

Climate litigation at a turning point

Inside GLA: Geneva's new legal vision



Squire Patton Boggs
"lands" in Geneva



Claudia La Via



September and the list of good intentions and goals

September is often a month of new beginnings, resolutions, and reorganizations after the summer break. We at *MAG* are also starting afresh after the August break to accompany you through the coming months and to become an increasingly solid point of reference for the Swiss legal market.

The past few months have been intense, where we have tackled ambitious goals, important topics, and in-depth subjects. This issue is no exception. In this edition of *MAG*, we have delved into the challenges and potential benefits of the new Swiss digital identity, trying to understand the legal implications and potential issues related to the management of personal data.

Another interesting topic in this issue is climate sustainability and how a group of elderly Swiss women established the "criminal responsibility" of a country for failing to combat climate change. In fact, the European Court of Human Rights ruled — in an unprecedented decision — that Switzerland failed to fulfill its duty to combat climate change for the benefit of its citizens.



This issue also features two important interviews. The first is with Lonza, the Swiss pharmaceutical giant, where its general counsel Andreas Bohrer discusses how multifaceted the work of a legal counsel is today, especially in a fast-paced sector like healthcare. Bohrer has over 20 years of experience as a legal counsel, with previous in-house positions at Novartis and Ubs, and at Swiss law firms in Geneva and Zurich, as well as Covington & Burling in New York.

Among the new developments in the country's legal sector is certainly the "landing" of a major international player: the opening of a Swiss office by the legal group Squire Patton Boggs. The office — the firm's 17th in Europe — is led by financial services partner and co-head of the commodities and shipping group Kate Sherrard, who has relocated from Singapore. We asked her what her expectations are and what challenges lie ahead in the Swiss legal market.

Finally, we attempted to describe, with the help of some key players, the complexities of the white-collar crime legal ecosystem in a deeply rooted market like Switzerland, which also has significant international connections. The landscape of white-collar crime in Switzerland is actually witnessing significant developments, reflecting broader global trends but also national characteristics. Moreover, many companies have proactively invested in compliance programs and initiatives to prevent potential environmental crimes, including "greenwashing". These examples show how dynamic the sector is and how important is the role of legal professionals in this field.

A brief summary of what you can expect from this issue, with the wish you could find more than we tried to summarize here. We wish you a pleasant read and successful new resolutions for the months ahead!



EVENTS CALENDAR

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EVENTS CALENDAR 4

SEPTEMBER

■ LC Energy Day

The Latin American Lawyer Women Awards

Legalcommunity Labour Awards

■ Iberian Lawyer Forty Under 40 Awards

Milan, 12/09/2024 São Paulo, 12/09/2024 Milan, 19/09/2024 Madrid. 26/09/2024

OCTOBER

Inhousecommunity Days

Legalcommunity Real Estate Awards

Inhousecommunity Awards Italia

Legalcommunity Marketing Awards

Inhousecommunity Days Switzerland

Legalcommunity Litigation Awards

Rome. 02-04/10/2024 Milan, 10/10/2024 Milan. 17/10/2024 Milan, 21/10/2024 Zurich, 24-25/10/2024 Milano, 29/10/2024

NOVEMBER

Iberian Lawyer Inhousecommunity Day

Iberian Lawyer Gold Awards

Financecommunity Week

Financecommunity Awards

LegalcommunityMENA Awards

Madrid, 05/11/2024 Madrid, 05/11/2024 Milan, II-I5/II/2024 Milan, 14/11/2024 Riyadh, 21/11/2024

DECEMBER

The LatAm Energy & Infrastructure Awards

São Paulo, II/I2/2024

LEGEND

Legalcommunity / LegalcommunityCH

LegalcommunityMENA

LegalcommunityWEEK

Inhousecommunity

Financecommunity / Financecommunity

Iberian Lawyer

The Latin American Lawyer

Foodcommunity

Italian Awards

EVENTS CALENDAR

JANUARY

Legalcommunity Energy Awards

Milan. 30/01/2025

FEBRUARY

Legalcommunity Finance Awards

■ Iberian Lawyer Sustainability Summit - Spain

Iberian Lawyer Labour Awards

Milan, 13/02/2025 Madrid, 27/02/2025 Madrid.27/02/2025

MARCH

Iberian Lawyer Inspiralaw

Financecommunity Fintech Awards

Legalcommunity IP&TMT Awards

■ LC Sustainability Summit

■ LC Sustainability Awards

Madrid, 06/03/2025 Milan, 13/03/2025 Milan, 20/03/2025 Milan, 25/03/2025 Milan, 25/03/2025

APRIL

■ LC Inspiralaw Italia

Legalcommunity Tax Awards

Milan, 01/04/2025 Milan, 03/04/2025

MAY

LegalcommunityCH Awards

Legalcommunity Forty under 40 Awards

Iberian Lawyer Legaltech Day

Iberian Lawyer IP&TMT Awards

Zurich. 08/05/2025

Milan, 22/05/2025 Madrid, 29/05/2025

Madrid. 29/05/2025

JUNE

Legalcommunity Week

Legalcommunity Corporate Awards

Rock the Law

Iberian Lawyer Energy Day

Iberian Lawyer Energy Awards

Milan, 09-13/06/2025 Milan, II/06/2025

Milan. 12/06/2025

Madrid, 19/06/2025

Madrid, 19/06/2025

JULY

Rome, 03/07/2025

ITALY Contact Referent guido.santoro@lcpublishinggroup.com

ENERGY & I	NFRASTRUCTURE	
Research Period from	01/11/23	
Research Period to	31/10/24	DOWNLOAD Submission
Deadline Submission	27/09/2024*	•
Report Publication	Feb-25	

F	INANCE	
Research Period from	01/12/23	
Research Period to	30/11/24	DOWNLOAD Submission
Deadline Submission	11/10/2024*	COSMICCION
Report Publication	Feb-25	

*It will be possible to integrate with subsequent deals within Friday 13 December 2024

ı	P&TMT	
Research Period from	01/01/24	
Research Period to	31/12/24	DOWNLOAD Submission
Deadline Submission	08/11/2024*	•
Report Publication	Apr-25	

*It will be possible to integrate with subsequent deals within Friday 17 January 2025

	TAX	
Research Period from	01/02/24	
Research Period to	31/01/25	DAOJNWOD NOISSIMBUS
Deadline Submission	06/12/2024*	COSMINGUICH
Report Publication	Anr-25	

*It will be possible to integrate with subsequent deals within Friday 14 March 2025

CO	RPORATE	
Research Period from	01/04/24	
Research Period to	31/03/25	DOWNLOAD Submission
Deadline Submission	17/01/2025*	
Report Publication	Jul-25	

- It will be possible to integrate with subsequent deals within Friday 18 April 2025

SPAIN AND PORTUGAL

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L	ABOUR	
Research Period from	01/12/23	
Research Period to	30/11/24	DOWNLOAD
Deadline Submission	20/09/2024*	SUBMISSION
Report Publication	Apr-25	·

*It will be possible to integrate with subsequent deals within Friday 13 December 2024

	IPSTMT	
Research Period from	01/03/24	
Research Period to	28/02/25	DOWNLOAD Submission
Deadline Submission	15/11/2024*	-
Report Publication	Jun-25	

*It will be possible to integrate with subsequent deals within Friday 14 March 2025

ENERGY & I	NFRASTRUCTURE	
Research Period from	01/04/24	
Research Period to	31/03/25	DOWNLOAD SUBMISSION
Deadline Submission	17/01/2025*	-
Report Publication	Jul-25	

- *It will be possible to integrate with subsequent	deals within Friday I	8 April 2025
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LABOUR		
Research Period from	01/04/24	
Research Period to	31/03/25	
Deadline Submission	18/04/2025	
Report Publication	Oct-25	

REAL ESTATE		
Research Period from	01/07/24	
Research Period to	30/04/25	
Deadline Submission	16/05/2025	
Report Publication	Nov-25	

INHOUSECOMMUNITY		
Research Period from	01/07/24	
Research Period to	30/06/25	
Deadline Submission	23/05/2025	
Report Publication	Nov-25	

LIT		
Research Period from	01/04/24	
Research Period to	31/03/25	
Deadline Submission	30/05/2025	
Report Publication	Nov-25	

FINANC		
Research Period from	24/08/24	
Research Period to	31/08/25	
Deadline Submission	27/06/2025	
Report Publication	Dec-25	

^{*}It will be possible to integrate with subsequent deals within Friday 29 August 2025

ZERIAND Contact Referent elia.turco@lcpublishinggroup.com

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Research Period from	01/01/24			
Research Period to	31/12/24		DOWNLOAD Submission	
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	Research Period to		30/04/2	24	
	Deadline Submission		27/06/2025		
	Report Publication		Jan-26		

- LATAN Contact Re		ferent	elia.turco@iberianlegalgroup.com		
		ENERGY & I	NFRASTR	UCTURE	
	Research Period from		01/05/	24	
	Research Period to	30/04/		25	
	Deadline Submission		30/05/	2025	
_	Report Publication		Jan-26		



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Lonza and the Era of "in-house counsel 3.0"

Andreas Bohrer, Group General counsel discusses the shifting demands of the role, emphasizing the value of a holistic approach and the growing importance of sustainability at the core of legal practice

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On the Move







NEW ENTRIES

Two partners, a counsel and three associates at Walder Wyss

Two new partners joined Walder Wyss' team in Geneva and Lausanne. Both **Alain Alberini** (pictured left) and **Vincent Pfammatter** (pictured center) come from Sigma Legal's closing. Alberini specializes in intellectual property, competition law and legal aspects related to information and communication technology. He is involved in the national and international strategy of protecting, implementing and defending his clients' intangible assets. It includes representing clients before judicial (civil and criminal) and administrative authorities, as well as negotiating and drafting complex agreements (including M&A transactions). Pfammatter specializes in corporate and non-profit law, providing services in relation to the setting up of cutting-edge projects, crafting and negotiating complex agreements and representing clients in litigious situations or before authorities.

Also the new counsel Adrien Alberini (pictured right) is joining from Sigma Legal. He specializes in technology law, providing services in relation to the setting up of innovative projects, drafting and negotiating complex agreements, as well as representing clients before courts or in the context of settlements. Moreover, three new associates will be joining the firm: Alma Marchand (in public law and health law), Chloé Ricci, (corporate and non-profit law, as well as commercial contracts) and and Caroline Sauthier (corporate and commercial law).

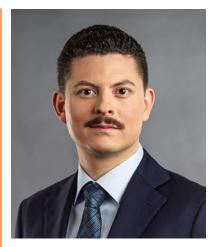
APPOINTMENTS

Fellmann appointed ICC YAAF Representative for Europe and Central Asia

Lukas Fellmann (pictured), managing associate at **Walder Wyss**, has been appointed ICC Young Arbitration and ADR Forum Representative for Europe and Central Asia. The ICC Young Arbitration and ADR Forum ("ICC YAAF") is a network of over 39'000 practitioners across 7 regional chapters. Representatives are elected for a two-year mandate and are responsible for promoting the ICC's dispute resolution services while offering young arbitration and ADR practitioners the opportunity to exchange ideas and perspectives, as well as to learn directly from experienced practitioners.







NEW PARTNER

Leo Rusterholz joins valfor

Leo Rusterholz (pictured) has joined valfor as a new partner. He advises clients in all industries in connection with domestic and international transactions and (cross-border) implementation and transformation projects, with a particular focus on data protection, insurance, technology, media and telecommunications as well as corporate and regulatory law. He is regularly involved in data privacy, compliance and cyber security matters, insurance activities subject to authorization, data breach investigations as well as technology and outsourcing transactions and also has significant experience in the areas of transitional services, licensing, distribution and e-commerce matters. Prior to joining valfor, Leo

Rusterholz worked for a major business law firm in Zurich (from 2013 to 2014 as a trainee and later following his bar admission as of 2015 as an associate) with the same practice area focus. Leo Rusterholz holds BLaw and MLaw degrees from the University of Zurich (2011 and 2013), an LL.M. in Globalization and Law – Specialization Corporate and Commercial Law from Maastricht University (2013) and a CAS in Forensics from the University of Lucerne (2021), as well as a BA in Classical Music and a MA in Music Performance from the Zurich University of the Arts (2008 and 2011). He is fluent in German, English and Japanese.

MOVES

Nicoleta Timofti joins Squire Patton Boggs as a partner in Geneva

Squire Patton Boggs has added partner **Nicoleta Timofti** (pictured) to its International Dispute Resolution practice. She joins from Curtis Mallet-Prevost in the firm's recently established office in Geneva, Switzerland and will also spend significant time practicing from its Astana, Kazakhstan office. Timofti is an Us qualified international attorney counseling private clients, current and former government officials, multinational corporations, international financial institutions and sovereigns. Her practice includes white collar criminal defense, AML and international corruption, internal



investigations, asset recovery, including asset tracing, as well as complex commercial cross-border litigation. As a cross-border litigator, she advises clients on a variety of issues relating to international dispute resolution, such as forum selection, jurisdiction, service of process, and is accustomed to navigating international legal systems (civil, criminal, administrative), enforcement proceedings, international discovery and insolvency proceedings.

Additionally, Ms. Timofti has provided strategic advice to clients on sensitive regulatory, sanctions, corporate raiding, civil and criminal forfeiture orders, Interpol, extradition and Mutual Legal Assistance Treaty (MLAT) related matters, as well as international human rights and the rule of law. Fluent in four languages, Timofti has worked extensively in emerging markets, particularly CIS states, Eastern Europe and Asia.



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On the web



Strategic acquisitions and collaborations drive innovation across industries

Switzerland continues to demonstrate its pivotal role as a hub for high-stakes corporate transactions, driven by its robust legal infrastructure and expert advisory firms. Recent strategic acquisitions and partnerships − such as L'Oréal's stake in Galderma, Zeiss's acquisition of RUAG's lithography division, Eli Lilly's collaboration with Haya Therapeutics, and Ecostal Group's expansion with Solexis − have all relied heavily on sophisticated legal support from top Swiss firms. Adding to this, Bär & Karrer is advising Société Générale in the proposed sale of its Swiss private banking unit to Union Bancaire Privée (UBP), a move supported by Lenz & Staehelin as global counsel. This transaction, part of a €900 million deal involving the sale of other units, will increase UBP's presence in Switzerland and the UK, showcasing the importance of Swiss legal expertise in facilitating cross-border financial deals. In a legally dynamic market, firms like Bär & Karrer, Pestalozzi, Vischer, and CMS play critical roles in navigating M&A, regulatory hurdles, and strategic partnerships, ensuring seamless execution and compliance. These transactions highlight Switzerland's significance as a global epicenter for innovation-driven deals, backed by world-class legal professionals who facilitate corporate growth and cross-industry collaboration.





Bär & Karrer on L'Oréal's 10% stake acquisition in Galderma

Bär & Karrer advised L'Oréal on its acquisition of a 10% stake in Galderma Group, from Sunshine SwissCo, Abu Dhabi Investment Authority, and Auba Investment (a consortium led by EQT). Homburger acted as transaction counsel to EQT. In addition, L'Oréal and Galderma have agreed to work towards a strategic scientific partnership that will leverage the undisputed expertise of both companies: Galderma's expertise across a broad range of dermatological solutions, and L'Oréal's expertise in skin biology, diagnostic tools, and evaluation methods. Bär & Karrer is acting as Swiss legal counsel for L'Oréal. The team includes partner Mariel Hoch (pictured), partner Dieter Dubs, counsel Fabienne Perlini-Frehner, associate Marlene Lienau, associate Dominic Leu, junior associates Joshua Baisch and Jorim Braun (all public M&A), counsel Jonas Bornhauser and junior associate Giulia Grandi (both IP), partner Mani Reinert (antitrust), partner Raoul Stocker and associate Patrick Schmid (both tax). Homburger's team was led by corporate / M&A, capital markets partners Frank Gerhard and Margrit Marti and comprises Estelle Piccard, Simone Schmid and Héloïse de Jamblinne (all corporate / M&A), Stefan Oesterhelt (tax), Richard Stäuber (competition) as well as Micha Fankhauser (financial market regulation).

PRACTICE AREA:

CAPITAL MARKETS

DEAL:

Galderma

LAW FIRM:

Bär & Karrer and Homburger

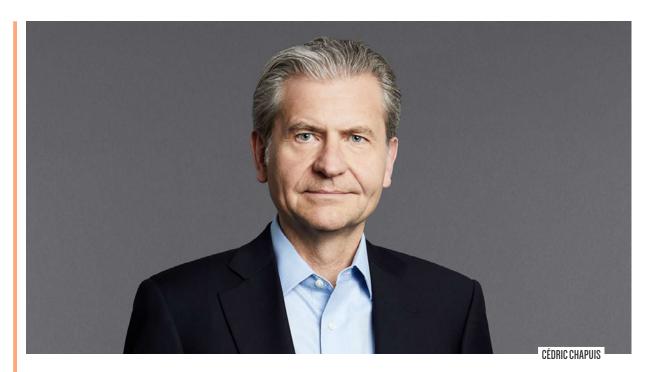
HEAD PARTNERS:

Mariel Hoch (Bär & Karrer) - Frank Gerhard and Margrit Marti (Homburger)

VALUE:

Not disclosed





Société Générale with Bär & Karrer for the selling of its Swiss private banking unit to UBP

Bär & Karrer is acting as Swiss legal counsel to Société Générale in the proposed sale of its Swiss private banking unit Société Générale Private Banking (Suisse) to Union Bancaire Privée (UBP), advised by Lenz & Staehelin (which acted as a global counsel). Macfarlanes advised UBP on all English law aspects. The transaction occurs in parallel to the proposed sale of SG Kleinwort Hambros in the UK, for a combined value of €900 million. With these transactions, UBP increases its footprint in Switzerland while pursuing its expansion strategy in the UK where the Bank has been present for nearly three decades, both in wealth and asset management activities. The proposed sales are a key component of Société Générale's strategic plan to streamline its business model and strengthen its capital base, and is contingent upon regulatory approvals.

The Bär & Karrer team, led by **Cédric Chapuis** (pictured), acts alongside international counsel Norton Rose Fulbright and includes key contributions from Ronny Schmid (M&A), **Christoph Suter** and **Alice Johnson** (both tax). The Lenz & Staehelin team was led by **Shelby du Pasquier** and **David Lederman**, with support from **Manuela Scerri**, **Eleni Cristou** and **Coraline Jenny**, as well as **Benoît Merkt**.

PRACTICE AREA

BANKING & FINANCE

DEAL

Société Générale & UPB

LAW FIRM

Bär & Karrer and Lenz & Staehelin

HEAD PARTNERS

Cédric Chapuis (Bär & Karrer) - Shelby du Pasquier and David Lederman (Lenz & Staehelin)

VALUE

Not disclosed







Pestalozzi with RUAG on the sale of the litography division to Zeiss SMT

Pestalozzi advised RUAG International in the sale of the lithography division to Zeiss SMT. The agreement includes all employees and assets associated with the two production sites in Zurich (Switzerland) and Coswig (Germany). The acquisition is still subject to approval by the competition authorities. With the expected closing end of 2024, the divestment will allow RUAG International to fully focus on its space activities with Beyond Gravity and its Launchers and Satellites divisions. Pestalozzi advised RUAG International as lead counsel on all legal aspects of the transaction with a team including corporate / M&A partner Petra Hanselmann (pictured left), corporate / M&A partner Pascal Richard (pictured right), Yannic Schönenberger (associate – corporate / M&A), Markus Winkler (counsel – financial services), Christian Roos (partner – corporate / M&A), Martina Herzog (associate – corporate / M&A), Jonas Sigrist (partner – tax), Fabienne Schaub (junior associate – corporate / M&A), Paola Wullschleger (counsel – real estate).

PRACTICE AREA

DEAL & TRANSACTIONS

DEAL

Zeiss SMT

LAW FIRM

Pestalozzi

HEAD PARTNERS

Petra Hanselmann and Pascal Richard

VALUE

Not disclosed





Vischer with Haya Therapeutics for the Eli Lilly agreement

Vischer advised Haya Therapeutics, a Swiss biotechnology company pioneering precision RNA-guided regulatory genome targeting therapeutics, which announced a multi-year agreement with Eli Lilly and Company to apply Haya's advanced RNA-guided regulatory genome platform to support preclinical drug discovery efforts in obesity and related metabolic conditions. The partners will identify multiple regulatory genome derived RNA-based drug targets to address these chronic conditions. Vischer advised Haya Therapeutics on the Swiss legal aspects of the transaction and the team included corporate / M&A partner Christian Wyss (pictured), Pauline Pfirter (senior associate, corporate / M&A), Lukas Wendt (associate, corporate / M&A), Ariane Cottiati (junior associate corporate / M&A) and Celine Kappler (junior associate, corporate / M&A).

PRACTICE AREA
DEAL & TRANSACTIONS
DEAL
Eli Lilly
LAW FIRM
Vischer
HEAD PARTNER
Christian Wyss
VALUE
Not disclosed



CMS advises Ecostal Group on the acquisition of Solexis

A CMS team led by **Alain Raemy** (Corporate/M&A) has provided comprehensive legal advice to the Belgian Ecostal Group on the acquisition of Solexis, a leading Swiss B2B provider of photovoltaic systems and solutions. Ecostal Group is a growing player in the European solar market. The acquisition of Solexis is an integral part of Ecostal Group's expansion strategy aiming to grow through targeted acquisitions in strategic markets.

PRACTICE AREA
ACQUISITION
DEAL
Solexis
LAW FIRM
CMS
HEAD PARTNER
Alain Raemy
VALUE
Not disclosed



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INFORMATION

EVENTS

INTELLIGENCE

PUBLICATIONS

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18.30 Awards Ceremony

19.30 Standing Dinner











Squire Patton Boggs "lands" in Geneva

In an exclusive interview, Kate Sherrard discusses the opening of the Swiss office, the firm's plans and new challenges and the importance of a global approach

by claudia la via



A new office for an international giant that has decided to establish itself in Switzerland to take on new challenges and enrich the local market, but without imposing a "foreign" approach, rather seeking to understand the internal needs of the market in which it will operate. This is the challenge undertaken by Squire Patton Boggs, a US law firm that was formed in 2014 from the merger of Squire Sanders, a Cleveland (Ohio) firm that itself merged in 2011 with the British firm Hammonds, with Patton Boggs, a firm from Washington, D.C. The Geneva launch continues a European expansion strategy that in the past two years has seen SPB launch offices in Amsterdam and Dublin targeting corporate and private equity work. The new Swiss office is led by Kate Sherrard, who has relocated from Singapore. Kate's practice focuses on advising participants across the maritime and offshore oil & gas sectors on a wide variety of asset and structured financing arrangements. She also advises lenders and owners on project related commercial contracts, as well as vessel acquisitions, issues with loans, enforcement matters, restructurings and company reorganizations. "The shipping and commodities industry is international by its nature. Having practiced in this sector for a relatively long duration has provided the opportunity to work across jurisdictions and gain a fascinating perspective of different cultures and the nuanced challenges clients face. For better or worse, it has also meant a fair amount of travel", Kate says.

She has traveled a lot indeed. She started her career in London and spent over 15 years living in Singapore, most recently as the head of the Asia Pacific Maritime and Offshore Group at an international law firm. She joined Squire Patton Boggs in 2021 as part of a strategic effort by the firm to build a leading international practice in commodities and shipping. "The successful outgrowth of those efforts, as well as personal circumstances, brought me to Geneva in 2022. I continue to travel and work closely with my Asia based clients. Since our projects typically involve multiple jurisdictions our Europe build enables us to take advantage of time zones to provide an even more seamless service as a single, truly global, team", explains. Kate explains MAG in an exclusive interview the goal of this "landing" in Switzerland and all the firm's projects ahead. "Squire is a naturally growth-oriented institution and was one of the early law firms to carry out an international expansion strategy. The timing for our Geneva launch was right and I am delighted to be leading the firm's efforts in the Swiss market".

What is Squire Patton Boggs' goal in entering the Swiss market? Which areas do you intend to focus on?

Switzerland has a strong and diverse economy that dovetails with several core areas of our global practice. Many of the world's leading commodities and shipping companies are in Geneva, which makes for a natural initial focal point for us given the synergies with our



«Squire is a naturally growth-oriented institution and was one of the early law firms to carry out an international expansion strategy»



«Switzerland
is an important
global hub
for commerce,
policy and
international disputes
with a robust
international
business community
that dovetails
with several areas
of our global practice»

extensive international practice in this space. Our new Geneva office puts us where our clients are, allowing us to further develop these relationships. Over time, we also intend to build around other core firm strengths including international trade, international disputes resolution and compliance and investigations.

Switzerland has a very "localized" market with few international firms. Do you see this as a potential limitation for a naturally international firm like yours, or rather as an opportunity, and why?

Switzerland is an important global hub for commerce, policy and international disputes with a robust international business community that dovetails with several areas of our global practice, including chemicals, pharma and banking - in addition to commodities and shipping. Oftentimes, these companies are outsourcing their work. With our Geneva office and extensive network of offices across Europe and Asia, we feel like well-positioned to offer clients a differentiated option.





So what makes Squire Patton Boggs unique to other firms in the market?

The scale of our global practice and the resources we can bring to bear for our clients is an advantage. Our firm has over 40 offices across 22 countries. In many respects we see ourselves as a firm that benefits from being "more than the sum of its parts" insofar as our strength lies in our ability to assemble multidisciplinary, and oftentimes cross jurisdictional, teams to help solve complex client problems.

The firm is also particularly well-known as the preeminent global law firm for public policy. The firm's namesake, Thomas Boggs, is a legendary figure in US legal circles who pioneered the modern-day lobbying practice. The firm's policy practice employs many high-ranking former government officials including former speaker of the US House of Representatives John Boehner. We also have an established public policy unit in Brussels, focusing on advising businesses and trade associations on Eu regulations, trends, and issues that can affect particular industries. As many industries are becoming increasingly regulated, this is a growing concern for many companies.

How do you plan to structure the office? How many hires and how many practices will be managed from Switzerland?

Our expectation is that we will grow moderately over time and attract the right people who are in alignment with our strategy.

We recently made our first partner hire into the office with the addition of cross border litigator **Nicoleta Timofti**. Over the years, Squire has developed a preeminent practice for arbitrations and international disputes. Increasingly, particularly for sovereigns, these matters involve corruption issues. Nicoleta is a US qualified attorney with broad international experience handling white-collar and investigatory matters who will be a key part of our cross-border offering to clients.

You mentioned the firm's international expansion. Where has that taken the firm? Our commitment to being where our clients need us has been a driving force of our global expansion efforts, which go back decades.

Over the past year we continued to invest in expanding our global footprint into commercial centers of increasing international importance. In Europe, we opened new offices in Dublin, Ireland and Amsterdam, building upon a successful pan-European corporate and private equity expansion strategy. We have doubled the size of our Paris, Madrid and Singapore offices and made senior additions in Brussels, Frankfurt, Milan, and in our four UK offices. We were also one of the first law firms to open an office in Saudi Arabia following regulatory changes that allow international firms to operate in The Kingdom independently. Our international expansion is complemented by a substantial US practice spanning 16 offices. Geneva is our newest office and will play an important role in the firm's growth.

> «Geneva is our newest office and will play an important role in the firm's growth»



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Andreas Bohren, Group General counsel discusses the shifting demands of the role, emphasizing the value of a holistic approach and the growing importance of sustainability of the core of legal practice

by claudia la via



With its 127 years history of continuous transformation, Lonza is one of the world's leading healthcare manufacturing organizations with around 18,000 employees and 6.7 billion CHF sales in 2023. Starting as a small hydro power plant at the river Lonza in the Swiss Alps, it became a chemical company and then a manufacturer of choice for the pharmaceutical industry. Today it helps pharmaceutical, biotech and nutrition companies to bring their products to market, allowing their patients to benefit from life-saving and life-enhancing treatments. An ecosystem which brings many legal challenges with it. "The most important one is the everincreasing, tsunami-like acceleration in rulemaking, including in new areas such as Esg and sustainability, and the related hardening of soft law", explains **Andreas Bohrer**, Group General counsel & Company secretary to MAG. Bohrer has over 20 years of experience as a legal counsel with prior in-house positions at Novartis and Ubs and at Swiss law firms in Geneva and Zurich as well as Covington & Burling in New York. At Lonza, Bohrer has ensured that every business unit has today a dedicated business partner on the legal and intellectual property team. The manager gives a glimpse on how multifaceted today the work of a legal counsel is, especially in a hectic sector as the healthcare one.

How do you respond to these challenges and difficulties as a general counsel?

Quoting the Antarctic explorer Sir Ernest Shackleton, "difficulties are just things to overcome, after all", and difficulties mastered are opportunities won. Companies have to make a choice in dealing with the flurry of new rules: those that focus on compliance with such rules will be driven in reactive mode and keep running after new developments. Those, on the other side, that focus on values and ethics, on "doing the right thing", will be in the driver seat and actively shape their future. As general counsel, it is my firm belief that we have to stay ahead of the curve in all we do, to both protect the company and create competitive advantages in the marketplace.

Can you give me an example?

When I joined the healthcare industry a few years ago, ethics and compliance were not center-stage.

Based on my experience in the financial industry, I anticipated that this would change, so soon after joining Lonza as general counsel, I re-allocated internal legal resources and established a core ethics and compliance team with a roadmap. We started small, expanded our scope, leveraged resources from our 2017 Capsugel acquisition, and have since managed to be recognized three times among the "World's most ethical companies" by Ethisphere, most recently this year.

«As general counsel, it is my firm belief that we have to stay ahead of the curve in all we do, to both protect the company and create competitive advantages in the marketplace»



As you liked to say in the past you moved from private wealth to private health years ago, from Ubs to Novartis first and in the last years in Lonza. What similarities do you see in the legal field of these two totally different sectors and how do you consider your previous experience key for what you have achieved today?

The financial and the healthcare sectors have differences and similarities. Both are regulated industries, innovation-based, and sectors where values and the integrity of market participants are key to safeguard the wealth and health of customers and patients. Banking regulation has been frontrunning the later developments in the healthcare sector in many aspects, most notably compliance. Having experienced the 2007 banking crisis and the resulting regulatory developments has helped me stay ahead of the curve in my later professional life in the healthcare sector.

How is it possible to virtuously combine ethics and legal in this sector?

In my view, ethics & compliance and legal have complementary qualities and skill sets that can be combined to create efficiencies and effectiveness for the benefit of the company and its employees. In our setting, both teams work hand in hand.

«In today's corporate world, there cannot be any Esg without lawyers, and no lawyers without understanding of Esg»

The core E&C team is experienced and has built up expertise on compliance matters. The regional legal teams know the regulatory landscape and legal requirements in any given place. Seamless team-work and collaboration is the key for success.

When you joined Lonza in 2015, the company was soon after embarking on the Capsugel acquisition, a complex deal of 5,5 billion dollars with a company based in the United States. How did Lonza and its legal team master that transformational transaction?

Today, we are proud to be at the forefront of







manufacturing innovation, as evidenced by our role in fighting the recent Covid pandemic. The Dna of Lonza is innovation, and change is our sole continuum.

With this background and "can-do-and-will-do" mindset, the acquisition was a great opportunity for the Lonza legal team to prove the effectiveness of our new organizational set-up. After I joined, we had formed a small transactions legal core team. That team orchestrated internal and external counsel, including the necessary multijurisdictional merger control clearances and the subsequent capital markets transactions. The same team later on successfully supported the divestment of Lonza's chemicals business. I would claim that the transactional experience combined with the business acumen and, importantly, a sound judgment on values and behaviors form the basis for the success of the legal team.

How is the role of the general counsel changing today? What skills are required and what are the main developments in this profession from your perspective?

During the past few decades, this role developed from heads of their legal teams who would spend their entire professional career in-house in administering the legal queries that were brought «In my view, ethics & compliance and legal have complementary qualities and skill sets that can be combined to create efficiencies and effectiveness for the benefit of the company and its employees»

«With the fast-moving and ever more accelerating legal and regulatory landscape globally, the rules of today will be the past of tomorrow, and laws may change before companies even had the chance to properly implement them»

to them for review and feedback, to lawyers who moved from private practice to in-house careers, becoming business partners with a seat at the table and owners of their own risk category. I call them the general counsel 2.0.

Now, with the rise of important new challenges for companies world-wide, the general counsel are challenged to up their game beyond the pure legal topics. Increasingly, the new generation of general counsel takes an active role in broader and holistic risk management, to help protect the company and its stakeholders against operational risk in the broader sense. As an example, the "general counsel 3.0" can take responsibility for Esg and sustainability, public policy and government affairs, enterprise risk management, insurance, and environment, health and safety. This is in line with the increasing requirements under Esg regulation for "double materiality" assessments and reporting.

How can companies fulfill all those requirements?

They are becoming more strategic and holistic in their risk management approach, overcoming organization silos, and developing towards "one risk view" models. The general counsel is well positioned to champion those efforts.





What are the main competencies of a legal counsel in this changing environment?

Legal counsel at all levels of their career need to focus on a combination of competencies. First and foremost, they need to be experts in the law and master the legal functional knowledge. There cannot be any compromise on the quality of the legal knowledge. Second, lawyers should work on their business acumen to understand the strategy and go-to-market of their industry and company. And third, every legal counsel needs to drive results and to achieve measurable outcomes in a sustainable manner.

How is the legal landscape today in Switzerland, and what are the peculiarities and differences compared to the rest of Europe and the world? Switzerland has the benefit of being a small, agile country with its own legislation, court system and legal tradition. It is also a very export-oriented economy, and its companies and representatives are used to dealing with, and adapting to, global trends and developments. Long-term reliability, pragmatism and a tradition of high-quality self-regulation characterize the legal system. Problems are traditionally solved by negotiation rather than litigation. All of these qualities need to be preserved on a daily basis, as they present a valuable competitive advantage to the country's economy and the companies doing business in it.

What do you seek in a law firm you would like to partner with?

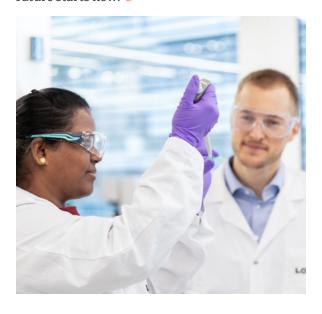
Law firms have to position themselves as partners to general counsel and the in-house legal teams. As with every true partnership, this means that outside counsel have to serve their clients always through the lens of the client's general counsel and in-house lawyers. This is particularly true when outside counsel have to apply judgment that is subject to the client's risk appetite. Equally, partnership also means that in-house lawyers will treat external counsel in a fair manner, as true advisor and sparring partner based on their expertise and experience.

How is the attention to Esg criteria dramatically changing the legal ecosystem today? Not only on an environmental perspective, but also - and very much - on a social and governance point of view?

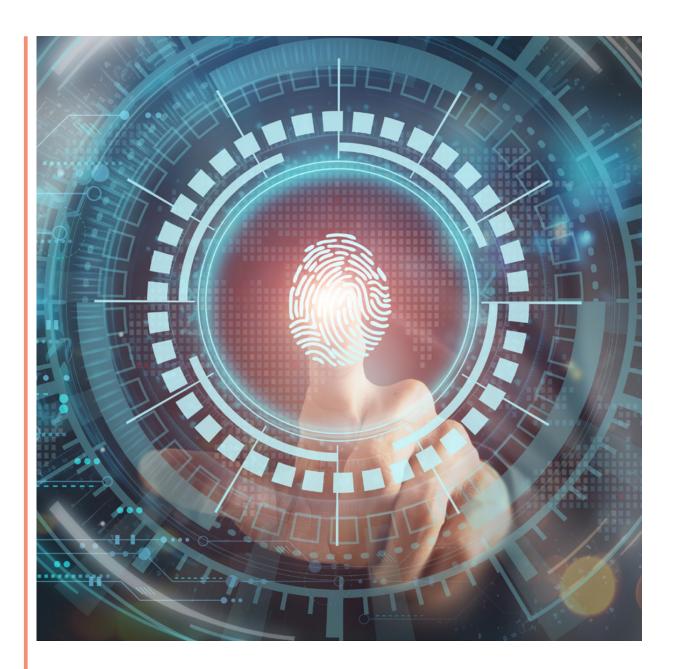
In today's corporate world, there cannot be any Esg without lawyers, and no lawyers without understanding of Esg. With the fast developing, uncoordinated emergence of binding Esg and sustainability rulesets globally, no company can deal with those rules without the specialist knowledge of lawyers. Also, Esg rules are often far from clear or logic and require structured interpretation, ideally by a cross-functional team that includes strong leadership by the legal team.

Do you foresee any significant changes in the legal landscape and in the role of legal counsel in the future?

With the fast-moving and ever more accelerating legal and regulatory landscape globally, the rules of today will be the past of tomorrow, and laws may change before companies even had the chance to properly implement them. For the lawyers and the legal profession, this acceleration has implications. First of all, it is important to learn and understand the foundations and principles of law, not the exotic detail rules; the foundations and principles will not change, but the detail rules will. Second, learning agility is key for every lawyer – learn, learn, learn, and embrace jobs and tasks that you have never learned. Third, collaborate - engage with people of values and behaviors, partner with stakeholders, and take the time to listen, think and ask questions to prepare for the future. And even if you think that the future is distant, be reminded of one thing: The future starts now!







Digital identity law: a new chapter for electronic identification

After years of debate Switzerland moves forward with eID legislation. A deep dive into the pros, cons, and legal implications



In a landmark decision that marks a significant step in Switzerland's digital evolution, the National Council has recently given the green light to the Federal Council's proposal for the introduction of an electronic proof of identity, commonly referred to as eID. This approval, coming after three years of rigorous discussions, underscores the increasing necessity for secure and reliable digital identity solutions in a world that is rapidly transitioning to digital. A process which is well underway, as also both chambers of Parliament have now approved the legal basis for the project. The head of Switzerland's digital ID project is trying to press forward and says that a small regional pilot is already making the case for digital ID.

Speaking at the recent "Digital Identity unConference Europe 2024" event, federal councillor **Beat Jans** said that a pilot in Appenzell Ausserrhoden, one of the country's 26 administrative cantons, "can already be considered a success." "Soon 1,000 credentials will be issued," he said. "There are hardly any support cases. This does not mean that everything is perfect: we still need to improve our communication. However, based on these real-life experiences, we will be able to improve the e-ID before it even exists." Moreover, Mr. Jans clarified the projected timeline and the expected form of

the new E-ID infrastructure in Switzerland, as the Swiss parliament is set to pass the necessary legislation in the upcoming fall. Meanwhile, the European Union's eIDAS 2.0 regulation hasn't yet detailed the "fine print" concerning various technical details of what the bloc would expect of member countries' digital ID systems.

"For these reasons, we are not yet ready to decide on the initial implementation of the e-ID and its trust infrastructure," he said. "We take this decision seriously and need more time."

There is also the fact Switzerland doesn't yet have a legal basis for implementing a federal digital ID system. Voters had rejected a proposed "eID Act" in a 2021 referendum, and a new version is still being deliberated in the country's parliament.

BENEFITS AND OPPORTUNITIES OF THE SWISS eID LAW

However, as Switzerland prepares to implement this new system, it is imperative to consider the potential benefits, challenges, and the complex legal landscape that accompanies the adoption of eID. The advantages of the Swiss eID law are manifold, offering numerous benefits that are expected to enhance the interaction between citizens, the government, and the private sector. At the forefront of these benefits is the promise







of increased convenience and efficiency. With the introduction of eID, citizens will be equipped with a secure and reliable means of proving their identity online, streamlining access to a wide range of services that previously required physical documentation. This shift not only promises to save time and reduce bureaucratic hurdles but also aligns with the global trend towards digitization of services, which is essential for keeping pace in a technologically advanced world.

Moreover, the eID system is designed with robust security features that aim to protect against identity theft and fraud. The incorporation of advanced encryption techniques and biometric data ensures that identities are authenticated securely, making it difficult for unauthorized access or misuse of personal information. This security aspect is further reinforced by the use of digital signatures, which add an extra layer of protection for online transactions. In a time when cyber threats are increasingly sophisticated, such measures are crucial in fostering trust in digital services, encouraging more citizens to engage with the digital economy.

In addition, the eID is also expected to support Switzerland's broader e-government initiatives. By enabling citizens to interact with public authorities digitally, the eID will not only improve the efficiency of public administration but also make government services more accessible, particularly to those in remote areas. This move towards e-government is part of a larger strategy to modernize Switzerland's public sector, making it more responsive to the needs of its citizens in a digital age.

The economic implications of the eID law cannot be overlooked either. By establishing a reliable digital identity framework, Switzerland positions itself as an attractive hub for businesses that rely on secure online interactions. This could potentially spur innovation in sectors such as fintech and digital services, driving economic growth and positioning Switzerland as a leader in the global digital economy.

CHALLENGES AND CONCERNS

However, despite the many potential benefits, the Swiss eID law is not without its critics and challenges. One of the most significant concerns



revolves around privacy. While the system is designed to be secure, the centralized storage of biometric and personal data raises fears about potential misuse or unauthorized access. The possibility of surveillance or data breaches is a critical issue that could erode public trust in the system. Given Switzerland's strong tradition of privacy protection, these concerns are particularly poignant, and any missteps in this area could have serious implications for the credibility of the eID.

Another challenge associated with the eID law is the risk of digital exclusion. As the country moves towards a digital identity system, there is a real concern that certain segments of the population, particularly those who are less techsavvy or who lack access to digital devices, may be left behind. This digital divide could exacerbate existing inequalities, making it essential that the implementation of eID includes measures to ensure inclusivity and accessibility for all citizens.

The practicalities of implementing a nationwide eID system also present significant hurdles. The costs associated with the technology and infrastructure required for the eID are substantial, and the technical challenges of integrating this new system with existing frameworks should not be underestimated. Any technical glitches or delays in the rollout could lead to public dissatisfaction and resistance to adoption, making it crucial that the implementation process is managed carefully and transparently.

THE KEY QUESTION Of Data Protection

The legal implications of the eID law are farreaching, raising critical questions about data protection, individual rights, and the future of digital governance. Central to these legal considerations is the issue of data protection. Switzerland has some of the strictest data protection laws in the world, and the implementation of eID will need to align with these regulations to ensure that personal data is handled with the utmost care. The law mandates that personal data must be processed transparently, only for legitimate purposes, and with adequate safeguards to prevent misuse. This is particularly important in the context of the eID, where the potential for data misuse could have severe consequences for individuals' privacy.

Furthermore, the legal framework must address the ownership and control of data. With eID, citizens are required to provide biometric and personal information that will be stored and managed by government or private entities. This raises important questions about who ultimately controls this data and how it can be used. Legal safeguards must be put in place to ensure that citizens have control over their own data, including the right to access, correct, or delete their information as needed.

Another significant legal consideration is the cross-border recognition of the eID. As Switzerland is not a member of the European union, ensuring that the Swiss eID is recognized and accepted by other countries presents a unique challenge. This will require careful negotiation and alignment with international standards, which could add a layer of complexity to the implementation process. The success of the eID system will depend not only on its acceptance within Switzerland but also on its interoperability with systems in other countries, particularly in Europe.

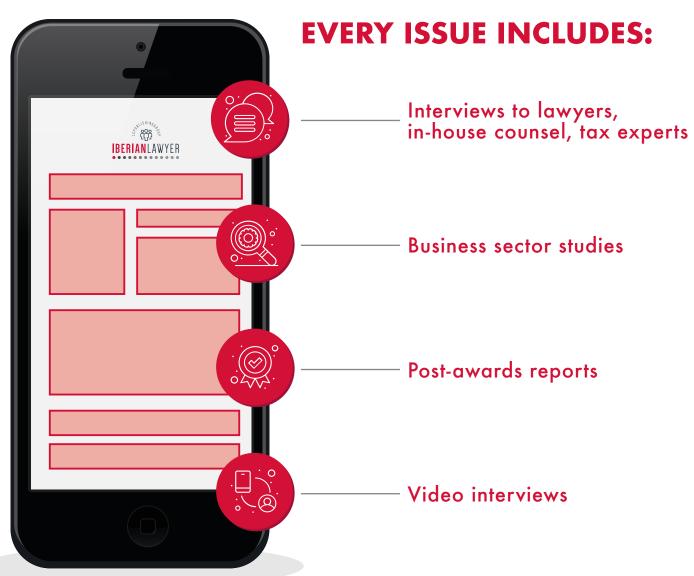
Additionally, the eID law must provide clear mechanisms for accountability and legal recourse in cases where citizens' rights are violated. This includes ensuring that there are stringent penalties for any misuse of data and that individuals have the ability to challenge the use of their personal information. Without these safeguards, the eID system risks becoming a tool for control rather than empowerment, and public trust in the system could be severely undermined.

The ethical implications of the eID system also warrant careful consideration. As the government and private companies gain access to vast amounts of personal data, there is a risk that this information could be used in ways that go beyond the original intent of the eID system. Ensuring that the use of eID is restricted to legitimate and consensual purposes is essential to maintaining the integrity of the system and protecting individual freedoms.



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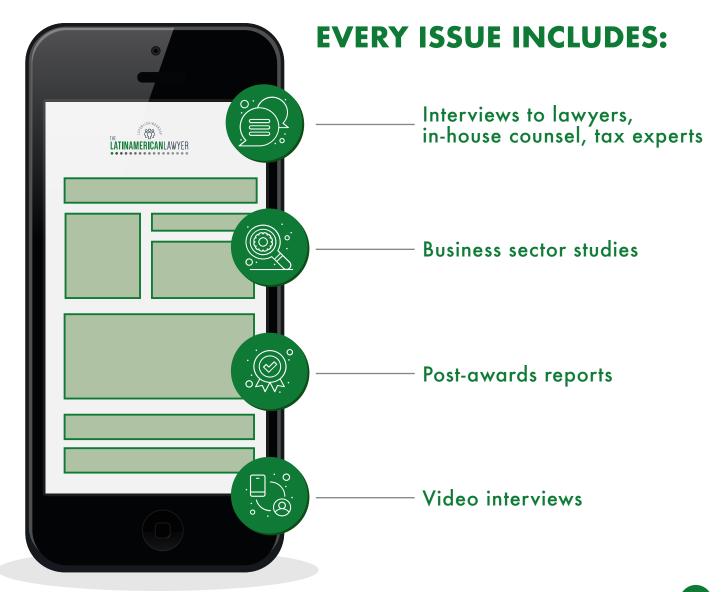






THE DIGITAL MAGAZINE

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Spotlight on white-collar crime

Financial fraud, corruption, and money laundering are the main crimes impacting the Swiss market in this sector. Experts discuss the legal landscape, challenges, and the international approach that professionals are required to adopt

by claudia la via



Large-scale fraud, corruption, and money laundering are home to Switzerland too. As a global financial hub, the country has faced increasing domestic and international pressure to clamp down on illicit financial activities. Authorities have concentrated their efforts on complex financial networks, offshore accounts, and cross-border transactions, targeting both financial institutions and professionals, such as bankers and fiduciaries. Therefore, the landscape of white-collar crime in Switzerland witnesses significant developments, reflecting broader global trends but also national characteristics. Moreover, in recent years, there has been an important rise in white-collar crime cases, notably driven by the increased scrutiny on regulatory matters. "The Swiss white collar crime and investigations lawyers were and are still very busy. Bigger law firms like Schellenberg Wittmer, Bär & Karrer, Walder Wyss, Lalive , Niederer Kfraft Frey as well as boutique law firms like Taormina handle high-profile cases. Barandun is also very active specializing in business crime matters with a regulatory angle", says Daniel S. Weber, Partner at Barandun.

In this context, highlights Weber, also the Swiss Office of the Attorney General (OAG) has been active in different high-profile cases. Its whitecollar crime division is in charge of serious cases of international white-collar crime. This primarily involves cases of international corruption and money laundering and other economic offenses of national or international importance. Generally, in Switzerland the cases have a substantial international dimension, making cooperation with foreign prosecution authorities through mutual legal assistance procedures the order of the day. "To give an example, in August 2024, the OAG closed its criminal investigation against Glencore International. It imposed a summary penalty order on the grounds of corporate responsibility for Glencore's failure to take all necessary and reasonable organizational measures with regard to the bribery of foreign public officials by a business partner in connection with the latter's acquisition of minority stakes in two mining companies in the Democratic Republic of Congo (DRC) in 2011. The OAG ordered Glencore to pay a fine of CHF 2 million and a compensation claim amounting to

USD 150 million".

More generally, a particular area of focus for Swiss authorities has been money laundering. The latest report from the Money Laundering Reporting office Switzerland confirms this trend, highlighting a 56% increase in suspicious transaction reports in 2023, with 90% of these filed by banks and 14.5% related to cryptocurrencies and crypto assets. "This intensified scrutiny of the cryptocurrency and fintech sectors aligns with broader global trends. The rapid growth of these industries has introduced new challenges, particularly concerning the potential for fraud, money laundering, and other financial crimes. In response, Swiss regulatory bodies, including FINMA, have implemented stricter monitoring and enforcement actions to ensure that these emerging technologies comply with existing antimoney laundering regulations", comment Pascale Köster and Roxane Allot, respectively Partner and Managing Associate at Walder Wyss. Moreover, as the two legal experts highlight, many companies have proactively invested in compliance programs and initiatives to prevent potential environmental crimes, including "greenwashing". However, there has not yet been a noticeable increase in criminal investigations in this area. "Given the global shift toward holding companies accountable for their environmental impact, it is likely that Swiss authorities will increasingly scrutinize environmental practices, potentially leading to more investigations and





prosecutions for environmental violations", state Köster and Allot,, who works in the Geneve office of the law firm.

Moreover, with Switzerland taking on the European Union's sanctions against the Russian Federation, law firms have seen clients suddenly faced with large-scale compliance risks of a whole new nature and extent. From client identification to product clearance and antiavoidance measures, the war in the Ukraine has posed, and is still posing, significant challenges to some of our clients. "Anti-money-laundering and KYC compliance and increasing requirements in client on-boarding, in addition to the prevention of terrorist financing, are issues that our clients are also steadily faced with to ever-increasing degrees. Even in smaller companies with limited international exposure, these compliance hurdles, with their related criminal risks, are becoming frequent challenges", explains Weber. Given that most major white collar crime cases also have an international angle, Swiss white collar crime lawyers work with law firms abroad on a regular basis. There are strong ties. "We are well connected and respected abroad", says Weber, who is also co-heading the Zurich Bar Association's practice group on "compliance & investigations".

In this ecosystem, the Women White Collar Crime Defense association (WWCDA) plays a crucial role by providing a platform that emphasizes the contributions and perspectives of women in the white collar crime sector.





WWCDA AT A GLANCE

The Women's white collar defense association (WWCDA) was founded in 1999. The founders recognized a glaring lack of women in white collar practice and in existing professional white collar organizations. Such professional activities are crucial in promoting diversity in the practice, providing educational programs and networking to develop business in the practice area. Since those early days, the association has expanded to 49 chapters throughout North America, Europe, Latin America, and Asia Pacific — Washington, D.C., New York, Boston, Philadelphia, Chicago, Los Angeles, San Francisco, Atlanta, Louisiana, Dallas, Houston, Austin, Indianapolis, Pittsburgh, Denver, Phoenix, San Diego, Seattle, Connecticut, Florida, New Jersey, North Carolina, South Carolina, Tennessee/ Alabama, Michigan, Minnesota, Missouri, Ohio, Oregon/Idaho, Puerto Rico, London, Ireland, France, The Netherlands, Switzerland, Italy, Germany, Spain, Belgium, Luxembourg, Toronto, Vancouver, Québec, Brazil, Peru, Hong Kong, Japan, Australia, and India. Membership in these chapters consists of 4,000+ women in the practice of white collar defense. The Swiss Chapter was launched in 2018. It provides women in Switzerland in various sectors involved in white-collar crime cases, including lawyers, compliance officers, forensic accountants, and law enforcement officials with the opportunity to build relationships and broaden their network of professional contacts across Switzerland and internationally.



Pascale Köster has been recently elected Chapter Leader of the Swiss Chapter of the association and highlights how, being an international organization, the association is dedicated to promoting gender diversity in the industry while facilitating the global exchange of ideas, strategies, and best practices. "The international perspective of WWCDA is particularly significant, as white collar crime cases often involve cross-border financial

transactions and networks. The association's global reach enables it to facilitate dialogue among professionals from different jurisdictions, helping to develop more effective strategies. This exchange of knowledge is essential for understanding the challenges and strategies when representing clients in white collar cases in different cultural and regulatory contexts", says Köster.

THE MOST IMPORTANT SWISS CASES

There are several important legal cases which have interested the Swiss ecosystem lately

One of the most significant cases was the conviction of Credit Suisse by the Swiss Federal Criminal Court in June 2022 for failing to prevent money laundering linked to a Bulgarian drug ring. This case marked - as the legal experts highlight - the first time a major Swiss bank was convicted of a criminal offense, showing a stringent approach to enforcing anti-money laundering regulations. The court found that Credit Suisse failed to properly monitor and prevent illicit funds from entering its system, leading to a fine of 2 million Swiss Francs for the bank.



PIERIN VINCENZ, FORMER CEO OF RAIFFEISEN BANK

Moreover, Pierin Vincenz, the former Ceo of Raiffeisen Bank, one of Switzerland's largest financial institutions, has been under investigation for several years due to allegations of corruption and mismanagement. In March 2022, he was convicted of multiple charges, including fraud and embezzlement, and was sentenced to several years in prison and a suspended monetary penalty of over 800,000 Swiss francs. Four business partners were also convicted. Pierin Vincenz filed an appeal, and the Zurich High Court overturned the first-instance judgment in 2024 due to procedural errors and referred the case back to the public prosecutor, who must now bring new charges. In another case, after seven years of investigations, Sepp Blatter and Michel Platini faced a trial before the Swiss Federal Criminal Court in July 2022 for the alleged fraud regarding a 2 million Swiss Francs indemnity received from FIFA. Both were eventually acquitted by the Swiss Federal Criminal Court, which highly criticized the investigation conducted by the Office of the Attorney General of Switzerland. In September 2021, the Geneva courts convicted several individuals including Sheikh Ahmad Al-Fahad Al-Sabah, member of the Kuwaiti royal family and former member of the International Olympic Committee, and two Geneva based lawyers – for forgery of documents. The case is part of a power struggle in Kuwait that started in 2013 when Sheikh Ahmad al-Fahad al-Sabah handed a Ubs stick to the Kuwaiti government containing a video. Said video allegedly recorded his cousin, Sheikh Nasser Al-Sabah Al-Ahmed Al-Sabah, Prime Minister from 2006 to 2011, and Jassim Mohammed Abdulmohsin Alkharafi, Speaker of Parliament from 1999 to 2011 (now deceased), conspiring with senior Iranian officials to overthrow the Emir. Finally, Switzerland has been deeply involved in the investigation of the IMDB scandal, which involved the misappropriation of billions of dollars from Malaysia's state investment fund. Swiss authorities, including FINMA and the OAG, launched investigations into the role of Swiss banks in facilitating the laundering of these funds. Notably, several banks faced severe penalties for breaching anti-money laundering regulations. Switzerland froze approximately USD 400 million in assets suspected of being linked to the scandal. Furthermore, Switzerland extensively cooperated with global authorities, including the U.S. Department of Justice, to track and recover stolen funds.

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Inside GILA: Geneva's new legal vision

In an exclusive interview, GILA's president Sandrine Giroud provides insights into the association's inception and aspirations to transform the city into an international hub for law and legal services

by benedetta miarelli



On June the 27th, the Geneva international legal association (GILA) made its debut on the world stage. The genesis of a new association invariably prompts inquiries into the motivations behind its establishment. As explained by its president **Sandrine Giroud**, drawing inspiration from developments in other cities and jurisdictions such as London, Paris, Dublin, Dubai, and Singapore – which have, for several years now, endeavored to promote their legal services as a distinct industry, akin to any other economic sector – the Geneva international legal association was conceived with a tripartite mission.

One of the main reasons why GILA was established to elevate Geneva's status as international capital for law and legal services, recognizing the city's expertise and tradition in the field. Secondly, GILA seeks to foster international recognition of Swiss law. Lastly, the association is committed to facilitating collaboration among diverse stakeholders in the legal and business communities. «I think we needed and wanted to have more recognition of law as an industry, as a business sector. As you can see, Switzerland and Geneva have much to offer. Swiss law has been recognized as being very contract friendly», Giroud states. Her words echo the findings of the ICC Dispute Resolution Statistics 2023, which highlight Swiss law as one of the preferred choices.

GENEVA IN THE SWISS LEGAL LANDSCAPE

Expounding on Geneva's role within the Swiss legal landscape, Giroud emphasized its unique position: «It is one of the pivotal hubs in Switzerland. It has a very long-standing legal tradition and expertise. What makes Geneva special is certainly the "Genève Internationale", which is almost a trademark, but it is also a unique legal ecosystem». This term refers to Geneva's long tradition of hosting international and non-governmental organizations, scientific and academic actors, civil society and the private sector who today work together to find solutions to the global challenges of our societies.

«It's not about disregarding our diversity but more about accommodating the reality that some disputes could be addressed more efficiently if English could be recognized as a procedural language»

Sandrine Giroud





The president further elucidated the multifaceted nature of Geneva's legal community noting the robust Bar Association and its proactive approach to training and thought leadership. She also highlights the city's business milieu, with its unique position for commodity trading as well as banking and finance and an intense focus on commercial litigation and alternative dispute resolution. When asked about the strongest legal sectors in the region, Giroud adds, «I would like to mention mediation, as there is a strong boldness to support it. For instance, in Geneva, we adopted a law on mediation last year to promote it at the court level. The state is investing in offering free mediation services at the outset, so ADR (alternative dispute resolution) is really a strong field».

The legal landscape in Geneva is further enriched by its international character, as evidenced by the UN's annual Business and Human Rights Week: the world's largest annual gathering on business and human rights. «This is a discussion happening in Geneva, not New York», Giroud pointed out, underscoring the city's global significance.

The legal landscape in Geneva, as Giroud portrays it, is further enriched by the presence of not only numerous private practice lawyers but also a significant contingent of in-house counsel employed by multinational corporations and international organizations. «It's a very diverse and unique community», Giroud concludes.

LOOKING FOR COHESION IN A HETEROGENEOUS COUNTRY

Addressing potential concerns about GILA's uniqueness within Switzerland, given the presence of multi-cantonal law firms, Giroud sees it positively: «I think it's a fantastic precedent for starting the discussion and trying to get recognition for legal services and Swiss law. It demonstrates the benefits of legal stakeholders teaming up and working together».

Switzerland is, however, an exceptionally heterogeneous country, both linguistically and in terms of its *de facto* internal divisions.

«Our aim is to strengthen the recognition of the attractivity of Swiss law within the international business community»

Aurélie Conrad Hari

Considering this, is it likely that a cantonal-level association might potentially exacerbate internal differences in an already diverse country and how to address this concern?

On this, Giroud expressed that GILA focuses on collaboration and serves as a platform for discussion, exchanges, and cooperation. She emphasizes their hope to bridge differences and create a cohesive legal community that benefits the entire country by fostering dialogue among various stakeholders at both the Geneva and Swiss levels.

According to the Russian psychologist Vygotsky, language exists in a dynamic relationship with thought, capable of transforming and influencing it. With this perspective in mind, we asked the president whether English was the best choice for legal neutrality, particularly in the multilingual context of Switzerland. Giroud acknowledges the sensitivity of this issue, stating: «The aim is not to push aside our cultural and linguistic richness, but rather to address the reality of some disputes where all parties speak English, all the evidence is in English, and translators are needed for everything... It's not about disregarding our diversity but more about accommodating the reality that some disputes could be addressed more efficiently if English could be recognized as a procedural language».

GILA'S PRESENT AND FUTURE

This pragmatic approach to language in





«The response has been hugely positive from all the stakeholders contacted»

Sandrine Giroud

legal proceedings appears to resonate with the local business community. GILA has, in fact, quickly gained support from the local entrepreneurial community, with Giroud noting, "the response has been hugely positive from all the stakeholders contacted. The business community is keen to have better legal services for commercial disputes and has quickly come on board".

Looking ahead, GILA has an ambitious agenda, including launching a website to serve as a



hub for connection and activity updates and organizing annually the Geneva international legal week (GILW) which will first take place between 10-12 March 2025. The association has established several commissions targeting specific areas of law and legal practice.

Addressing future challenges, Giroud acknowledges the complexities of managing a volunteer-based organization and emphasizes the need for efficiency and agility. «It's easy to start something, but the challenge is to keep it alive and meaningful. To achieve this, we must maintain the initiative's relevance and continue exchanges with other international initiatives»

A BROAD CONSENSUS

Numerous firms have already joined GILA such as: Altenburger legal + tax, Bär & Karrer, BMG Avocats, BOREL & BARBEY, CMS Switzerland, FBT Avocats SA, Gabellon Legal, Jacquemoud Stanislas, Junod Halpérin, LALIVE, Lenz & Staehelin, MANGEAT, Monfrini Bitton Klein. Niederer Kraft Frey, OBERSON ABELS, Pestalozzi Attorneys at Law, Rhône Avocates, SIASSI MCCUNN BUSSARD, Schellenberg Wittmer, and Walder Wyss. The idea behind it is to stress the key role of the Geneva hub in an international context. An idea confirmed by Aurélie Cornad Hari, partner at Bär & Karrer: "As a founding member of GILA, we are excited to contribute to enhancing the position of Geneva as a leading global center for legal services. Our aim is to highlight the importance of legal expertise in promoting social and economic growth, and to work with our partners to strengthen the recognition of the attractivity of Swiss law within the international business community and commercial relationships", she says.

Also according to NKF it is clear that GILA endeavors to create a collaboration between public and private sectors to boost the city's visibility on the global stage. "The founding of GILA was an amazing event that laid down the foundation of our commitment to enhance Geneva's national and international appeal in the legal services industry", say **Benjamin Humm**, partner at NKF and **Chappuis Grégoire**, senior associate at NKF and member of the GILA commitee.

INHOUSECOMMUNITYDAYS

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5th EDITION

2 - 4 OCTOBER 2024

ROME MARRIOTT GRAND HOTEL FLORA

Via Vittorio Veneto, 191, 00187. Rome



THE EVENT DEDICATED TO THE LEGAL IN-HOUSE FUNCTION

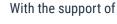
In collaboration with























WEDNESDAY 2 OCTOBER

OPENING COCKTAIL *			
18:30	CHECK-IN		LOCATION
19:00	DIALOGUE Federico Bonaiuto, General Counsel, Leonardo Francesco Gianni, Founding Partner, Gianni & Origoni	GIANNI &	Via delle Quattro Fontane, 20 Rome
19:30	▼ COCKTAIL & MUSIC ON THE TERRACE		
* Event dedicated to in-house lawyers upon registration. For info and registration belone thiery@lcoublishinggroup com			

	* Event dedicated to in-house lawyers upon registration. For info and registration <u>helene.thiery@lcpublishinggroup.com</u>	
	THURSDAY 3 OCTOBER	
	Rome Marriott Grand Hotel Flora • Via Vittorio Veneto, 191, 00187 • Rome	
09:00	Check-In & Welcome Coffee	
09:30	GREETINGS	
09:40	OPENING SPEECH Giuseppe Catalano, Company Secretary and Head of Corporate Affairs, Assicurazioni Generali Chair, AlGI	
10:00	ROUNDTABLE I "TO INTERNALISE OR TO OUTSOURCE? THE CORE PRACTICES OF LEGAL AFFAIRS DEPARTMENTS"** • Umberto Baldi, General Counsel, Snam • Pietro Galizzi, Head of Legal, Regulatory & Compliance Affairs, Plenitude Board Member, AIGI • Paolo Quaini, Chief Legal & Compliance Officer, ITA Airways • Claudia Ricchetti, General Counsel and Board Secretary, Ferragamo • Gian Paolo Tagariello, Senior Partner, Legance Moderator Michela Cannovale, Journalist, Inhousecommunity	Legance
11:15	Coffee Break	
11:45	ROUNDTABLE II "ACROSS JURISDICTIONS: HOW TO MANAGE AN INTERNATIONAL LEGAL TEAM"** • Isabella Bdoian Gonzalez, Deputy General Counsel, Beko Europe • Emiliano Berti, Head of MN Legal & Compliance, Nokia Europe and President of the Board of Directors, Nokia Italy • Andrea Brancatelli, Assistant General Counsel – Europe, MoneyGram International • Maria Mariniello, Group Head of Corporate Affairs, doValue • Francesco Sciaudone, Managing Partner, Grimaldi Alliance Moderator Michela Cannovale, Journalist, Inhousecommunity	GRIMALDI ALLIANCE
13:00	Q&A	
13:15		
14:15	ROUNDTABLE III "LEGAL DEPARTMENT BUDGET: HOW TO CONVINCE THE MANAGEMENT TO GIVE YOU MONEY"** • Andrea Albano, WW General Counsel, Fendi • Fabrizio Caretta, Group General Counsel, DOLCE & GABBANA • Alessandro Del Bono, Head of LMC & Chief Technology Officer, Deloitte Legal • Valentina Ranno, General Counsel, Head of Legal & Compliance, L'Oréal • Micaela Vescia, Head of Corporate and Legal Affairs, Azienda Trasporti Milanesi S.p.A. Moderator Michela Cannovale, Journalist, Inhousecommunity	Deloitte. Legal
15:45	Coffee Break	
16:15	ROUNDTABLE IV "CRISIS MANAGEMENT: CHALLENGES OF CYBER INCIDENTS"** • Diana Allegretti, General Counsel, Zurich Italia • Daniele Ciccolo, Head of Legal Affairs, Telepass • Valentina Finazzo, Chief Compliance Officer & DPO, Nexi • Giovanni Lombardi, General Counsel, illimity Bank • Giorgio Martellino, General Counsel & Compliance Officer, Avio S.p.A. Deputy Chair, AIGI Moderator Michela Cannovale, Journalist, Inhousecommunity	AIGI CINCIPIT TO TO AND AIGH
17:45	Q&A	
18:00	Closing Remarks	

2 - 4 OCTOBER 2024 - Program



THURSDAY 3 OCTOBER



In-House Counsel Cocktail *

18:15

FIVERS 7

LOCATION

Marriott Grand Hotel Flora

Via Vittorio Veneto, 191 • Rome

* Event dedicated to in-house lawyers upon registration. For info and registration helene.thiery@lcpublishinggroup.com



Dinner Party with DJ Set *

20:15



LOCATION Curtis - Tower Floor Piazza Venezia, 11 • Rome

Introductory dialogue Alfonso de Marco, Partner Curtis & Andrea Parrella, General Counsel Stretto di Messina SpA

 ${\tt *Event \ dedicated \ to \ in-house \ lawyers \ upon \ registration. For \ info \ and \ registration} \ \underline{{\tt helene.thiery@lcpublishinggroup.com}}$

	FRIDAY 4 OCTOBER			
	Rome Marriott Grand Hotel Flora • Via Vittorio Veneto, 191, 00187 • Rome			
09:00	Check-In & Welcome Coffee			
09:30	GREETINGS			
09:35	 ROUNDTABLE V "TECHNOLOGY FOR CONFLICT RESOLUTION: IMPROVING TIMELINE AND EFFICIENCY"** Lodovico Bianchi Di Giulio, Group General Counsel, BIP Alessandro del Ninno, Partner, FIVERS Alice Flacco, General Counsel, Microport Scientific Corporation (CRM) Steve Molloy, Director, Accuracy Patrizia Pasetti, Head of Legal Innovation and Governance, TIM Francesco Pergolini, Head of Litigation & Labour Law, Vodafone Moderator Michela Cannovale, Journalist, Inhousecommunity 	Accuracy		
11:00	Coffee Break	'		
11:30	 ROUNDTABLE VI "IN-HOUSE LEGAL REMUNERATIONS: THE NEW TRENDS OUT THERE"** Concetta Leone, Head of Legal & Corporate Affairs, CIFA Domenica Lista, Secretary of the Board of Directors and of the Board Committees Chief Corporate Bodies Affairs Officer, Leonardo Territorial Manager, AIGI Agostino Nuzzolo, General Counsel, Executive Vice President Legal and Tax Secretary to the Board of Directors, TIM Nicoletta Ravidà, Partner, KeyPartners Nicola Verdicchio, Chief Legal Officer, Pirelli Moderator Michela Cannovale, Journalist, Inhousecommunity 	pwc	PwC TLS	
12:50	Q&A			
13:00	// Light Lunch			

ROUNDTABLES REGISTRATION





Climate litigation at a turning point

The decision by the European Court of Human Rights, which condemned Switzerland for violating human rights, marks a turning point in the relationship between climate change and legal rights



In a landmark case that could shape the future of climate litigation across Europe, the European Court of Human Rights (ECHR) ruled on April 9, 2024, that Switzerland violated the human rights of more than 2,000 older women by failing to take sufficient action to combat climate change. The decision, which has been hailed as a watershed moment, reinforces the growing connection between human rights and climate policy, potentially opening the door for similar lawsuits across Europe and beyond. The plaintiffs, members of KlimaSeniorinnen Schweiz, claimed that Switzerland's weak climate policies exposed them to significant risks from increasingly frequent and intense heat waves, which disproportionately affect older populations. This ruling is the first of its kind from an international court to directly address the failure of governments to meet climate targets as a human rights violation - a move that could have profound implications for national climate policies across the continent.

A CLIMATE LAWSUIT WITH GLOBAL RAMIFICATIONS

The origins of the case date back to 2016, when a group of senior Swiss women, alarmed by the worsening effects of climate change, decided to take legal action. Supported by Greenpeace, the KlimaSeniorinnen Schweiz argued that the Swiss government's inaction on climate change

breached their rights to life and health under Articles 2 and 8 of the European Convention on Human Rights. They further claimed that the Swiss courts had failed to adequately address their concerns, violating their right to a fair trial under Article 6.

After nearly eight years of litigation, the case reached the ECHR in 2020. The plaintiffs contended that the government's failure to meet international climate targets, particularly those set under the Paris Agreement, was putting them at increased risk from extreme heat waves - a growing threat made worse by the ongoing climate crisis. Heatwaves have been particularly dangerous for older women, who are more vulnerable to heat-related illnesses such as dehydration, hyperthermia, and cardiovascular problems.

The court's ruling sent a powerful message: climate inaction is no longer just an environmental issue—it's a human rights violation. The ECHR found that Switzerland had not taken timely or sufficient measures to curb greenhouse gas emissions, thus failing to protect its citizens from the severe impacts of climate change. The court ruled that the Swiss government had violated the women's right to respect for their private and family life under Article 8, and that they were not provided with proper access to justice under Article 6.







A LEGAL TURNING POINT FOR CLIMATE LITIGATION

While the ECHR dismissed similar cases brought by plaintiffs in France and Portugal on procedural grounds, the Swiss ruling is expected to have a ripple effect across Europe. The case sets a precedent that governments can be held accountable for failing to meet climate commitments, reinforcing the idea that climate inaction violates human rights.

The judgment could inspire a wave of new climate lawsuits, both in Switzerland and internationally, as other vulnerable groups and environmental organizations seek to use legal avenues to push for stronger climate action. According to Joie Chowdhury, an attorney at the Centre for International Environmental Law, the case "clearly establishes that the climate crisis is also a human rights crisis," and will likely influence future climate litigation efforts not only in Europe but around the world.

The ruling also emphasizes that keeping global temperature rises below 1.5°C, as outlined in the Paris Agreement, is a key component of protecting

human rights. For law firms specializing in environmental and human rights law, this ruling signals an increase in climate litigation and a potential shift in legal strategies as governments and corporations alike face increased scrutiny over their climate policies.

WHAT THIS MEANS FOR SWISS LAW FIRMS

Swiss law firms, particularly those advising corporate clients or involved in public law, are now in a pivotal position. The ECHR's decision shows that climate litigation is no longer confined to activists but is becoming a mainstream legal issue. For firms, this ruling could lead to an uptick in cases challenging inadequate government climate policies or corporate environmental practices. Lawyers will need to be prepared for a more complex and dynamic legal landscape where climate obligations intersect with human rights law.

The ruling also brings into focus the importance of staying current with both national and international climate commitments. Switzerland's failure to implement policies aligned with the Paris Agreement was central to this case,



meaning that businesses and governments will now face greater pressure to ensure compliance with international environmental standards. Swiss law firms may find themselves advising clients on how to navigate these new legal challenges while ensuring compliance with both environmental and human rights obligations. Moreover, the ruling could lead to changes in domestic climate policy, as the Swiss government now faces legal obligations to strengthen its emissions reduction targets. Law firms will likely play a key role in helping clients—both public and private—adapt to this new regulatory environment.

sending a clear message: governments can no longer neglect their climate obligations without facing serious legal consequences. The judgment is a call to action for governments, law firms, and corporations alike, marking the beginning of a new chapter in the global response to the climate crisis.

A BROADER IMPACT ON CLIMATE POLICY

The significance of this ruling stretches far beyond Switzerland. By linking climate inaction to human rights, the ECHR has provided a legal framework that could be adopted by other countries and international courts. The decision could also influence pending climate cases, such as one against the Norwegian government over oil and gas exploration licenses, which plaintiffs argue violate citizens' human rights.

In addition, this ruling may spark a shift in how climate policy is viewed globally. The case highlights the judiciary's increasingly important role in holding governments accountable for their climate obligations, a development that could encourage more robust climate laws across Europe. It also raises the prospect of further litigation in countries with similarly inadequate climate policies, making it clear that the legal fight against climate change is far from over. The ECHR's decision in favor of KlimaSeniorinnen Schweiz is a landmark in climate litigation, demonstrating the growing power of the courts in holding governments accountable for their environmental responsibilities. For Swiss law firms, this ruling signals a new era where climate litigation becomes a central legal battleground. As the fight against climate change increasingly moves from the streets to the courts, legal professionals must be ready to navigate the evolving landscape of climate law and human rights.

With this ruling, the ECHR has set the bar high,





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24th - 25th OCTOBER 2024

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INHOUSECOMMUNITY **DAYS**

I C P U B I I S H I N G G R O U P

PROGRAM

24th OCTOBER

14:00 CHECK-IN	& REGISTRATIONS
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- 14:15 ROUNDTABLE I "TO INTERNALISE OR TO OUTSOURCE? THE CORE PRACTICES
 - OF LEGAL AFFAIRS DEPARTMENTS"
- 15:45 **COFFEE BREAK**
- **ROUNDTABLE II** "LEGAL SUSTAINABILITY" 16:15
- 17:45 COCKTAIL

From 19:00 **DINNER PARTY WITH DJ SET** in collaboration with





** Event dedicated to in-house lawyers upon registration. For info and registration <u>anna.palazzo@lcpublishinggroup.com</u>

25th OCTOBER

- CHECK-IN AND REGISTRATIONS
- **WELCOME MESSAGES**
- **ROUNDTABLE III** "TECHNOLOGY FOR CONFLICT RESOLUTION: 08:45

IMPROVING TIMELINE AND EFFICIENCY"

- COFFFF BRFAK
- **ROUNDTABLE IV** "CRISIS MANAGEMENT: CHALLENGES OF CYBER INCIDENTS" 10:45
- 12:15 LUNCH

SPEAKERS*

Evelyn Acevedo, Associate Legal Director, Corporate & Governance, *Alnylam Switzerland*

Dahir Ali, Vice President, General Counsel Asia Pacific, CNH Industrial

Stefan Buerge, General Counsel, Climeworks

Valérie Collaudin, General Counsel & Head of Sustainability, Gurit

Irene Comoglio, Senior Legal Counsel, Zucchetti Switzerland

Claudio Elia, Group Vice President and Legal Counsel, Product Groups, STMicroelectronics

Stéphanie Fougou, General Counsel, *Technicolor*, Chairwoman of the Board, *ECLA*

Jenny Hartmaan, Data Privacy Lawyer, Axiom Law

Aldo Scaringella, CEO, LC Publishing Group

Kees van Ophem, Global General Counsel & EVP, Fresenius Medical Care

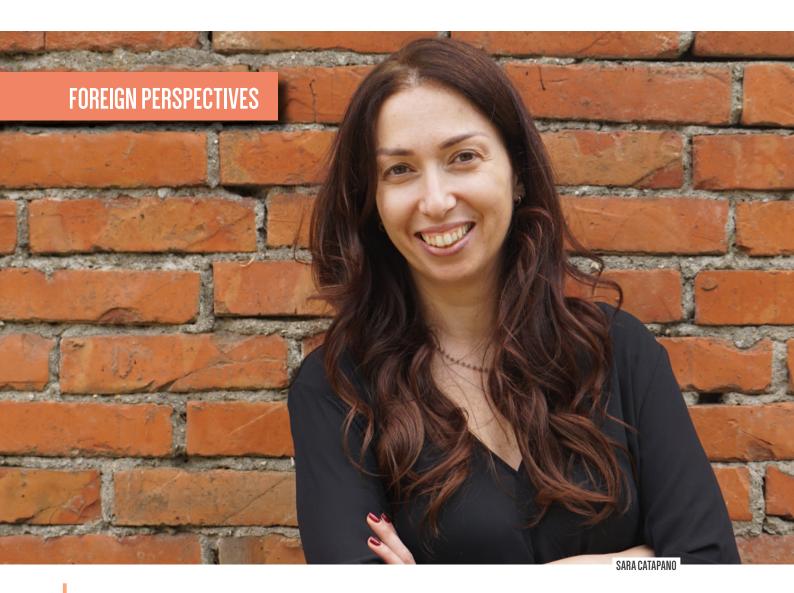






*in progress





A startup to maximize the performance of law firms and legal departments

The founder of Iaia, Sara Catapano: "One of our goals is to help law firms close the gap with corporate lawyers and, more generally, with most of their clients"

by michela cannovale



Since last May, law firms and legal departments in Italy have a new solution to improve their performance: it's called Iaia, a startup that - by analyzing the working methods used by the lawyers it works with - highlights strengths and areas for improvement, and suggests how to make targeted decisions to maximize results while reducing costs, time, and effort.

The founder of Iaia, Sara Catapano, who is also the Ceo of the company, created Iaia based on her professional experience. A lawyer with twenty years of experience, she has worked with firms like Clifford Chance, Linklaters, and Bowman Gilfillan, and has led the legal departments of companies such as British Gas, Sorgenia, and Asja Ambiente.

Working alongside her is partner Francesca Rosti, who, after qualifying as a lawyer, focused on arbitration law in national and international cases and now works as an independent consultant, assisting various Italian law firms with development and innovation projects. The managing team is completed by brand director Alice Guidi. The startup's team also includes 15 senior and executive professionals (with plans for progressive growth to include new resources), each with an average of 15-20 years of experience in law firms or in-house legal departments of international groups.

MAG's editorial team reached out to Sara Catapano to understand how Iaia works and who it is aimed at. Here's what she told us, in 8 points.

How did Iaia come about?

The idea came to me when I was an in-house lawyer, thinking about the support and services I wished were available on the market but weren't. The business world has always had a diverse ecosystem of services to meet companies' needs, whereas nothing, or very little, has been designed over the years for lawyers, probably due to the general perception of the legal profession as something different from business. Iaia was born from the belief that management services specifically for lawyers are needed to improve their performance.

How did you verify that there was indeed a need for your services?

We based our decision on the positive outcome of the first pilot projects carried out with professionals we already knew. After that, we launched Iaia beyond our existing professional network, establishing ourselves as a startup with the ambition to grow in the market.

Your goal is to maximize the performance of law firms and legal departments. But why? What is missing from these entities today?

What's missing is the awareness of the potential for better work management, especially considering the increasing complexity of the contexts in which lawyers and jurists operate, along with the lack of time and internal expertise to effectively implement "intelligence" projects and activities that would help guide the strategic decisions of firms and in-house departments more accurately.

In practice?

In practice, we identified four main issues affecting much of the legal market. Firstly, almost two out of three lawyers do not analyze their own work: they do not calculate the profitability of their client portfolio or track the progress of assignments per client, nor do they conduct Hr investigations into actual work management, which would also reveal qualitative aspects of the professionals' activities. This leads to the second issue: inefficient organizational choices in the allocation of workloads, poorly constructed priorities and workflows, and inadequate Hr policies for the retention and motivation of legal teams.

What else?

The third area of concern is the lack of future-oriented training in skills that are already transforming the work and cultural and social approach, even before considering technological and economic changes to the work itself (1 in 3 firms does not invest in training, according to Censis 2023 data). Finally, there is still a low propensity towards digitalization and technology. Unsurprisingly, as highlighted by the 2023 Future Ready Lawyer survey by



Wolters Kluwer, the main barrier to investing in technology is organizational (44%), with many companies and firms weighed down by traditions, internal processes, and slow decision-making procedures. Additionally, there is a lack of tech skills, affecting 36% of lawyers.

Based on these issues, what services does Iaia offer?

Today, we cater to two types of clients: those who have already identified a need or area for improvement to start from, and those who ask us where and how to begin. In this second case, our suggestion is to start with objective evidence to raise awareness among all partners, professionals, and other involved managers (such as Hr departments and management control), for example, by setting up specific assessment and analysis activities on the main characteristics of the firm or in-house department, such as workflows and workload organization, client portfolio, activities and services offered, and optimization of internal profiles.

How long does your relationship with clients

typically last?

Our services vary. Depending on the extent of the delegation we receive to achieve certain shared objectives, from temporary support to continuous full-management outsourcing, engagements usually last 6-12 months.

When you approach the legal professional who requests your assistance, do you notice a difference between private practice and inhouse lawyers?

From our perspective, there are actually many more similarities than differences in terms of the ability to optimize the way of working and, consequently, improve the shared perception among the professionals themselves and their stakeholders. In general, legal departments can benefit more, compared to law firms, from already existing processes and functions (for example, the possibility of involving Hr or management control functions) as well as from a more pervasive managerial culture. In fact, one of our goals at Iaia is to help law firms close this gap with corporate lawyers and, more generally, with most of their clients.





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Burnout among lawyers, the silent epidemic

A protocol to promote mental health literacy: a Portuguese experiment signed by CRLisboa and OPP. Experts share a few strategies to enhance well-being in the workplace

by glória paiva



Feelings of energy exhaustion, increased mental distance from one's job, feelings of negativism or cynicism, and reduced professional efficacy. These are the three dimensions identified by the World Health Organization (WHO) that characterize burnout syndrome, which was included in the International Classification of Diseases as an occupational phenomenon in 2019. A few months later, the worst moments of the Covid pandemic brought with them a parallel "epidemic": high rates of burnout and other mental health disturbances among the global population, an old, chronic problem that has worsened even further in the past four years.

Nowadays, it still represents a significant challenge for organizations and workers, and those in the legal sector are among the most susceptible populations. Last June, the Conselho Regional de Lisboa da Ordem dos Advogados (CRLisboa) signed an unprecedented protocol with the Ordem dos Psicólogos Portugueses (OPP).



The aim of this initiative is to boost psychological health literacy and well-being in the Portuguese capital's legal community.

CRLisboa is acutely aware of the problem's dimensions: a study conducted by the entity in 2022 found that 52.5% of lawyers were at risk of burnout, with 16.4% already diagnosed. The survey, answered by 2,056 lawyers, confirmed the Council's suspicions and has since led to initiatives such as podcasts, conferences, multidisciplinary events, and partnerships on mental health, such as the one with the OPP.

"During the pandemic and postpandemic period, there was a significant change in behaviors in general, and among lawyers in particular. We noticed that people were different," says CRLisboa president, lawyer João Massano. Two years ago, the study's results prompted the creation of the Gabinete de Promoção do Bem-Estar Psicológico (GaBEP), which also offers psychotherapy sessions—330 consultations and 80 screenings have been conducted since its inception.



When talking about burnout, Raquel Raimundo, president of the Southern Regional Delegation of OPP, explains that we first need to talk about occupational stress. "Burnout is a syndrome, a consequence of long-term exposure to occupational stress," says the psychologist. She points out that the consequences of



«It's not enough to just offer yoga and fruit; it's necessary to provide resources and create ideal working conditions»

> Raquel Sampaio, executive director and co-founder of Direito Mental



occupational stress can occur on four levels: emotional (irritability, personal conflicts, sleep disturbances, anxiety, and isolation as symptoms); cognitive (difficulties in concentration, learning, and decision-making, memory loss); behavioral-physiological (dependence on alcohol, tobacco, and drugs, and physical problems such as high blood pressure, heart and digestive diseases, musculoskeletal injuries); and organizational (less job satisfaction, lower worker productivity, higher probability of errors). At work, all this translates into low productivity, higher turnover, more absenteeism, medical leaves, and high health costs, explains the OPP president.

According to João Massano, lawyers are particularly exposed to these problems due to several factors inherent to the profession. One of them is uncertainty about the future, as individual practice represents about 85% of members, according to the bar association. "A lawyer in liberal practice hardly knows the income they will have. Uncertainty is part of our daily life, and that causes anxiety," he explains. Added to this is the lack of social security and coverages such as maternity/ paternity leave, vacations, and other benefits. "Consultations with psychologists are expensive, and colleagues requested protocols to make them more accessible. Hence, we created the support office and we had a huge demand,

so much so that we needed to expand the service," reports Massano.

The pressure in courts, the competition and the transformations in the profession promised by the development of Artificial intelligence are other factors contributing to the increase in disorders. "Many people still hesitate to seek help. There is a great stigma associated with seeing a therapist. But we want to change this mentality because the tools provided by psychology and psychiatry can help manage these feelings and develop greater emotional intelligence," explains the CRLisboa president.

WOMEN AND YOUNG PEOPLE ARE MORE SUSCEPTIBLE

A survey conducted by Direito Mental, an initiative of jurists for mental health, confirmed the trend mapped by CRLisboa beyond the Portuguese capital. Interviews with Portuguese lawyers between February and June 2023, in collaboration with Prochild Colab and the University of Minho, revealed that 51% of participants had significant anxiety symptoms, and 33% had burnout levels higher than the average for the Portuguese population. More than half (55%) recognized that the demands of the profession prevented them from participating in family activities. Female and younger participants showed higher levels of depression, anxiety, and burnout symptoms.



The way the profession is lived—working long hours, always being connected, not respecting rest and vacation periods, missing family commitments—also seems to be at the root of the problem. "The study does not point to causes, but we can intuit them by observing reality. In the case of women, the higher mental load does not help, and in the case of young people, they are more aware due to greater sensitization and literacy on well-being and mental health issues," explains lawyer, executive director, and co-founder of Direito Mental. Raquel Sampaio.

In fact, young people, particularly Generation Z (born from 1995 onwards), represent the main driving force for the socio-cultural change needed in this scenario. "Unlike previous generations who sought a single job for life, today's young people want to feel good: they set limits, do not accept working excessively





long hours, change jobs more easily, and value their mental health," illustrates lawyer Raquel Sampaio. This movement, she explains, is already transforming the job market, which is beginning to realize the importance of combining well-being and productivity in the process of talent retention and growth.

IN SEARCH OF BALANCE

But the discontent of Generation Z alone is not enough to create a healthier work environment. "People need to be educated to be alert to signs, but organizations also have a great responsibility. It's not enough to just offer 'yoga and fruit'; it's necessary to provide resources and create ideal working conditions," points out Raquel Sampaio. Small everyday gestures can make a difference: "avoiding sending emails after hours, having clearer communication about work demands and expectations, respecting rest periods, offering more support for parenthood, and avoiding unnecessary meetings, for example, are things that can be done to reduce anxiety levels," explains the lawyer from Direito Mental.

Psychologist Raquel Raimundo also highlights the importance of the psychologist's role in occupational health teams, who can help organizations map psycho-social risk situations, create internal policies and procedures to reduce risks, and ensure more inclusion, diversity, and equality. "It is essential," she explains, "to listen to workers and help them create effective coping strategies for stress situations. The more knowledge lawyers have about psychological health aspects, the lower the likelihood of experiencing burnout."

COMMITTED TO WELLBEING

by ilaria iaquinta

The Madrid Bar Association (ICAM) has recently concluded the first edition of the 'Wellbeing for law firms' programme, an initiative by the ICAM Foundation aimed at enhancing wellbeing in the legal sector. In a ceremony presided over by Eugenio Ribón, Dean of the Madrid Bar Association (ICAM) and President of the ICAM Cortina Foundation, fourteen law firms were honoured for their commitment to the emotional health of their professionals. Among them Uría Menéndez, Pérez-Llorca, Ecija, Ceca Magán, and Lener, who share their experiences with Iberian Lawyer.

Over seven months, HR managers and executives from these law firms participated in an intensive in-person programme that addressed crucial topics such as the neuroscience of happiness, addiction and suicide prevention, mindfulness, and the

development of action plans. The initiative also promoted the creation of personalized wellbeing programmes and conscious leadership.

Eugenio Ribón underscores the programme's importance: "Our profession and the way it is practiced by most professionals make it a complex and highrisk profession from a wellbeing perspective: consistently high stress levels, non-negotiable deadlines, dependency on acquiring new clients, a profession often practiced in isolation in our daily work... ICAM could not turn a blind eye to this reality. I have always argued that building a supportive ICAM, one that is there for each of its members when they need it most, is one of our Board's top priorities."

Firms are advancing in the implementation of wellbeing

programmes, focusing on personalisation to meet diverse employee needs. Ana Buitrago, Vice President of the ICAM Foundation, highlights the importance of flexibility and continuous evaluation to improve these programmes, stating that "not all employees have the same needs." The integration of technology, such as wellbeing tracking apps and mindfulness, is crucial for personalizing and monitoring progress. Buitrago emphasizes a holistic approach covering physical, mental, financial health, and personal development, mentioning that "training leaders and managers in promoting wellbeing is crucial for establishing and maintaining this culture". ICAM's commitment, along with recognised firms, to their employees' emotional health, concludes, is a crucial step towards improving quality of life and professional performance in the legal sector.





I in 2 lawyers struggle to balance work and personal life*











2 in 5 lawyers considered taking time off but didn't due to workload*



feel their job negatively impacts their mental and psychological state*



of lawyers do not receive adequate support*

*Source: Ist survey on mental health in Madrid's legal profession

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MONDAY 11	NOVEMBER			
09:00 - 13:00	Opening Conference "Finance and Geopolitics"	VITALE CHIOMENTI MM	Four Seasons Hotel Milan Via Gesù 6/8, Milan	REGISTER
13:00 Light Lun	ch			
16:00 - 18:00	Roundtable	GIANNI &	Four Seasons Hotel Milan Via Gesù 6/8, Milan	REGISTER
TUESDAY 12	NOVEMBER			
09:00 - 13:00	Conference	Hogan Lovells	Four Seasons Hotel Milan Via Gesù 6/8, Milan	REGISTER
09:15 - 11:15	Roundtable	Morpurgo e Associati	Four Seasons Hotel Milan Via Gesù 6/8, Milan	REGISTER
11:15 - 13:00	Roundtable "M&A e Private Capital Outlook"	INTESA M SANDAOLO IMI CONTROL C	Four Seasons Hotel Milan Via Gesù 6/8, Milan	REGISTER
13:00 Light Lur	nch			
14:00 - 16:00	Roundtable	GPBL	Four Seasons Hotel Milan Via Gesù 6/8, Milan	REGISTER
16:00 - 18:00	Roundtable	AON	Four Seasons Hotel Milan Via Gesù 6/8, Milan	REGISTER
WEDNESDAY	13 NOVEMBER			
09:30 - 13:00	Conference	CHIOMENTI	Four Seasons Hotel Milan Via Gesù 6/8, Milan	REGISTER
11:00 - 13:00	Roundtable "Tax Reform/Cooperative Compliance"	S B N P BISCOZZI NOBILI A PARTNERS Studio legale tributario	Four Seasons Hotel Milan Via Gesù 6/8, Milan	REGISTER
13:00 🍴 Light Lun	nch			
16:15 - 18:00	Roundtable	Accuracy	Four Seasons Hotel Milan Via Gesù 6/8, Milan	REGISTER
THURSDAY 1	4 NOVEMBER			
09:00 - 13:00	Conference: Private Equity	Legance	Four Seasons Hotel Milan Via Gesù 6/8, Milan	REGISTER
13:00 Light Lun	ich			
19:15 - 23:00	Financecommunity Awards	FINANCECOMMUNITY AWARDS	Palazzo Del Ghiaccio Via Giovanni Battista Piranesi, 14 Milan	FOR INFO



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