



the global voice of  
the legal profession

A conference presented by the Criminal Law Section of the  
International Bar Association

Early registration  
is advised

10th

# Transnational Crime Conference

7-9 June 2007

Westin Embassy Row, Washington DC, USA

EQUAL JUSTICE UNDER LAW

## Up to 13¾ CPD hours available\*

\* As per the Law Society of England and Wales. The number of CPD points/hours available may vary for other bar associations and law societies depending on their criteria.

### US CLE

Accreditation has been approved by the New York State Bar and the State Bar of California.

## Who should attend?

Criminal defence and business lawyers, including practitioners involved in cross-border litigation, private investigations, media law, political lobbying and high-profile client matters.

# Programme

Thursday 7 June

Conference Chair

**Justin A Thornton** *Law Offices of Justin Thornton, Washington DC; Conference Coordinator, Business Crime Committee, IBA Legal Practice Division*

1600-1800

**Registration**

1800-2000

**Welcome reception**

The IBA thanks its sponsor for its generous support

**KOBRE & KIM LLP**

Friday 8 June

0800-1700

**Registration**

0915-0930

**Welcome remarks**

Justin Thornton

0930-1215

**Part one:**

## Corruption – latest developments

- The criminalisation of politics
- Head-of-state immunity
- Political funding gone sour
- Joint venture with a foreign partner

*Session Chair*

**Buddy Parker** *Gillen Parker & Withers LLC, Atlanta, Georgia*

*Speakers*

**Nick Benwell** *Simmons and Simmons, London*

**James A Crowell IV** *Public Integrity Section US Department of Justice, Washington DC*

**Stephen Gentle** *Kingsley Napley, London; Newsletter Editor, Business Crime*

*Committee; IBA Legal Practice Division*

**Jan Handzlik** *Howery LLP, Los Angeles; California*

**Dr Kai Hart-Hoenig** *Rechtsanwalt, Wiesbaden, Germany*

**Francois Serres** *Avocat au Barreau de Paris, Paris*

1100-1115 **TEA/COFFEE BREAK**

1115-1215

**Part two:**

## Corruption – latest developments

- Asset freezing and recovery in criminal cases, ie stopping cross-border dissipation of assets
- Sovereign immunity considerations
- Barriers to recovery
- Procedural obstacles
- Choice of judicial system

*Session Chair*

**Honorable Loren A Smith** *US Court of Federal Claims, Washington DC*

*Speakers*

**David F Axelrod** *Director Forensic & Dispute Resolution, Deloitte Financial Advisory*

*Services LLP, Columbus, Ohio*

**Andrew Bodnar** *Charter Chambers, London*

**Jeffrey A Breinholt** *Deputy Chief Counter Terrorism Section, US Department of Justice, Washington DC*

1215-1345 **LUNCH**

*Keynote Speaker*

**Honorable Alice S Fisher** *Assistant Attorney General, Criminal Division US Department of Justice, Washington DC*

1400-1530

**Part one:**

## Challenging mutual assistance and extradition

Part one will examine the issues of forum, politically-motivated requests, the experience of the European evidence warrant, the European evidence warrant initiative and the policies of US law enforcement in international investigations.

Issues include:

- Cross-border criminal litigation and representing foreign clients under investigation in the United States including pitfalls for non-US lawyers
- How can lawyers raise challenges to requests from other states?
- Are suspects being stripped of their rights in this area?
- Is the United States the most aggressive at claiming extra territorial jurisdiction?
- Are foreign business crime suspects at a disadvantage in the US system?

*Session Chair*

**Michael O'Kane** *Peters & Peters, London; Membership Officer, Business Crime Committee; IBA Legal Practice Division*

*Speakers*

**Robert J Cleary** *Proskauer Rose LLP, New York*

**Hugo Keith** *3 Raymond Buildings, London*

**Bruce Maloy** *Maloy & Jenkins, Atlanta, Georgia*

**Roberto Pisano** *Astolfo Di Amato e Associati Avvocati, Milan; Co-Chair, Business Crime Committee; IBA Legal Practice Division*

**Molly Warlow** *Director Office of International Affairs US Department of Justice, Washington DC*

1530-1600 **TEA/COFFEE BREAK**

**Supported by:**



NATIONAL ASSOCIATION OF  
CRIMINAL DEFENSE LAWYERS

**PRACTICAL LAW COMPANY**



# Saturday 9 June

1600-1700

**Part two:**

## Challenging mutual assistance and extradition (at US Courthouse)

Part two will involve a mock court hearing before US District Judge Richard J Leon in his courtroom in which a European businessman is making his first appearance following a contested extradition to the United States. Areas covered will be US sentencing guidelines, the application of ECHR and plea bargaining.

Coach transportation from the hotel to the US Courthouse will be provided.

*Speakers*

**Robert J Cleary**

**Hugo Keith**

**Honorable Richard J Leon** *US District Judge, Washington DC*

0800-1700

**Registration**

0915-1215

## Limits of private investigations

This session examines the tension between the interests of the corporation and the individual in cases of suspected wrongdoing.

Topics include:

- Internal investigations: the pitfalls and fallout, eg Patricia Dunn, former CEO of Hewlett Packard; Apple and other companies' option backdating
- How far can the private investigator go?
- What are the criminal offences relating to the protection of private information and are they effective in preventing intrusive investigations?
- Is the product of unlawful investigation admissible in criminal and civil proceedings?
- Lessons to be learnt, in particular from recent cases on both sides of the Atlantic

*Session Co-Chairs*

**Stéphane Bonifassi** *Avocat au Barreau de Paris, Paris*

**Gail Shifman** *Shifman Group, San Francisco, California; Vice-Chair, Business Crime Committee; IBA Legal Practice Division*

*Speakers*

**Marc Henzelin** *Lalive, Geneva; Secretary, Business Crime Committee; IBA Legal Practice Division*

**Gary Miller** *Fraud & Insolvency Group, Mishcon de Reya, London*

**Paul E Pelletier** *Principal Deputy Chief, Fraud Section US Department of Justice, Washington DC*

**Patrick D Robbins** *Shearman & Sterling LLP, San Francisco, California*

**Alison Saunders** *Director, Organised Crime Division CPS, London*

**Jan Sjöcrona** *Sjöcrona Van Stigt Advocaten, the Netherlands; Vice-Chair, Business Crime Committee; IBA Legal Practice Division*

**Ed van Liere** *Simmons & Simmons, The Netherlands*

1030-1045 **TEA/COFFEE BREAK**

1230-1400 **LUNCH**

*Luncheon Speaker*

**Stephen A Saltzburg** *George Washington University School of Law, Washington DC*

1400-1645

## Representing high-profile clients in criminal cases including the roles of the political lobbyist and the media lawyer

- The special nature of cases which attract very high media and/or political attention;
- The mixture of media law as well as criminal law advice
- The role of the communications strategist or lobbyist
- The protection of reputation prior to conviction
- Celebrity crime generated by media intervention, including entrapment
- Can criminal charges be avoided by paying compensation – how far can you go to settle a criminal case?
- What can be done to successfully influence government and politicians in high-profile criminal cases?
- Different approaches taken in common law and civil law countries

*Session Chair*

**Peter Binning** *Corker Binning Solicitors, London; Co-Chair, Business Crime Committee; IBA Legal Practice Division*

*Speakers*

**Plato Cacheris** *Trout Cacheris PLLC, Washington DC*

**Rod Christie-Miller** *Schillings, London*

**Charles Kraus** *APCO, Washington DC*

**Emmanuel Marsigny** *Metzner et Associes, Paris*

**Brian Spiro** *BCL Burton Copeland, London*

**Jonathan Winer** *Alston & Bird LLP, Washington DC*

1645-1700

**Concluding remarks**

**Paul Dougan** *University of Sunderland, Sunderland*

1800-2000 **Reception and dinner**

**The University Club of Washington DC**  
1135 16th Street NW  
Washington DC 20036

*Guest Speaker*

*(To be announced)*

Ticket price: £57

*Please complete the number of tickets required on the registration form.*

# Information

## Date

7-9 June 2007

## Venue

Westin Embassy Row  
2100 Massachusetts Ave NW  
Washington DC 20008  
USA  
tel: + 1 (202) 293 2100  
fax +1 (202) 293 0641  
email: [www.westin.com](http://www.westin.com)

## Language

All working sessions and conference materials will be in English.

## How to register

Register online at [www.ibanet.org/conferences/crime2007](http://www.ibanet.org/conferences/crime2007) to avail of the ten per cent online registration discount (**payment must be made by credit card**) or complete the attached registration form and return it to Harriet Rowland at the IBA together with your payment. You should receive e-mailed confirmation of your registration within 5 days; if you do not then please contact Harriet Rowland at the above address.

## Fees

### On-line registrations received:

	on or before 27 April	after 27 April
NACDL/ABA/IBA member	£495	£595
Non-member **	£645	£745
Young lawyers (Under 30 years)	£370	£745
Academics / Judges (Full time)	£370	£745
Corporate counsel	£445	£745

### Hard copy registration forms and fees received:

	on or before 27 April	after 27 April
NACDL/ABA/IBA member	£545	£645
Non-member **	£695	£795
Young lawyers (Under 30 years)	£410	£795
Academics / Judges (Full time)	£410	£795
Corporate counsel	£490	£795

\*\* By paying the non-member fee, we welcome you as a Delegate Member of the IBA for the year in which this conference is held, which entitles you to the following benefits:

- 1 Password access to certain parts of the IBA website.
- 2 Receipt of IBA e-news and access to online versions of International Bar News.
- 3 Pay the member rate for any subsequent conference registrations for this calendar year.
- 4 Take advantage of IBA Member Rewards.

If you would like to become a Full or General Member of the IBA, which includes membership of one or more committees – and inclusion in and access to our Membership Directory - we encourage you to do so now in order to register for this conference at the 'member rate'. Full details of how to join can be found at [www.ibanet.org](http://www.ibanet.org)

The IBA offers senior lawyers a discounted registration fee. Please contact the IBA office for further information.

### Full payment must be received in order to process your registration.

#### Fees include

- Attendance at all working sessions
- Conference materials, including any available speakers' papers submitted to the IBA before Monday 14 May
- Access to the above conference working materials from the IBA website ([www.ibanet.org](http://www.ibanet.org)) approximately seven days prior to the conference
- Lunch on 8 & 9 June
- Tea and coffee during breaks
- Invitation to welcome reception on Thursday 7 June

### Please note that registrations are not transferable.

#### List of participants

In order for your name to appear in the list of participants, which will be distributed at the conference, your registration form must be received by Friday 1 June at the latest.

## Continuing Professional Development / Continuing Legal Education

For delegates from countries where CPD / CLE is mandatory, the International Bar Association will be pleased to provide a Conference Certificate of Attendance which, subject to the exact CPD / CLE requirements, may be used to obtain the equivalent accreditation in your jurisdiction.

This conference has been accredited for CPD / CLE by the Law Society of England and Wales. Delegates should ask staff at the registration desk for information about how to obtain the hours.

### US CLE

Accreditation has been approved by the New York State Bar and the State Bar of California.

The organisers may at any time, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the conference, change its venue or any of the other published particulars, or withdraw any invitation to attend. In any case, neither the organisers nor any of their officers, employees, agents, members or representatives shall be liable for any loss, liability, damage or expense suffered or incurred by any person, nor will they return any money paid to them in connection with the conference unless they are satisfied not only that the money in question remains under their control but also that the person who paid it has been unfairly prejudiced (as to which, decision shall be in their sole and unfettered discretion and, when announced, final and conclusive).

## Payment of registration fees

**Pounds sterling:** by cheque drawn on a UK bank and in favour of the International Bar Association. Please send to: 10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom.

**OR** by bank transfer to the IBA account number: 13270222 at the National Westminster Bank, St James's & Piccadilly Branch, (Sort Code 56-00-03), 208 Piccadilly, London W1A 2DG, United Kingdom or SWIFT address NWBKGB2L or IBAN GB05NWBK56000313270222.

**Please ensure that a copy of the bank transfer details is attached to your registration form.**

**Euro:** by cheque converted at the current rate of exchange and in favour of the International Bar Association.

**OR** by bank transfer to the IBA Bank Account Number 550/00/06570631 at the National Westminster Bank, St James's & Piccadilly Branch, (Sort Code 56-00-03), 208 Piccadilly, London W1A 2DG, United

Kingdom SWIFT address NWBKGB2L or IBAN GB58NWBK60721106570631.

**Please ensure that a copy of the bank transfer details is attached to your registration form.**

**US dollars:** by cheque converted at the current rate of exchange and drawn on a US bank and in favour of the International Bar Association. Please send to: 10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom.

**OR** by bank transfer to the IBA account number: 01286498 at the National Westminster Bank, St James's & Piccadilly Branch, (Sort Code 56-00-03), 208 Piccadilly, London W1A 2DG, United Kingdom.

**Please ensure that a copy of the bank transfer details is attached to your registration form.**

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

**PLEASE ENSURE THAT YOUR NAME AND THE WORDS 'CON 38 + WASHINGTON' APPEAR ON ANY TRANSFER OR DRAFT.**

### Cancellation of registration

If cancellation is received in writing at the IBA office by Friday 11 May, fees will be refunded less a 25 per cent administration charge. We regret that no refunds can be made after this date.

### Travel arrangements and visas

Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local Embassy or Consulate. We are unable to send out letters supporting visa applications to embassies prior to receipt of your registration form and full payment of registration fees.

**Please apply for your visa in good time.**

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## Hotel Accommodation

A limited number of rooms have been reserved at the Westin Embassy Row

### Westin Embassy Row

2100 Massachusetts Ave NW  
Washington DC 20008  
USA  
tel: + 1 (202) 293 2100  
fax +1 (202) 293 0641  
www.westin.com

for the nights of 7-9 June. The following rates are per room, per night and exclusive of buffet breakfast, service charges and local taxes.

**Single occupancy: US \$269.00**

**Double occupancy: US \$269.00**

Please complete the attached accommodation form and send it direct to the hotel to make your reservation. The hotel requires a credit card number to secure your reservation.

Individual delegates must cancel their reservations no later than 24 hours prior to arrival to avoid a no show charge of one night's room and tax.

Please note that any reservation made after Tuesday 8 May will be subject to availability and cannot be guaranteed at the special IBA rate.

As a limited number of rooms have been blocked at the hotel availability cannot be guaranteed once the room block is full.

### Our group code is IBF07A

Delegates are responsible for making accommodation reservations directly with the hotel and enter into an agreement with the hotel regarding credit card guarantees, cancellation terms and conditions, and room rates (should these differ from the special IBA rate). The IBA cannot accept responsibility for hotel accommodation disputes between a delegate and the hotel.

### Disabled access

The Westin Embassy Row is wheelchair accessible. Please notify us if you require special assistance.

### PLEASE NOTE THE HOTEL IS COMPLETELY NON-SMOKING

### Promotional literature

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

## Social programme

### Thursday 7 June

Welcome Reception  
The IBA thanks its sponsor for their generous support  
Kobre & Kim LLP

### Saturday 9 June

Reception and Dinner  
The University Club of Washington DC

Ticket price: £57

*Please complete the number of tickets required on the registration form.*

Social event tickets reservations cannot be guaranteed unless payment has been received before Friday 1 June subject to availability.

# Registration form

**10th Transnational Crime Conference Westin Embassy Row, Washington DC, USA**  
7-9 June 2007

Please read the 'Information' section before completing this form and return it together with your payment, to Harriet Rowland at the address overleaf.

To obtain a ten per cent discount on the advertised fees please register online at [www.ibanet.org/conferences/crime2007](http://www.ibanet.org/conferences/crime2007)

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**Personal details** (Please attach your business card or write in block capitals)

Title \_\_\_\_\_ Given name \_\_\_\_\_ Family name \_\_\_\_\_

Name as you wish it to appear on your badge (if different from above) \_\_\_\_\_

Membership number (if applicable) \_\_\_\_\_ Date of birth \_\_\_\_\_

Firm / Company / Organisation \_\_\_\_\_

Address \_\_\_\_\_

Tel \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

Guest \_\_\_\_\_

**Special dietary requirements** \_\_\_\_\_

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10 per cent discount available on all the fees below by registering online at [www.ibanet.org/conferences/crime2007/](http://www.ibanet.org/conferences/crime2007/)  
IBA members can register online before 27 April at £495. Please see 'Information' for further details.

Registration form and fees received:	On or before 27 April	After 27 April	Amount Payable
NACDL/ABA/IBA member	£545	£645	£
Non-member*	£695	£795	£
Young lawyers (under 30 years)	£410	£795	£
Academic / Judges (Full time)	£410	£795	£
Corporate counsel	£490	£795	£

\* By paying the non-member fee, we welcome you as a Delegate Member of the IBA for the remainder of the calendar year in which this conference takes place. This entitles you to the following benefits:

(1) Password access to certain parts of the IBA website. (2) Receipt of IBA e-news and access to online versions of International Bar News. (3) The member rate for any subsequent conference registrations for this calendar year. (4) Take advantage of IBA Member Rewards.

The IBA offers senior lawyers a discounted registration fee. Please contact the IBA office for further information.

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**Reception and Dinner at the University Club Washington DC** Number of tickets \_\_\_\_\_ @ £57 each £

Social function tickets reservations are subject to availability and cannot be guaranteed unless payment has been received before 1 June.

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**TOTAL AMOUNT PAYABLE** £

**Please note that registrations are not transferable**

**\* Join the IBA today and register for this Conference at the IBA member rate.**

**Please find the IBA membership application on [www.ibanet.org](http://www.ibanet.org)**

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**Payment details**

I enclose a cheque / bank draft made payable to the IBA for the total amount payable.

I have transferred to the IBA bank account the total amount payable and have attached a copy of the bank transfer details.

Please charge the total amount due to my Visa / Mastercard / American Express (Other cards are not accepted).

Card number \_\_\_\_\_ Start date \_\_\_\_\_ Expiry date \_\_\_\_\_

Name of card holder \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

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**Where did you first hear about this Conference?**

- IBA CONFERENCE     OTHER CONFERENCE     DIRECT MAIL     INTERNET     ADVERTISEMENT  
 E-MAIL     EDITORIAL     RECOMMENDATION     OTHER

*Please provide further details, quoting code (if applicable)*

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If you do not want your details to be passed on, please tick the box

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***Please send the completed form to:***

Harriet Rowland

**International Bar Association**

10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom

Tel: +44 (0)20 7691 6868    Fax: +44 (0)20 7691 6545    Fax: +44 (0)20 7691 6544

e-mail: [harriet.rowland@int-bar.org](mailto:harriet.rowland@int-bar.org)    website: [www.ibanet.org](http://www.ibanet.org)

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For office use only Payment \_\_\_\_\_ Banked \_\_\_\_\_ Processed \_\_\_\_\_

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# Accommodation form

## Westin Embassy Row, Washington DC

### International Bar Association - 10th Transnational Crime Conference

7-9 June 2007

Personal details (please print clearly in BLOCK CAPITALS)

Title \_\_\_\_\_ First name \_\_\_\_\_

Family name \_\_\_\_\_

Firm/company/organisation \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

#### Accommodation requirements

Single Occupancy **US \$269** per room per night  
Double Occupancy **US \$269** per room per night

The rate excludes breakfast, service charges and all local taxes.

Any reservations made after Tuesday 8 May will be subject to availability and cannot be guaranteed at the above rate.

The hotel is non-smoking.

Please reserve:  Single occupancy  Double occupancy

Date of arrival \_\_\_\_\_ Date of departure \_\_\_\_\_

Any special requirements \_\_\_\_\_

(We will do our best to accommodate these requests but cannot make any guarantees)

#### Accommodation Guarantee

To secure your booking the hotel requires one night's deposit per room.

Individual delegates must cancel their reservations no later than 24 hours prior to arrival to avoid a no show charge of one night's room and tax.

Please charge my credit card:  American Express  Visa  MasterCard

Card number \_\_\_\_\_ Expiry Date \_\_\_\_\_

Name on Card \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

GROUP CODE: IBF07A

Return to:

Westin Embassy Row

Fax: +1 (202) 293 0641 Tel: +1 (202) 293 2100

Website: www.westin.com

# International Bar Association

the global voice of the legal profession

The **International Bar Association** (IBA), established in 1947, is the world's leading organisation of international legal practitioners, bar associations and law societies. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of 30,000 individual lawyers and more than 195 bar associations and law societies spanning all continents. It has considerable expertise in providing assistance to the global legal community as well as being a source of distinguished legal commentators for international news outlets.

Grouped into two divisions – the **Legal Practice Division** and the **Public and Professional Interest Division** – the IBA covers all practice areas and professional interests, providing members with access to leading experts and up-to-date information. Through the various committees of the divisions, the IBA enables an interchange of information and views among its members as to laws, practices and professional responsibilities relating to the practice of business law around the globe. Additionally, the IBA's high-quality publications and world-class conferences provide unrivalled professional development and network-building opportunities for international legal practitioners and professional associates.

The IBA's **Bar Issues Commission** provides an invaluable forum for IBA member organisations to discuss all matters relating to law at an international level.

The IBA's **Human Rights Institute** works across the Association, to promote, protect and enforce human rights under a just rule of law, and to preserve the independence of the judiciary and the legal profession worldwide.

Other institutions established by the IBA include the **Southern Africa Litigation Centre** and the **International Legal Assistance Consortium**.

## Criminal Law Committee

The Criminal Law Committee provides a forum for members from many countries and criminal justice systems to meet regularly, communicate, exchange views, and monitor developments in substantive and procedural criminal law. The committee focuses on developments of transnational and international significance. The interaction and cooperation within the committee keeps members informed of developments in criminal law and criminal procedures through newsletters and appointed rapporteurs. The listings of committee members, according to location and practice area, and the ability to utilise the website to inquire about legal and representation issues, promotes the referral of cases to fellow members, mutual cooperation in transnational criminal and related cases, as well as an opportunity to exchange professional experiences and to assist other members in transnational aspects of criminal law cases.

## Business Crime Committee

The Business Crime Committee's primary objective is to promote awareness within the business community and among transactional lawyers of the growing significance of legal compliance. The committee has recently been focusing on the new trends of international co-operation in criminal matters. Topics covered in recent seminars and conferences include discussions on money laundering issues and on the new legal framework designed to combat bribery and corrupt practices in international business transactions.

With business crime issues expanding and diversifying, committee members will receive a twice-yearly newsletter, providing an update on the exciting legal developments, seminars and publications of interest around the world; membership of the committee offers an excellent opportunity to network with other lawyers who work in the business crime field, and also serves as a very useful way for practising lawyers to keep up-to-date with developments and increase their knowledge in this area; committee members have access to a wealth of information including access to speakers' papers from recent seminars and journal articles.

An annual specialist conference on business crime is held jointly with the Criminal Law Committee, normally in May or June. The Transnational Crime Conference is held alternately in the United States and Europe.



the global voice of  
the legal profession

Contact information:

**International Bar Association**

10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom

tel: +44 (0) 20 7691 6868 fax: +44 (0)20 7691 6544 email: [member@int-bar.org](mailto:member@int-bar.org) website: [www.ibanet.org](http://www.ibanet.org)

**INTERNATIONAL LAW OFFICE**

OFFICIAL ONLINE MEDIA PARTNER TO THE IBA  
[WWW.INTERNATIONALLAWOFFICE.COM](http://WWW.INTERNATIONALLAWOFFICE.COM)