Kofi Annan, former UN Secretary-General; Patricia O'Brien, UN Legal Counsel; William Hague, former UK Foreign Secretary.





## IBA and the global media

The work and initiatives of the IBA as the global voice of the legal profession, and the IBAHRI as the respected independent global human rights entity, constantly appear in traditional international, regional, and local media, as well as specialist legal publications worldwide. Reports on innovative projects, global industry guidelines, conferences attracting world-class speakers, addressing human rights violations, and initiatives to protect and promote the rule of law all generate news coverage.

Further, the reputation of extensive legal expertise contained within the IBA and IBAHRI brings requests for expert legal opinion and insight on world events from many established news outlets including, *BBC*, *CNN*, *Guardian*, *Al Jazeera*, and *Associated Press*. In addition, the rise of social media platforms, including Facebook, LinkedIn, and Twitter, has extended the reach of the organisations' work, providing direct engagement with many more members of the legal profession, but also projecting to a global audience beyond the profession.

## *A selection of news releases*

- IBA urges UN Member States to recognise, uphold and protect the role of lawyers
- Contested historical legacies in public spaces addressed in new analysis by global experts
- A new report highlights the need for state cooperation with international courts
- IBA announces £180k fund to support international frontline legal aid providers
- New Model Statute for citizens to challenge governments failing to act on climate change
- IBAHRI launches '*Toolkit on Lawyers at Risk*' to advance the protection of lawyers
- IBA and IBAHRI call on the US to address racism and police brutality in wake of George Floyd killing
- IBA report calls time on 'endemic' bullying and sexual harassment in the legal profession
- New landmark report calls on Media Freedom Coalition States to create an emergency visa for journalists at risk
- IBAHRI makes recommendations on ending detention of migrant children to UN Special Rapporteur
- IBAHRI signs joint statement on the impact of Covid-19 on LGBTI persons' human rights
- Authorities urged to protect whistleblowers during Covid-19 crisis
- Law requires reshaping as AI and robotics alter employment, states new IBA report
- IBAHRI makes recommendations on the criminalisation and prosecution of rape to UN Special Rapporteur
- Global organisations gather at The Hague to discuss solutions to bullying and sexual harassment
- IBAHRI urges United Nations Member States to provide greater support to UN human rights bodies
- New IBA report urges governments to create legislation for on-demand workers
- Legal aid as important for economy as hospitals and schools, claims new IBA-World Bank report
- Stop 'shoehorning' sextortion into current anti-corruption law, urges new IBA report
- Scrap income tax and give computers legal personhood, urges new IBA report
- IBA report suggests legal expenses insurance may help 'forgotten middle' access justice
- David Miliband and the International Rescue Committee to receive 2019 Stockholm Human Rights Award
- IBA and OECD Secretariat issue lawyers with principles to combat Panama Papers-style situations
- IBAHRI supports 'executive moratorium' on the death penalty in California
- New IBAHRI study on enforced disappearances calls on States to uphold international standards

## *A selection of media excerpts*

### **WORLD NEEDS AN 'INTERNATIONAL COURT ON THE ENVIRONMENT', INTERNATIONAL BAR ASSOCIATION SAYS**

A new human 'right to a healthy environment' needs to be enshrined in law – and a new International Court on the Environment set up to enforce it – to help poor communities seek 'climate change justice' against companies and countries that harm them by accelerating global warming.

That is the recommendation of the International Bar Association (IBA), the legal profession's global representative group, following an in-depth study into the provision of law to fight climate change.

***The Independent***

### **COVID-19 – KILL OR CURE FOR THE CAREERS OF WOMEN LAWYERS?**

Fix the system not the person

Until now, well-intentioned attempts to support women's careers have been too often focused on fixing women rather than fixing the system. In an enlightening report, 'Women in Commercial Legal Practice', the International Bar Association condemns "policies, ostensibly introduced to help women in the workplace" that were actually "designed to address the problem of women, not the workplace." There is now an acknowledgement that this approach is back-to-front and ineffective.

***Thomson Reuters***

### **CPJ JOINS CALL FOR NEW EMERGENCY VISA REGULATIONS TO PROTECT JOURNALISTS FLEEING THREATS**

The International Bar Association hosts a panel to discuss a new report on emergency visas for journalists.

***Committee to Protect Journalists***

### **IBA LAUNCHES NEW CYBERSECURITY GUIDELINES**

In a session traversing the devastating consequences that data breaches have on law firms and their clients, the International Bar Association launched its new cybersecurity guidelines, providing some much-needed global uniformity on approaches to technology and training.

As evidenced in the Paradise Papers cyberattack on Appleby, law firms are a particular target for cyber-attacks because they hold a lot of commercial information and are perceived to be weak links that 'do not usually take cybersecurity as seriously as their clients or do not have the financial capabilities to invest in efficient technologies that protect the firm from cyber-attacks', the IBA said.

***CDR Magazine***

### **RULE OF LAW UNDER THREAT**

New IBA campaign titled: 'Look after the rule of law and it will look after you.'

The campaign consists of eight videos showcasing what the IBA believes to be at risk – including the rights to a fair trial and not to be subjected to discrimination on the grounds of personal characteristics.

***Law Society Gazette***

### **IBA AIMS TO FIGHT BULLYING, HARASSMENT IN LAW FIRMS**

The International Bar Association is working with partners to make two new training modules available to legal workplaces to address bullying and sexual harassment, topics that were

***Law 360***

### **A CASE FOR THE LEGAL PROFESSION'S INVOLVEMENT IN GOVERNANCE**

Lawyers have traditionally been relied upon to provide technical advice on legal issues. However, there is a paradigm shift in terms of

what the role of a lawyer should be. It is now universally accepted that the days of narrowly couched legal advice should be over. The roles and obligations of the legal profession under the International Bar Association lay testament to this fact.

In today's world, the modern lawyer has an aspirational responsibility to counsel clients beyond 'the law' and into more practical considerations, such as likely public perceptions, potential reputational damage and generally about doing the 'right' thing. In addition to their clients, lawyers are accountable to multiple other stakeholders including the profession, the rule of law and wider society.

***The Global Legal Post***

### **'CORRUPT AND ELUSIVE' LAWYERS HAMPERING WHISTLEBLOWING PROTECTIONS**

Employees who blow the whistle on alleged wrong-doing are often faced down by 'corrupt' and 'elusive' lawyers and regulators who hamper proper investigations, a discussion on worldwide whistleblowing protections has heard. To combat this problem, participants suggested that an independent office be set up to investigate concerns and potentially issue fines and penalties.

***Law Society Gazette***

### **IBA GUIDELINES AND RULES**

The International Bar Association (IBA) publishes Rules on challenging issues such as the taking of evidence in international commercial arbitration.

We are grateful to the IBA, which has kindly allowed us to publish the IBA Rules on the Taking of Evidence in International Arbitration as a resource for parties and their representatives and for arbitral tribunals acting under the BDT Arbitration Rules.

***Building Disputes Tribunal***

From top: IBA interns – November 2019, February.



# EDUCATION

## Executive LLM

King's College London and the IBA have collaborated to offer an elite world-class professional LLM. Designed to bring together wide-ranging legal perspectives and expertise from around the world, the Executive LLM aims to confront some of today's most challenging global legal issues.

The Executive LLM is a two-year advanced Master of Laws course for ambitious commercial, in-house or regulatory lawyers keen to build on their achievements and develop their careers. Taught by leading academics and practitioners, the part-time course blends online modules with five London-based immersive weekends.

For more information visit [www.kcl.ac.uk/executiveLLM](http://www.kcl.ac.uk/executiveLLM) or email [executiveLLM@kcl.ac.uk](mailto:executiveLLM@kcl.ac.uk).

## Student membership

The IBA offers individual students as well as universities and law schools the opportunity to become association members and in doing so bridge the gap between education and practice, establishing valuable connections. As part of the membership, students will have access to the extensive range of academic and professional materials, including all committee updates, journals, magazines, webcasts and reports across all committees.

For more information on student membership, please view [www.ibanet.org/students.aspx](http://www.ibanet.org/students.aspx).

## The IBA's Legal Internship Programme

The IBA has provided unique personal development and legal experience opportunities for hundreds of junior legal professionals and students globally.

Positions are available for undergraduate and postgraduate law students, for lawyers awaiting a pupillage position or for recently qualified lawyers to serve as an intern at the IBA's offices in London, The Hague or Washington, DC.

Selected interns assist IBA members and legal staff in developing academic papers and research on key legal topics of both local and international relevance. Interns work to support the IBA's Human Rights Institute, the IBA Legal Policy and Research Unit (business and economic law), the Executive Director and the IBA International Criminal Court and International Criminal Law Programme.

All information on the IBA's internship programmes can be found on our website at [https://www.ibanet.org/Education\\_and\\_Internships/Legal\\_Internship\\_Programme.aspx](https://www.ibanet.org/Education_and_Internships/Legal_Internship_Programme.aspx).

## IBA Annual Conference scholarships: assisting young lawyers around the world

Every year the IBA's sections and committees of the LPD and the SPPI offer scholarships to young lawyers who wish to participate in the IBA Annual Conference, but may face financial difficulties in doing so.

These scholarships are open to young lawyers under the age of 35, who must meet the set of eligibility criteria and submit an essay in connection to a session topic.

Eligibility criteria includes the following:

- 'Young Lawyer' is defined as any lawyer up to and including the age of 35 at the time of the conference.
- Applicants must either be: a fully qualified lawyer who is licenced/ registered to practise as a lawyer with the relevant professional regulatory body; or undertaking the qualification process (education and/or vocational) to pass the bar (or the equivalent qualification in the relevant jurisdiction) to become fully qualified, providing they hold a temporary or permanent licence to practise as a trainee, or are undertaking a training scheme that is recognised by the professional regulatory body.
- IBA membership is not a requirement to submit an application.
- Employees of the IBA, officers of any IBA entity and relatives of the above are excluded from the competition.
- Previous winners of any LPD/SPPI conference scholarships are also excluded from the competition. All other applicants from previous years may reapply.

Each participant may submit one essay/ application for one scholarship in a calendar year. Select scholarships may have additional criteria.

The IBA Annual Conference scholarship award includes the following:

- waived registration for the IBA Annual Conference;
- a contribution towards accommodation costs while attending the conference;
- a contribution towards travel costs to attend the conference;
- participation in the session;
- two years' free membership of the IBA; and
- a waiver of either the following years' IBA Annual Conference registration fee or the fee to attend an IBA specialist legal conference sponsored by any committee within the awarding section.

All information around scholarship opportunities can be found at [www.ibanet.org/scholarships.aspx](http://www.ibanet.org/scholarships.aspx).

## The SPPI's Training Course Programme

Devised in 1995, these courses form an integral part of the SPPI's pro bono activities. They are designed to assist young and newly qualified lawyers in their understanding of the fundamentals of international legal business practice.

Taking place throughout the year in different jurisdictions, the courses provide exposure to international legal business practice, which, in light of the climate of globalisation, is becoming increasingly important for the next generation of the profession. They are a great opportunity for the next generation of leaders of the profession to engage with senior professionals and experts, exchange ideas and discuss trends. The IBA is the world's foremost association of lawyers and, through the wealth of international talent and expertise within its membership, is in the unique and unrivalled position to provide a truly international perspective on the basic concepts of legal business practice to young lawyers throughout the world.

All information around the training course programme can be found at [www.ibanet.org/trainingcourse.aspx](http://www.ibanet.org/trainingcourse.aspx).



*Clockwise from left: Session at the ICC Moot Court 2019; Joshua Yeung from the Chinese University of Hong Kong, Best Oralist Award Winner, Moot Court 2019; ICC Moot Court Competition partner.*

## IBA International Criminal Court Moot Court Competition, organised by the Grotius Centre

Founded in 2004, the IBA ICC Moot Court Competition, organised by the Grotius Centre, is the largest international moot court competition focussed on public international law and the second-largest by countries represented. In 2021, the IBA increased its support to the ICC Moot Court Competition, becoming the primary supporting partner. The competition is organised by the renowned Grotius Centre for International Legal Studies at Leiden Law School of Leiden University.

The moot was set up with the aim of enhancing knowledge about the Rome Statute and to strengthen the ICC by mobilising civil society and through participation by teams from countries that have not ratified the Rome Statute.

Each year the number of teams continues to grow, and in 2021 a record 95 teams from over 50 countries will compete. As of 2018, the IBA's support to the competition includes two scholarships a year, to support teams to travel to The Hague. The scholarships have been awarded in past years to teams from The Gambia, Tanzania, Kyrgyz Republic, Nepal, South Sudan, and Sierra Leone.

The competition consists of an extensive six-day educational and social programme, which brings together students from diverse backgrounds and cultures in The Hague to challenge their skills as future international lawyers. Teams compete in national rounds before advancing to finals in The Hague. Since 2020, the moot has also successfully moved the competition online, allowing teams to compete when travel to The Hague is not possible.

The final round traditionally takes place in an ICC courtroom with ICC judges adjudicating. Student teams represent the Office of the Prosecutor, the

Defence Counsel, and Counsel for the Victims or Counsel for the Government in a fictitious case before the ICC.

Each student team has to represent the parties both in writing and through pleadings before moot courts. The students' memorials and pleadings are judged by legal experts including judges and legal officers from the ICC, the UN International Residual Mechanism for Criminal Tribunals and the Special Tribunal for Lebanon, lawyers and professors of law, which guarantees the high intellectual standards of the competition and its prestige. Many IBA members act as judges, volunteering their time to the competition.

At the close of the competition, the IBA presents the IBA Best Oralist Award to the advocate who scored highest among all teams for all sides, and other outstanding achievements are recognised including best written briefs and oralists for each side of the case.



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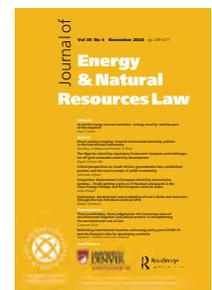
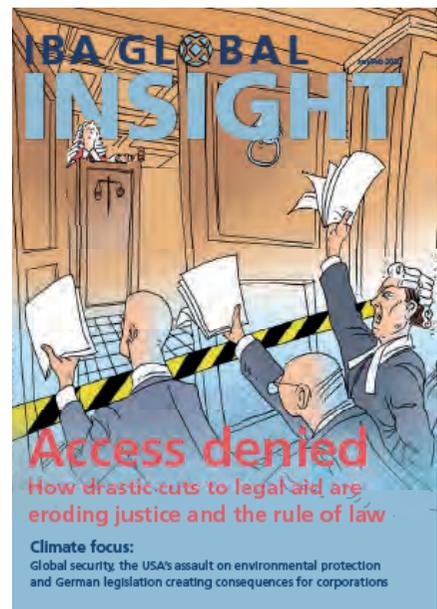
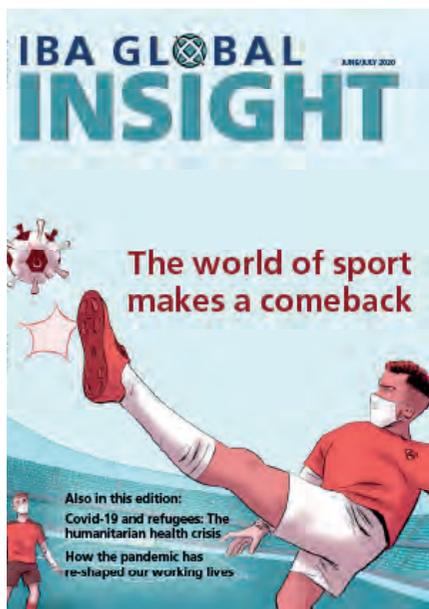
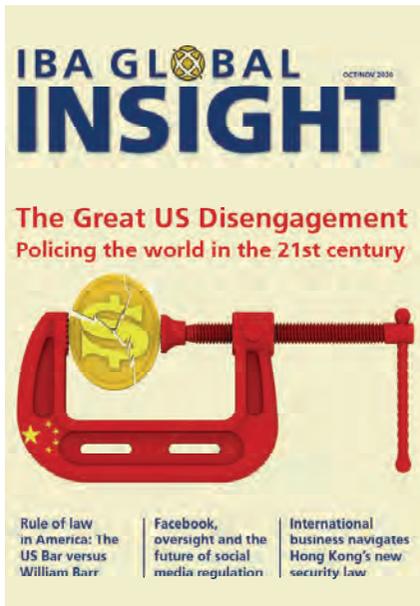
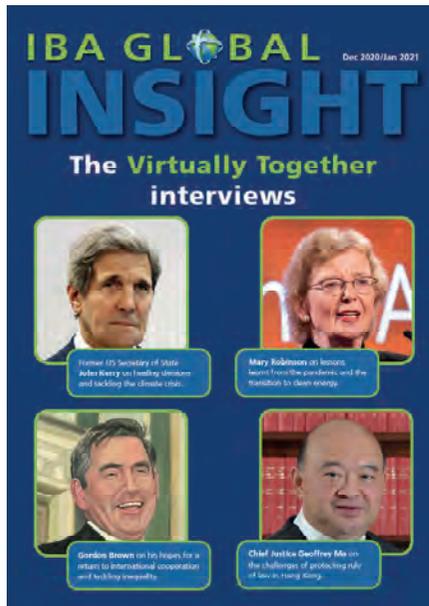
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From top: Covers of the flagship magazine IBA Global Insight and a selection of journal/magazine covers



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