Olympic-Size Investments: Business Opportunities and Legal Framework

21-23 February 2011
Sofitel Copacabana Hotel, Rio de Janeiro, Brazil

A conference presented by the IBA Latin American Regional Forum

Final Programme
Programme

Conference Co-Chairs
Gilberto Giusti Pinheiro Neto Advocados, São Paulo
Hendrik Haag Hengeler Mueller, Frankfurt; Council Member, IBA Legal Practice Division

Host Committee
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Vieira Rezende Barbosa e Guerreiro Advocados
Xavier Bernardes Bragança Sociedade de Advocados

Monday 21 February

1400 – 1700
Visit to the Maracanã Stadium
(Please note that this event has been cancelled)

1900 – 2200
Welcome dinner cordially offered by the city of Rio de Janeiro and hosted by Mr Eduardo Paes, Mayor of the city of Rio de Janeiro
At the City Palace (Palácio da Cidade)
(Shuttle service from Sofitel Copacabana at 1830)

Tuesday 22 February

0900 – 1700 - Foyer
Registration at Sofitel Copacabana Hotel

0845 – 0900 - Rooms Rio de Janeiro I and II
Welcome remarks
Michael Reynolds Allen & Overy LLP, Brussels; IBA Vice-President

0900 – 0915 - Rooms Rio de Janeiro I and II
Directive remarks from the conference Co-Chairs
Gilberto Giusti
Hendrik Haag

0915 – 1000 - Rooms Rio de Janeiro I and II
Opening address
Eduardo Paes Mayor of the city of Rio de Janeiro

1000 – 1115 - Rooms Rio de Janeiro I and II
Procurement and construction
This panel will discuss the role of the legal profession during the progress of the investments and the legal structure surrounding the construction issues during a country's preparation for a major event such as the Olympic Games and/or the World Cup, events that can generate profits of millions of dollars to the host country. The work of lawyers must be focused on accomplishing contracts and resolving any possible conflicts that may arise. The panel will approach a more practical point of view, establishing the steps that a country needs to take in order to succeed in hosting these major events.

Session Co-Chairs
Horacio Bernardes Neto Xavier Bernardes Bragança Sociedade de Advocados, São Paulo; Vice-Chair, IBA Bar Issues Commission and Council Member, IBA Public and Professional Interest Division
Mark Lane Pinsent Masons, London, Co-Chair, IBA International Construction Projects Committee

Speakers
Rodrigo Bueno Construtora Norberto Odlebrecht SA, São Paulo
Todd Crider Simpson Thacher & Bartlett LLP, New York
Roberto Hernández-Garcia COMAD SC, Mexico City, Co-Chair, IBA International Construction Projects Committee
José Luis Vittor McDermott Will & Emery LLP, Houston
Diego Muñoz Tamayo Muñoz Tamayo & Asociados, Bogota

1115 – 1145 - Foyer
Coffee break

Lunches and coffee breaks kindly sponsored by

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PACHECO COTO
Tuesday 22 February

1145 – 1300 - Rooms Rio de Janeiro I and II

Energy - challenges of creating an efficient and sustainable energy model for an Olympic city

This panel will discuss issues that affect the future of energy in light of the challenges that Brazil faces as host of world class sport events: re-thinking energy policies; developing and implementing renewable energies; the challenges of pre-salt exploration; the development of energy projects from the legal perspective.

Session Co-Chairs
Brian Bradshaw Morgan Lewis & Bockius LLP, Houston
Daniela Ribeiro Vieira Rezende Barbosa e Guerreiro Advogados, Rio de Janeiro

Speakers
Carlos de Maria y Campos Galicia Abogados, Mexico City
Jaime Herrera Posse Herrera & Ruiz, Bogota
Helder Queiroz Institute of Economics - Economy Institute of the Federal University of Rio de Janeiro, Rio de Janeiro
Fernando Quicios Dorado Perez-Llorca, Madrid

1300 – 1430 - Rooms Copacabana and Flamengo

Lunch

Keynote Speaker
Gold Olympic medalist coaching the Brazilian men’s volleyball team, two-time bronze Olympic medalist coaching the Brazilian women’s volleyball team, silver Olympic medalist playing in the Brazilian men’s volleyball team and countless other international titles.

Bernardo Rocha de Rezende (Bernardinho) Coach of Brazil men’s volleyball team, Rio de Janeiro

1430 – 1545 - Rooms Rio de Janeiro I and II

The services sector moved by major sport-hosting events

This panel will provide participants with in-depth information from players who have expertise in the major sports events sector. Some of the issues that will be brought before the panel for discussion include key sensitivities that are likely to have a significant impact on business, as well as key success factors within the control of sector operators which should be followed.

Session Co-Chairs
Rossana Fernandes Duarte Tozzi & Freire Advogados, São Paulo
Juan Jose Lopez-de Silanes Bisham Ringe y Correa SC, Mexico City; Conference Coordinator, IBA Real Estate Committee

Speakers
Luiz Henrique Lessa Brazilian Association for Real Estate and Tourism Development - ADIT, Porto Verde
Mauro Miranda Jones Lang LaSalle, São Paulo
Paulo Sérgio de Almeida Brazilian Ministry of Labour and Employment, Brasilia
Josier Marques Villar Rio de Janeiro Hospitals and Health Centres Association, Rio de Janeiro
Luís Wever Odgers Berndtson, São Paulo

1545 – 1615 - Foyer

Coffee break

1615 – 1730 - Rooms Rio de Janeiro I and II

The quest for optimising the dispute resolution process in major sport-hosting events

The panel will debate the trends and best practices of resolving disputes in challenging environments with time-sensitive deadlines. Panellists will address issues related to arbitration, dispute boards, expert determination, mediation and electronic discovery on infrastructure projects for big international sports events. The experiences of Atlanta, Barcelona and the London Olympic Games will be discussed. The panel will also address the unique aspects of sports disputes and the potential use of a fast-track dispute resolution process in this area.

Session Co-Chairs
Julio Cesar Bueno Pinheiro Neto Advogados, Rio de Janeiro, Vice-Chair, IBA Project Establishment Subcommittee and Website Office, IBA Latin American Regional Forum
Guido Tavill MBB Mariscal, Buenos Aires, Council Member, IBA Legal Practice Division

Speakers
Virginia Allan Urio & Menéndez, Madrid
Jerry Brodsky Peckar & Abramson, Miami, FL
Adrian Hughes QC, Thirty Nine Essex Street Chambers, London
David W. Rivkin Debevoise & Plimpton LLP, New York, IBA Secretary General

1900 – 2200

Cocktail reception offered by the Host Committee

At the Clube do Rio de Janeiro

(Shuttle service from Sofitel Copacabana at 1815)

Wednesday 23 February

0800 – 1800 - Foyer

Registration at Sofitel Copacabana Hotel

0900 – 0915 - Rooms Rio de Janeiro I and II

Reopening remarks from the immediate past Co-Chair of the Latin American Regional Forum

Jaime Herrera

0915 – 1115 - Rooms Rio de Janeiro I and II

Taxation - double session

1. Challenges and incentives of structuring projects

The tax challenges of structuring projects, including: tax obstacles and tax incentives to be considered when contracting the construction and financing; the perspective of the investors.

Session Co-Chairs
Raquel Novais Machado Mayer Sandza e Opice Advogados, São Paulo; Vice-Chair, IBA Tax Committee
Carola Van Den Bruinhorst Loyens & Loeff, Amsterdam; Council Member, IBA Legal Practice Division

Speakers
Claire Kennedy Bennett Jones LLP, Toronto, ON
Glaucia Maria Lauetta Frosa, Mattos Filho Veiga Filho Marrey Jr e Quiruga Advogados, São Paulo
Sonia Velasco Cuadrado, Gonçalves Pereira UP, Barcelona; Conference Coordinator, IBA Taxes Committee

2. Customs/importing and exporting

- Free trade of goods and services and the WTO rules
- The Convention on contracts for the International Sale of Goods - CISG
- Customs issues within Mercosur

Session Co-Chairs
Jaime Carey Carey & CIA, Santiago, Council Member, IBA Legal Practice Division
Gustavo A. Bregaglio Uihlão & Cia Rezende e Guerreiro Advogados, Rio de Janeiro
Speakers
Lauro Gama Jr Birençoym Gama & Cervatno Britto Advogados, Rio de Janeiro
Eduardo Grebler Grebler Advogados, São Paulo

Keynote Speaker
Renato Vilela Secretary of Finance of the State of Rio de Janeiro, Rio de Janeiro

1115 – 1145 - Foyer
Coffee break

1145 – 1300 - Rooms Rio de Janeiro I and II
The challenges of financing infrastructure for major events
Recent experience in the financing of infrastructure - both stadia and urban infrastructure, such as airports, roads, telecommunications etc., in connection with recent stagings of the Olympic Games, the football World Cup and other major sporting events, the do's and don'ts, the
differences of financing infrastructure in Latin America, the views from BNDES and from the private banking sector; how to get involved in
infrastructure financing in Brazil, challenges to overcome and pitfalls to avoid.

Session Co-Chairs
Robert L Nelson Jr Alain Guimp Strauss Hauer & Fadel LLP, San Francisco, CA
and Abu Dhabi, Vice-Chair, IBA Project Finance Subcommittee
Ricardo Veirano Veirano Advogados Associados, São Paulo, Vice-Chair, IBA
Latin American Regional Forum

Speaker
Antonio Felix de Araújo Cintra Tozzi/Interventor Advogados, São Paulo

1300 – 1430 - Rooms Copacabana and Flamengo
Lunch

1430 – 1545 - Rooms Rio de Janeiro I and II
Capital markets: going public with infrastructure projects in Brazil
A roundtable with local and foreign capital market specialists to
discuss market opportunities and regulatory challenges relating to
infrastructure projects in Brazil.

Session Co-Chairs
Francisco Antunes Maciel Müschnich Barbosa Müschnich & Araújo
Advogados, Rio de Janeiro
Petra Zipf NautaDutilh NV, Amsterdam, Co-Chair, IBA Capital Markets Forum

Speakers
Julian Chediak Mota Fernandes Rocha Advogados, Rio de Janeiro
Nelson Estrin Estrin Advogados, Rio de Janeiro
Paul Schnell Skadden Arps Slate Meagher & Robb LLP, New York
Otavio Yazbek Brazilian Securities Commission - CVM, Rio de Janeiro

1545 – 1615 - Foyer
Coffee break

1615 – 1730 - Rooms Rio de Janeiro I and II
Environment – legacy to the future
This panel will analyse the need to develop the Olympic project with
an environmentally friendly focus, trying to minimise the adverse
impact of the urban transformation, infrastructures and landscaping in
the host city. We will develop aspects such as the investments planned
for the conservation of the environment to comply with environmental
protection standards set by the International Olympic Committee,
the necessary adjustments to existing environmental legislation needed to
convert Rio de Janeiro into a ‘green city’, as well as the requirements
of different infrastructure investments in order to be environmentally
friendly. In so doing the Olympics will leave a lasting legacy for Rio de
Janeiro and Brazil.

Session Co-Chairs
José Antonio Fichtner Andreani & Fichtner Advogados, Rio de Janeiro
Eduardo Sanguinetti Sanguinetti Pedroni Braggard Abogados, Montevideo,
Co-Chair, Latin American Regional Forum

Speakers
Luiz Fernando Sant’Anna Demarest & Almeida Advogados, São Paulo
Gabriel R Macchiavello Rattagian Macchiavello Arocena & Perla Roborosa
Abogados, Buenos Aires
Pedro Teixeira ThyssenKrupp CSA, Rio de Janeiro

1730 – 1800 - Rooms Rio de Janeiro I and II
Final remarks from the conference Co-Chairs

2000 – 2300
Cocktail and closing party - Carnival show
At Unidos da Tijuca Samba School
(Shuttle service from Sofitel Copacabana at 1930)

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The International Bar Association (IBA), established in 1947, is the world’s leading organisation of international legal practitioners, bar associations and law societies. The IBA influences the development of international law reform and shapes the future of the legal profession throughout the world. It has a membership of more than 40,000 individual lawyers and more than 200 bar associations and law societies spanning all continents. It has considerable expertise in providing assistance to the global legal community.

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

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

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

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

**The IBA Latin American Regional Forum**

The Latin American Regional Forum covers all countries in Latin America as well as Mexico, Puerto Rico and Spanish-speaking areas of the Caribbean. The forum provides a focus for all activities in the region. It organises sessions at IBA conferences and in particular has been instrumental in ensuring that a Latin American perspective is addressed during relevant special sessions. The Forum is closely affiliated with the **North American Regional Forum** as the regions are geographically proximate and share many issues.