



Union Internationale des Avocats
International Association of Lawyers
Unión Internacional de Abogados



C S M C Chambre Suisse de Médiation Commerciale
S K W M Schweizer Kammer für Wirtschaftsmediation
C S M C Camera Svizzera per la Mediazione Commerciale
S C C M Swiss Chamber of Commercial Mediation

PRELIMINARY PROGRAMME

26th World Forum of Mediation Centres

Meet the Officers of the World's Leading Commercial Mediation Centres

ZURICH

 SWITZERLAND

Friday, March 8 & Saturday, March 9, 2019

With a welcome evening cocktail on Thursday, March 7

#UIAWFMC



Forum organised by the **UIA** with the support of the **Swiss Chambers' Arbitration Institution (SCAI)** and the **Swiss Chamber of Commercial Mediation (SCCM)**

www.uianet.org

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Introduction

The **World Forum of Mediation Centres** was created in 2001. It brings together the best commercial mediation practitioners and ADR centres from around the world, together with managers, academics, teachers, trainers, young practitioners, and all those interested in learning more about mediation.

The Forum takes place every 9 months in different countries around the world. It fosters the exchange of views on the development of ADR, enhancing knowledge, and best practices, giving new ideas, ensuring the best understanding of ADR, and learning from other cultures.

This 26th Forum promises to be **again very exceptional** because it will be the opportunity to gather experiences, ideas, observations about development of mediation and make comparison to enhance our knowledge and our practice. Do not miss this opportunity to meet with your colleagues, other professions connected to mediation practices, and other cultures.

Zurich is a town to discover, a mediation discovery, a place to have a great Forum.

The various sessions of the Forum will be again stimulating and attractive, bringing together managers interested in the understanding and development of mediation for their companies, experienced and younger mediators, lawyers, academics, judges, students who are our future decision makers.

Do not miss this opportunity to learn and enhance your knowledge and practice about mediation.

The 26th Forum will be an unforgettable international event. Practitioners from the USA, Australia, China, Africa and Europe have already confirmed their participation.

Mark your diaries now, save the dates and make sure to register!

We are looking forward to welcoming you to Zurich!



The UIA would like to thank the following partner:

altenburger

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Thursday, March 7, 2019

19:00 WELCOME COCKTAIL

Kindly offered by Altenburger Ltd legal + tax
Seestrasse 39, CH-8700 Zurich, Switzerland

Friday, March 8, 2019

08:30 – 09:00 Registration of Participants

Forum Venue
Venue to be confirmed

09:00 – 09:30 Welcome and Opening of the Seminar

- **Fabienne VAN DER VLEUGEL**, *President of the UIA World Forum of Mediation Centres, Lawyer at the Meaux and New York Bars, Mediator, VDV Avocats, Serris, France*
- **Dr. Regine SAUTER**, *Director of the Zurich Chamber of Commerce, President of the Swiss Chambers' Arbitration Institution, Member of the Swiss Parliament, Zurich, Switzerland*

09:30 – 10:45 THE SWISS DISPUTE RESOLUTION LANDSCAPE

This session will enlighten the status of judicial, institutional and ad hoc mediation in Switzerland

Moderator and co-speaker: • **Fabienne VAN DER VLEUGEL**, *President of the UIA World Forum of Mediation Centres, Lawyer at the Meaux and New York Bars, Mediator, VDV Avocats, Serris, France*

Speakers:

- **Petra SCHMÄH and/or Jean-Christophe BARTH**, *Co-presidents of Swiss Chamber of Commercial Mediation, Bern & Geneva, Switzerland*
- **Andrea STAUBLI**, *President of the Swiss Federation of Mediation Associations (SDM-FSM), Bern, Switzerland*
- **Urs WEBER-STECHER**, *Attorney-at-law, Partner, Wenger & Vieli AG, member of the Arbitration Court of the Swiss Chambers' Arbitration Institution (SCAI), Zurich, Switzerland*
- **Roman MANSER**, *President of the Mediation Commission of the Swiss Bar Association (SAV-FSA), Bern, Switzerland*

10:45 – 11:00 Coffee Break

11:00 – 12:00 ARB – MED – ARB

Med-Arb is good, but the new Arb-Med-Arb or AMA may be better! Alternative/amicable dispute resolution has recently added a very important concept to give some teeth to its structure and provide for outcomes in order to fully resolve disputes in a fair, cost effective and timely efficient manner. How does it work? Who is/are the neutral(s), can it/should it be the same person? With what kind of specific rules/opting out? What kind of clause needs to be used and which kind of process: institutional or Ad Hoc? Should it be reserved to commercial disputes or can it also be applied to a. o. family, labor, inheritance or investor state matters?

The session will be interactive, extremely practical and related to experiences already performed with AMA processes.

Moderator and speaker: • **Birgit SAMBETH GLASNER**, *President of the UIA Swiss National Committee, Vice President of the Swiss Bar, LL.M., Altenburger LTD Legal, International Accredited Mediator, Geneva, Switzerland*

Speakers:

- **Danielle HUTCHINSON**, *Lawyer and Accredited Mediator (Australia), Director Resolution Resources and ADR Specialist for the Dispute Settlement Centre Victoria, Department of Justice and Regulation, Melbourne, Australia*
- **Anne-Karin GRILL**, *Attorney-at-Law and Mediator, Vavrovsky Heine Marth Rechtsanwälte GmbH, Member of the Board of the Austrian Arbitration Association (Arb|Aut), Vienna, Austria*

• **Alexander VON ZIEGLER**, *Attorney-at-Law and Mediator SKWM/SAV/CEDR, Partner at Schellenberg Wittmer Ltd, Professor at the University of Zurich, Zurich, Switzerland*

12:00 – 13:00 ENHANCE YOUR MEDIATION SKILLS THROUGH A LEARNING EXPERIENCE

This interactive and skill-based session, with participation from the audience, will create a true "learning experience" enabling you to do a better job while serving as mediator.

Moderator and speaker:

- **Ross W. STODDARD, III**, *Attorney-Mediator, Dallas, TX, USA*
- **Additional Speaker to be confirmed**

13:00 – 14:30 Lunch

14:30 – 15:30 THE SINGAPORE CONVENTION: OPPORTUNITY OR THREAT FOR COMMERCIAL MEDIATION?

Working Group II of the United Nations Commission on International Trade (UNCITRAL) has approved a Convention aimed at the enforceability of mediated settlement agreements, to be executed by various states in August 2019. Many practitioners have welcomed the Convention as a new day in the acceptance of mediation as a reliable and enforceable instrument for international commercial dispute resolution. Others have voiced concern that the Convention undermines, or even contradicts, generally accepted mediation practices. This panel will explain the Convention's provisions, walk through the anticipated commercial advantages, and "red-flag" some concerns.

Moderator and speaker: • **F. Peter PHILLIPS**, *Business Conflict Management, Distinguished Adjunct Professor at New York Law School, Montclair, NJ, USA*

Speakers:

- **Katarzyna PRZYŁUSKA-CISZEWSKA**, *Advocate and mediator, Warsaw, Poland*
- **Stefano PAVLETIČ**, *Business consultant, Mediator and Arbitrator, Studio Pavletič, Milan, Italy*

15:30 – 15:45 Coffee Break

15:45 – 16:45 SCAI NEW SWISS RULES OF COMMERCIAL MEDIATION 2019

This session will be THE opportunity to be informed about the NEW 2019 SWISS RULES OF COMMERCIAL MEDIATION and to ask questions.

Moderator and speaker: • **Caroline MING**, *Executive Director & General Counsel, Swiss Chambers' Arbitration Institution (SCAI), Geneva, Switzerland*

Speakers:

- **Kirstin DODGE, J.D.**, *Counsel, Attorney-at-law, Homburger AG, Zurich, Switzerland*

16:45 – 17:45 DISPUTE PREVENTION IN THE SPOTLIGHT

"Melius prevenire quam curare", also the ancient Romans suggested that a timely action helps to avoid bigger problems at a later date. There is a growing emphasis on the use of dispute management techniques at an early stage to reduce the risk of being involved in long and complex factual conflicts. How and when to use specific ADR tools for that purpose and what are the best contractual environments in which dispute prevention might be most effective are relevant issues, as well as to understand how the parties require their relationship to be regulated and whether the prevention is always better than the cure.

Moderator and speaker: • **Stefano PAVLETIČ**, *Business consultant, Mediator and Arbitrator, Studio Pavletič, Milan, Italy*

Speakers:

- **Monique VAN DE GRIENDT**, *Director Dialogue BV, Bussum, The Netherlands*
- **Diana PARAGUACUTO-MAHÉO**, *Lawyer at Paris, Madrid and New York Bars, NGO Jung and Partners, Paris, France*

20:00 Dinner & Dancing

Venue to be confirmed

09:00 – 09:30 Registration of Participants

Forum Venue

Venue to be confirmed

09:30 – 10:45 OBLIGATION TO MEDIATE?

Will mediation become obligatory? Should it? Why? Where is it already so? Is this “good” or “bad”? What are the advantages, if any, to requiring mediation? Is this not contrary to mediation, itself? This session will give the audience an international view of the matter, and the Swiss approach to mandatory mediation clauses in contracts will be detailed and studied.

Moderator: • **Jeff ABRAMS**, Full-time Attorney/Mediator, Houston, TX, USA

Speakers:

- **Catherine LECLERCQ**, Attorney, Mediator, Member of the Paris Bar Council, Armand Avocats, Expert nearby the European Bars Council, Paris, France
- **Pasquale ORRICO**, Arlenghi Agostini Avvocati, LeXynergy Lawyers, Mediator at InMediazione ADR, Milan, Italy
- **Katarzyna PRZYŁUSKA-CISZEWSKA**, Advocate, Certified Mediator of RICS and ADR Group in London, President of the Mediation Center by the Polish Bar Council, Warsaw, Poland
- **Julia JUNG**, Attorney at Law, LL.M., Mediator SAV/FSA, Associate with Bär & Karrer AG, Zurich, Switzerland

10:45 – 11:00 Coffee Break

11:00 – 12:00 RECENT DEVELOPMENT OF MEDIATION AND ADAPTATION TO MODERN AND CURRENT NEEDS:

IP mediation – Administrative mediation – Financial services mediation: “The new Mediation Organism under the Swiss Financial Institutions Act”

Moderator and speaker: • **Cezary ROGULA**, Attorney-at-Law (Polish Bar), Accredited Mediator, Joint Ph.D. Candidate, Adw. Cezary Rogula Law & Mediation Office, Krakow, Poland

Speaker:

- **Jennifer LYGREN**, Internal Auditor, Mediator, Geneva, Switzerland

12:00 – 13:00 EXPERTISE AND MEDIATION

Expertise of many kinds is needed throughout mediation. How can we connect judicial expertise with judicial/ad hoc mediation? How an independent attorney invited in a mediation process can help the mediator and the (non-represented) parties? What the various steps to be taken for being well prepared and have credible figures to discuss in mediation process. The speakers of this session will evoke those various subject matters and study them with a pragmatic viewpoint.

Moderator and speaker: • **Fabienne VAN DER VLEUGEL**, President of the UIA World Forum of Mediation Centres, Lawyer at the Meaux and New York Bars, Mediator, VDV Avocats, Paris, France

Speakers:

- **Laurent HIRSCH**, Attorney at Law, Chair of the ADR Committee of the Geneva Bar Association, Geneva, Switzerland
- **Bruno P. GOMART**, Senior Adviser Contract Management, MAREEX Consulting SA, Lausanne, Switzerland
- **Issaka ZAMPALIGRE**, Lawyer at the Paris Bar, Izampaligre & Associés, Paris, France

13:00 – 14:30 Lunch

14:30 – 15:30 ECONOMICAL AND MARKETING CONCEPTS APPLIED TO MEDIATION

Mediation process seen (or considered) upon economical and marketing concepts: demand and product/service.

- About demand, what are the real expectations? How mediation could encounter them? Is judicial mediation a compromise between justice and bargaining?

- About the product/service: why a so-called “win/win” solution seems difficult to sell to opponents?

- Is there a market of mediation? What does it look like?

Moderator and speaker: • **Gérard KUYPER**, President at bMediation, ALTERYS Law & Mediation, partner, Brussels, Belgium

Speakers:

- **David LUTRAN**, Lawyer, Mediator, Lutran & Associés, Paris, France
- **Thiruvengadam BC**, Advocate and Mediator, Honorary Director, Bangalore International Mediation, Arbitration and Conciliation Centre, Bangalore, India

15:30 – 15:45 Coffee Break

15:45 – 16:45 USERS OF MEDIATION

This session gives the floor to enterprises. A unique opportunity to understand how business leaders consider mediation, and to be described the concrete field vision.

Moderator: • To be confirmed

Speakers:

- **Torsten BARTSCH**, Associate General Counsel, Law, Security and Public Policy/Legal Services Division, Caterpillar Sarl, Geneva, Switzerland

• Additional Speakers to be confirmed

16:45 – 17:45 DISPUTES WITH CHINESE PARTIES: CAN MEDIATION BE A GAME CHANGER?

Chinese culture is known for being non-confrontative and seeking face-saving solutions. Yet, the dispute landscape in Asia has been changing and Chinese parties do not hesitate anymore to make use of litigation or arbitration to defend their commercial interests. Is commercial mediation maybe the way to reconcile Chinese traditions and modern dispute resolution? Or is it just wishful thinking?

Moderator and speaker: • **Clarisse VON WUNSCHHEIM**, Attorney-at-law, Partner and Head of China Desk at Altenburger Ltd legal+tax, CEDR Mediator, Zurich, Switzerland

Speaker:

- **Wang FANG**, Deputy Secretary-general of China Council for the Promotion of International Trade (CCPIT)/China Chamber of International Commerce (CCOIC) Mediation Center, Beijing, China

17:45 – 18:15 NEW FROM THE CENTERS

Announcement of the 27th UIA World Forum of Mediation Centres.

20:00 OPTIONAL DINNER

Venue to be confirmed

Bringing Together the World's Lawyers

UIA is the global and multi-cultural organisation for the legal profession, established in 1927 and now with members in 110 countries, which provides professional development, learning, promotes the rule of law, defends the independence and freedom of lawyers worldwide, and emphasizes friendship, collegiality and networking among members.

Join the world's largest international network of lawyers

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THE RULE
OF LAW

Develop
YOUR
NETWORK

Deepen
YOUR
KNOWLEDGE



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*I would like to receive information on this (these) seminar(s) in particular:
Je souhaite recevoir des informations sur ce(s) séminaire(s) en particulier :
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- For the purpose of administering your registration for the event and your on-site access to the event;
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- In order to communicate information messages from UIA.

To the extent necessary for the execution of their respective tasks, our subcontractors in charge of our congress organisation, our IT infrastructure, our management, the production and maintenance of our website and extranet, are likely to gain access to your data from time to time. Their servers are located in the European Union. Data relating to your participation in the event shall be stored for a period of 10 years. We are obliged to archive billing data until the end of the period required for our tax and accounting obligations, i.e. for 7 full tax years. We shall store your contact information to keep you informed until you ask us to stop. You have the right to access your data and have it corrected if necessary. You may object to any processing of your data undertaken by us for the purposes of our legitimate interests. If you wish for more information, or to lodge a complaint, please contact CNIL (French Data Protection Authority).

Les données à caractère personnel que vous nous communiquez sont traitées par l' Union Internationale des Avocats (UIA) ayant son siège social au 20 rue Drouot à 75009 Paris (Tel : +33 1 44 88 55 66 – Fax : +33 1 44 88 55 77 – privacy@uianet.org) conformément à la loi n° 78-17 du 6 janvier 1978 relative à l'informatique, aux fichiers et aux libertés et au règlement 2016/679 sur la protection des données à compter de son entrée en vigueur le 25 mai 2018. Vos données seront gérées par les services généraux, événements et comptabilité de l'UIA pour les finalités suivantes :

- En vue de la gestion de votre inscription à l'évènement et de votre accès à l'évènement sur place;
- En vue du paiement des prestations sélectionnées, vos données bancaires étant effacées après réception de votre paiement;
- En vue de communication de messages d'information de l'UIA.

Nos sous-traitants chargés de l'organisation du congrès, de l'infrastructure informatique, de notre programme de gestion, de la réalisation et la maintenance de notre site internet et extranet, dans la mesure nécessaire à l'exécution de leurs missions respectives, sont susceptibles d'accéder de façon ponctuelle à vos données. Leurs serveurs sont localisés dans l'Union européenne. Vos données relatives à votre participation à l'évènement sont conservées pendant 10 ans. Nous sommes contraints de conserver les données de facturation jusqu'à l'échéance de nos obligations fiscales et comptables, soit pendant 7 années fiscales complètes. Nous conservons vos données de contact en vue de vous informer jusqu'à ce que vous nous demandiez d'arrêter. Vous disposez du droit d'accéder à vos données et de les faire rectifier le cas échéant. Vous pouvez vous opposer au traitement de vos données que nous faisons sur la base de notre intérêt légitime. Vous disposez du droit d'accéder à vos données et de les faire rectifier le cas échéant. Vous pouvez vous opposer au traitement de vos données que nous faisons sur la base de notre intérêt légitime. Si vous désirez de plus amples informations, ou si vous souhaitez introduire une réclamation, vous pouvez contacter la CNIL.

Los organizadores no se hacen responsables en caso de problemas de Los datos de carácter personal que usted nos comunica son tratados por la Unión Internacional de Abogados (UIA), que tiene su domicilio social en 20 rue Drouot en 75009 Paris (Tel.: +33 1 44 88 55 66 – Fax: +33 1 44 88 55 77 – privacy@uianet.org) de conformidad con la ley francesa n.º 78-17 de 6 de enero de 1978 relativa a la informática, los archivos y las libertades y al Reglamento (UE) 2016/679 sobre la protección de datos a partir de su entrada en vigor el 25 de mayo de 2018. Sus datos serán gestionados por los servicios generales, eventos y contables de la UIA con los siguientes fines:

- Para gestionar su inscripción en el evento y su acceso al evento in situ;
- Para pagar las prestaciones seleccionadas (sus datos bancarios se borran una vez recibido el pago);
- Para el envío de mensajes informativos de la UIA.

Nuestros subcontratistas encargados de la organización del congreso, de la infraestructura informática, de nuestro programa de gestión, de la realización y el mantenimiento de nuestra página web y nuestra extranet, en la medida necesaria para el desempeño de sus respectivos trabajos, podrán acceder de manera puntual a sus datos. Sus servidores se encuentran en la Unión Europea. Sus datos relativos a su participación en el evento se conservan durante 10 años. Estamos obligados a conservar los datos de facturación hasta el vencimiento de nuestras obligaciones fiscales y contables, es decir, durante 7 años fiscales completos. Conservamos sus datos de contacto para informarle hasta que usted nos pida que dejemos de hacerlo. Tiene derecho de acceso a sus datos y de rectificación cuando proceda. Puede oponerse al tratamiento de sus datos que realizamos por nuestro legítimo interés. Si desea obtener más información o presentar una reclamación, puede ponerse en contacto con la CNIL (Comisión Nacional francesa de Informática y Libertades).

The undersigned acknowledges having been informed of the processing of the personal data contained in this form by UIA, as detailed above.
Le/la soussigné(e) reconnaît avoir été informé(e) des traitements, par l'UIA, des données personnelles qui sont contenues dans ce formulaire, tels que détaillés ci-dessus. El/la abajo firmante reconoce que se le ha informado del tratamiento de los datos personales contenidos en este formulario por la UIA, tal como se especifica más arriba.

Date:/...../..... Signature:

CANCELLATION AND GENERAL CONDITIONS

CANCELLATION CONDITIONS

All cancellations will be subject to a 50% deduction and will have to be sent in writing, to be received by the Union Internationale des Avocats **no later than February 8, 2019**. No refund will be made for cancellations received after this date.

VISAS

Anyone who requires a visa invitation letter in order to attend the seminar should register and pay their registration fees **no later than February 8, 2019** to ensure there is enough time to obtain a visa.

All cancellations will be refunded in full, minus €50 to cover administrative costs, provided that the UIA has received the registration documents and **total registration fees no later than February 8, 2019**.

If you register after this date, only 50% of the amount paid minus €50 to cover administrative costs will be refunded for cancellations due to visa refusals.

All cancellations due to a visa refusal must be sent in writing and reach the UIA **before the seminar**. Cancellations must be accompanied by a **proof of visa refusal**.

If your visa is issued after the seminar date or if you do not have proof of visa refusal, you will not be entitled to a refund.

GENERAL CONDITIONS

All registrations received by the Union Internationale des Avocats (UIA) along with the full payment of fees corresponding to the events selected will be confirmed in writing.

The UIA reserves the right to cancel or postpone the seminar to a later date, change the seminar venue and/or programme, make any corrections or modifications in the information published in the seminar programme and cancel any invitation to participate in the seminar, at any time and at their entire discretion, without having to provide any reasons for the same.

Neither the UIA, nor any of its managers, employees, agents, members or representatives shall be held responsible for any loss or damage, of any nature, suffered (directly or indirectly) by a delegate, accompanying person or a third party following any cancellations, changes, postponements or modifications.

The UIA strongly advises participants to subscribe to modifiable and/or refundable services, as well as to take out a cancellation insurance.

Neither the UIA, nor any of its managers, employees, agents, members or representatives shall be held responsible for any loss or damage, of any nature whatever, suffered (directly or indirectly) by a delegate or accompanying person, except in case of death or personal injury due to gross negligence by the UIA.

The contractual relations between the UIA and each participant (delegate or accompanying person) in relation to the seminar are subject to French law and jurisdiction, to the exclusion of any other law. Paris is the city of jurisdiction.

FORMALITIES

It is the responsibility of participants to ensure compliance with police, customs and health formalities for their journey. Participants unable to take part in the seminar because of their inability to take a flight or any other means of transportation due to being unable to provide the documents required (passport, visa, vaccination certificate, etc.) cannot claim any reimbursement.

FORCE MAJEURE

“Force majeure” means any events external to the parties, of both an unforeseeable and insurmountable nature that prevents either the client or the participants, or the agency or service providers involved in organising the seminar, from executing all or part of the obligations provided for in the present agreement. By express agreement, such will be the case in the event of a strike affecting the means of transport, hotel staff, air traffic controllers, an

insurrection, a riot or any prohibition whatsoever decreed by governmental or public authorities.

It is expressly agreed that for the parties, a case of force majeure would suspend the execution of their reciprocal obligations. At the same time, each of the parties shall bear the burden of all the expenses incumbent upon them, resulting from the case of force majeure.

HEALTH

The organisers decline any responsibility in case of any health problems existing prior to the seminar that may lead to complications or be aggravated during the entire period of the stay: pregnancy, cardio-vascular problems, any allergies, special diets, any disorders under treatment and not yet consolidated on the day the seminar starts, psychic or mental or depressive illness, etc. (Non exhaustive list).

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