A conference presented by the IBA Arbitration Committee

25th Annual IBA Arbitration Day: 25 years together and now? Building the arbitration model for tomorrow

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22–23 February 2024 Shangri-La Singapore, Singapore

Topics include:

- · Arbitrability and validity of arbitration proceedings
- How to ensure consent to arbitrate
- Expectations about arbitrators views of party user, counsel, arbitrator, institution
- · Award and costs

Headline conference sponsor





No. of Public CPD Points: 6.5

Practice Area: Alternative Dispute Resolution

Training Level: General

Admin Note to Singapore Practitioners and s36B Foreign Lawyers in relation to the Mandatory CPD Scheme: Participants who wish to obtain CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, this includes signing in on arrival and signing out at the conclusion of the activity in the manner required by the organiser, and not being absent from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity. Please refer to http://www.sileCPDcentre.sg for more information.

FOR MORE INFORMATION AND TO BOOK ONLINE VISIT

WWW.IBANET.ORG/CONFERENCE-DETAILS/CONF2400

Programme

Conference Co-Chairs

Chiann Bao Arbitration Chambers, Singapore; Senior Vice Chair, IBA Arbitration Committee Xavier Favre-Bulle Lenz & Staehelin, Geneva; Co-Chair, IBA Arbitration Committee Valeria Galíndez Galíndez Arb, São Paulo; Co-Chair, IBA Arbitration Committee

Organising Committee Chair

Swee Yen Koh SC WongPartnership, Singapore

Organising Committee

Sheila Ahuja Allen & Overy, Singapore; Website Officer, IBA Asia Pacific Regional Forum Gitanjali Bajaj DLA Piper, Sydney, New South Wales
Lijun Cao Zhong Lun Law Firm, Beijing
Sapna Jhangiani KC Attorney General's Chambers, Singapore
Sanjeev K Kapoor Khaitan & Co, New Delhi, Delhi
Sae Youn Kim Kim & Chang, Seoul
Gisela Knuts Independent Arbitrator, Helsinki
Lars Markert Nishimura & Asahi, Tokyo
Reza Mohtashami Three Crowns, London

Thursday 22 February

Lawrence Teh Dentons Rodyk, Singapore

1830 – 2030 Welcome reception

Monti at 1-Pavilion, 82 Collyer Quay, Singapore

The reception is open to all registered delegates. Please indicate your attendance when registering.

Friday 23 February

0800 - 1800 Registration

0900 - 0915 **Opening remarks**

Xavier Favre-Bulle Lenz & Staehelin, Geneva; Co-Chair, IBA Arbitration Committee

0915 – 0935 **Keynote address**

The Honourable K Shanmugam Minister for Home Affairs and Minister for Law, Singapore

0935 - 0945 **Welcome remarks**

Swee Yen Koh SC WongPartnership, Singapore

0945 - 1100 Session one

Arbitrability and validity of arbitration proceedings

- New developments on the arbitrability of disputes in Singapore after decision of Singapore Court of Appeal in *Anupam Mittal v Westbridge Ventures II Investment Holdings*
- Shareholder disputes, trust disputes, etc: limits to arbitrability (eg, India)
- Preliminary objections to challenge the validity of arbitration proceedings; multi-tier clauses (mandatory mediation), etc
- The end of intra-EU investor-state dispute settlement (ISDS):
 what are the consequences for arbitrating investment disputes?

Headline social event sponsors

ALLEN & GLEDHILL



Associate conference sponsor



Conference refreshment break sponsors



BANKSIDECHAMBERS

Friday continued

Moderator

Karina Goldberg Ferro Castro Neves Daltro & Gomide, São Paulo

Darius Chan Fountain Court Chambers, Singapore Ila Kapoor Shardul Amarchand Mangaldas & Co, New Delhi,

Barton Legum Honlet Legum, Paris Salim Moollan KC Brick Court Chambers, London

1100 - 1130 Coffee break

1130 - 1245 Session two

How to ensure consent to arbitrate

- Commercial arbitration: non-signatories sought to be joined, what limits are there?
- Sports arbitration: avoiding 'forced arbitration' for athletes
- Can we escape an arbitration agreement (vitiated consent, termination, etc)?
- Investment arbitration: issues of consent

Colin Ong KC Dr Colin Ong Legal Services, Bandar Seri Begawan; Vice Chair, IBA Arbitration Committee

Panellists

Marina Chin SC TKQP, Singapore Bernard Hanotiau Hanotiau & van den Berg, Brussels Brianna Quinn Bird & Bird, Sydney, New South Wales Helen Tang Herbert Smith Freehills, Shanghai

1245 - 1400 Lunch

1415 – 1445 Keynote address

Arbitration and the Transnational System of **Commercial Justice: Charting the Path Forward**

Speaker

The Honourable Chief Justice Sundaresh Menon Supreme Court of Singapore, Singapore

1445 - 1600 Session three

Expectations about arbitrators – views of party user, counsel, arbitrator, institution

- How best to select/appoint arbitrators? Use of panels, closed lists, databases
- Impartiality/independence: duties of arbitrators, standards of disclosure
- · Revised IBA Guidelines on Conflicts of Interest
- UNCITRAL Code of Conduct for arbitrators in ISDS
- Specificities of specialised tribunals: sports, commodities, maritime/insurance, etc (also labour, consumers)

Moderator

Anna Kirk Bankside Chambers, Auckland

Panellists

Lawrence Chew Vice President and Assistant General Counsel, Varian, Palo Alto, California

Ara Cho Peter & Kim, Seoul

Loretta Malintoppi 39 Essex, Singapore

Louie T Ogsimer Romulo, Makati City

1600 - 1630 Coffee break

1630 - 1745 Session four

Award and costs

- Parties' expectations regarding the award (also for enforcement): form and substance
- Added-value of arbitration institutions (scrutiny, etc)
- Costs: arbitrators' fees ad valorem or time-spent?
- Admissible parties' legal costs. In-house counsel costs: in or out?

Moderator

David Arias Arias SLP, Madrid

Panellists

Crina Baltag Stockholm University, Stockholm Victor Dawes Temple Chambers, Hong Kong SAR Jennifer Lim Sidley Austin, Singapore Faris Nasrallah Senior Arbitration Counsel, Crescent Petroleum, Sharjah

1745 - 1800 **Closing remarks**

Chiann Bao Arbitration Chambers, Singapore; Senior Vice Chair, IBA Arbitration Committee

The IBA, its officers and staff accept no responsibility for any views expressed, presentations or materials produced by delegates or speakers at the Conference.

Conference luncheon sponsors









Information

Date

22-23 February 2024

Venue

Shangri-La Singapore 22 Orange Grove Road Singapore 258350 Tel: +65 6737 3644

Website: www.shangri-la.com/en/singapore/shangrila

Language

All working sessions and Conference materials will be in English.

How to register

Register online by **9 February** at **www.ibanet.org/conference-details/ CONF2400** and make payment by credit card to avail of the ten per cent online registration discount or complete the attached registration form and return it to the Conference Department at the IBA together with your proof of bank transfer payment. You should receive an email confirmation of your registration within five days; if you do not, please contact **haesung.lee@int-bar.org**.

By registering for the conference you agree to the following delegate code of conduct, the host country's local and/or national requirements and venues restrictions and precautions:

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

List of participants

In order for your name to appear in the list of participants, your registration form must be received by **9 February** at the latest.

Live delegate search

Delegates are able to use the live delegate search via the IBA website, in order to use this function delegates will need to be logged into their MyIBA. This will allow search access to up-to-date attendance lists.

Registration confirmation

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

Book with confidence

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

Please note, these terms are subject to any more restrictive or different local requirements and may be altered and amended from time to reflect any changes to restrictions or government requirements.

Photography and filming

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

Promotional literature

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

Exhibitor

Kindly supported by









Fees

Online registrations received:

	on or before 19 January	until 9 February
IBA member	US\$895	US\$1,010
Non-member*	US\$1,070	US\$1,190
Young lawyers	US\$670	US\$1,190
Academics/judges	US\$670	US\$1,190
Public lawyers	US\$670	US\$1,190
Corporate counsel**	US\$805	US\$1,190
Guest fee	US\$355	US\$355

After **9 February** registrations must be received in hard copy at the IBA office.

Hard copy registration forms and fees received:

	on or before 19 January	after 19 January
IBA member	US\$995	US\$1,125
Non-member*	US\$1,190	US\$1,320
Young lawyers	US\$745	US\$1,320
Academics/judges	US\$745	US\$1,320
Public lawyers	US\$745	US\$1,320
Corporate counsel**	US\$895	US\$1,320
Guest fee	US\$355	US\$355

^{*}By paying the non-member fee, we welcome you as a delegate member of the IBA for the year in which this Conference is held, which entitles you to the following benefits:

- 1) Password access to certain parts of the IBA website.
- 2) Receipt of IBA E-news and access to online versions of IBA Global Insight.
- 3) Pay the member rate for any subsequent Conference registrations for this calendar year.

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

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

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

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

Fees include:

- Attendance at all working sessions
- Access to the Conference materials from the IBA website (www.ibanet.org), including any available speakers' papers submitted to the IBA before 16 February
- Access to live delegate search
- Welcome reception on Thursday
- · Lunch on Friday
- Tea and coffee during breaks

Guest fees include:

• Welcome reception on Thursday

A guest must not be a member of the legal profession or seek to use the Conference as a business networking opportunity. Guests are not permitted access to working sessions, Conference refreshment breaks or Conference lunches. Checks are performed to ensure members of the legal profession, or business associates are not registered as guests. If this is the case, registration will be refused unless the guest registers as a full delegate for the Conference.

Should a guest be seen attending working sessions, Conference refreshment breaks or lunches, an invoice for the full registration fee will be issued to the delegate for the guest's participation at the Conference.

Only registered guests (ie, those paying the guest fee) are eligible to participate in the social programme.

Please note that registrations are not transferable.

Payment of registration fees by bank transfer or BACS payment

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

US dollars: by bank transfer to the IBA account at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom.

SWIFT address NWBKGB2L, IBAN GB55NWBK60730101286498

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

Use the exchange rate prevailing at the time of registration.

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

PLEASE ENSURE THAT YOUR NAME AND 'CONF2400 ARB' APPEAR ON ANY TRANSFER OR DRAFT.

No deductions or withholdings

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

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

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



Conference sell-outs

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

Cancellation of registration or social functions

If cancellation is received in writing at the IBA office by **26 January 2023**, fees will be refunded less a 25 per cent administration charge. Refunds will be made minus any monies owed to the IBA.

We regret that no refunds can be made after this date. Registrations or social function bookings received after **26 January** will not be eligible for any refund of fees. Please note that the IBA will however offer a full refund if you are required to cancel your registration due to Covid related reasons; we will require written confirmation of your cancellation by the end of business on the first day of the conference.

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

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

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

Travel arrangements and visas

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

Please apply for your visa in good time.

Hotel accommodation

A limited number of rooms have been reserved at Shangri-La Singapore for the nights of 18–26 February 2024.

Shangri-La Singapore

22 Orange Grove Road Singapore 258350 Tel: +65 6737 3644

Website: www.shangri-la.com/en/singapore/shangrila

Email: vivien.lee@shangri-la.com

The following rate is per room, per night inclusive of daily breakfast and internet access, but exclusive of applicable taxes and service charge.

Tower Wing Deluxe Room	Single SG\$370.00++	Double SG\$400.00++
Garden Wing Deluxe Room	Single SG\$420.00++	Double SG\$450.00++

Please click this **link** to reserve a room.

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

Cancellation and no-show policy

Cancellations may be made up until **7 February 2024**. Please note that in the event of any cancellations or no-shows, rooms will be charged to the individual guest's credit card given at the time of booking.

Delegates are responsible for making accommodation reservations directly with the hotel and entering 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.

Continuing Professional Development/Continuing Legal Education

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

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

IBA Harassment Policy

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

See www.ibanet.org/iba-harassment-policy

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).

Registration form



25th Annual IBA Arbitration Day: 25 years together and now? Building the arbitration model for tomorrow

22-23 February 2024, Shangri-La Singapore, Singapore

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

REGISTER ONLINE AT WWW.IBANET.ORG/CONFERENCE-DETAILS/CONF2400 TO MAKE IMMEDIATE AND SECURE PAYMENT BY CREDIT CARD AND OBTAIN A TEN PER CENT DISCOUNT ON THE FEES BELOW **PERSONAL DETAILS** (Please attach your business card or write in block capitals) Name and country to be shown on badge (if different from above) ___ _____ Date of birth ___ IBA Membership number (if applicable) _ Firm/company/organisation_ Address _ Country ____Email ___ SPECIAL DIETARY REQUIREMENTS If you have special dietary requirements, due to allergen intolerances, medical, religious reasons or a life choice, please specify the requirement below. The IBA is unable to cater for dietary requirements other than for the above reasons. Please tick box if you have allergen intolerances and specify _ Please tick box if your registered guest has allergen intolerances and specify — Please state all other dietary requirements clearly, i.e. I am a vegetarian. Disclosure of dietary information denotes you have agreed to the IBA sharing this information with relevant third parties who are providing catering on our behalf.. TO OBTAIN A TEN PER CENT DISCOUNT ON THE FEES BELOW. PLEASE REGISTER BY 9 FEBRUARY ONLINE AT WWW.IBANET.ORG/CONFERENCE-DETAILS/CONF2400 IBA MEMBERS CAN REGISTER ONLINE BY 19 JANUARY FOR US\$895. PLEASE SEE 'INFORMATION' FOR FURTHER ONLINE REGISTRATION DETAILS. HARD COPY REGISTRATION FORMS AND FEES RECEIVED: on or before 19 January after 19 January amount payable IBA member US\$995 US\$ US\$1.125 Non-member* US\$1,190 US\$1,320 US\$ Young lawyers US\$745 US\$1,320 US\$ Academics/judges US\$745 US\$1,320 US\$ Public lawyers US\$745 US\$1,320 US\$ Corporate counsel** US\$895 US\$1,320 US\$ US\$355 US\$355 US\$ Guest fee **Monday Welcome reception** I will attend I will not attend Guest(s) must NOT be a member of the legal profession or use the conference as a business networking opportunity. Guest(s) are not permitted to attend, under any circumstance, working sessions or general delegate lunches and will only be allowed to the Welcome reception. Country Name



ONE PLACE PER REGISTERED DELEGATE AND REGISTERED GUEST IS PERMITTED.
FULL PAYMENT MUST BE RECEIVED IN ORDER TO PROCESS YOUR REGISTRATION. PLEASE NOTE THAT REGISTRATIONS ARE NOT TRANSFERABLE.
*JOIN THE IBA TODAY AND REGISTER FOR THIS CONFERENCE AT THE IBA MEMBER RATE. PLEASE FIND THE MEMBERSHIP APPLICATION FORM AT WWW.IBANET.ORG.
**A REDUCED RATE IS OFFERED TO IBA CORPORATE GROUP MEMBERS. PLEASE REGISTER ONLINE TO OBTAIN A 25 PER CENT DISCOUNT ON THE IBA MEMBER FEE.
A REDUCED RATE IS OFFERED TO LAWYERS WHO ARE OVER THE AGE OF 65, HAVE BEEN AN IBA MEMBER FOR MORE THAN 20 YEARS AND ARE NO LONGER PRACTISING LAW. PLEASE CONTACT THE IBA OFFICE FOR FURTHER INFORMATION.
METHODS OF PAYMENT
By credit card
Register online at www.ibanet.org/conference-details/CONF2400 and make immediate and secure payment by credit card
Note: please do not send your credit card details on the registration form or within an email or fax.
Du hank two of every DACs novement
By bank transfer or BACs payment
Registration forms received without proof of payment will NOT be processed until proof of payment has been received.
US dollars: by bank transfer to the IBA account at the National Westminster Bank, St James's & Piccadilly Branch, 208 Piccadilly, London W1A 2DG, United Kingdom.
SWIFT address NWBKGB2L, IBAN GB55NWBK60730101286498
Please ensure that a copy of the bank transfer details is attached to your registration form.
WHERE DID YOU FIRST HEAR ABOUT THIS CONFERENCE?
IBA CONFERENCE OTHER CONFERENCE DIRECT MAIL INTERNET ADVERTISEMENT
EMAIL DEDITORIAL DECOMMENDATION OTHER
Please provide further details, quoting code (if applicable)
The International Bar Association would like to keep in touch with you about relevant news, events, publications and membership. You can opt out of receiving information
at any time by emailing member@int-bar.org or by logging into My IBA and updating your preferences. Your details will be included in the list of participants. If you do not want your details to be included in the list, please email confs@int-bar.org.

For further details on how your data is used and stored: www.ibanet.org/privacy-policy

PLEASE SEND THE COMPLETED FORM TO:

International Bar Association Asia Office

Trade Tower, Suite 4306, 511 Yeongdong-daero, Gangnam-gu, Seoul, South Korea 06164

Tel: +82-2-6279-8100 Email: haesung.lee@int-bar.org www.ibanet.org



International Bar Association

the global voice of the legal profession

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

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

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

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

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

IBA Arbitration Committee

The IBA Arbitration Committee focuses on laws, practice and procedures relating to the arbitration of transnational disputes. Through its conferences, publications and projects, the Committee seeks to share information about international arbitration, promote its use and improve its effectiveness.

Become a member of the Committee to benefit from networking opportunities, the opportunity to read and write IBA publications and discounts on conferences and webinars. You can also get involved with the work of the Committee.

Contact information

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Email: member@int-bar.org www.ibanet.org

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