



# FBE GENERAL CONGRESS MÁLAGA 6-8 JUNE, 2024

"THE LAWYER OF THE FUTURE"



# Opening Ceremony



*Maria del Carmen Gonzalez Grau, Bar of Málaga, Salvador Gonzalez Martin, President of the Málaga Bar, Izabella Konopacka, President of the FBE, Marti Aleñar, Representing the Consejo General de la Abogacía Española*



Our President, **Izabela Konopacka**, warmly thanks the Bar of Málaga, speaks of the projects of the FBE (among them GEMME, EUIPO) and evokes the topics of the congress.



## **Plenary Session: “The Lawyer of the Future”**

Moderator: **Izabela Konopacka**, President of the FBE

**Anticipated changes in legal practice due to the advancements in AI Technology and identification of promising legal**



*Rosa I. Peña. Council Member Responsible for International Relations. Barcelona Bar Association. Silvia Giménez-Salinas. Former President of the Fédération des Barreaux d'Europe (FBE). Nicolas Vigneron. Head of Service, Customer Experience and SME Networking Service at the EUIPO. Monika Włodarczyk Vice President, European Judges Group for Mediation, GEMME.*

**Rosa I. Peña** presents the challenges of the AI and stresses the importance of the relation with the client in this matter. She presents the project ALIAT of the Barcelona Bar. The Bar is choosing an IA solution for implementing in the bar in order to offer solutions for the law firms.

She is positive and thinks that our profession will evolve in a good way. We can concentrate on our creative activity and also reduce the costs. The human will still stay in the center.

## Intellectual Property and innovation in the EU-a bright future



**Nicolas Vigneron** presents the EUIPO (more than 1000 employees) which is the second institution in the European Union in the field of intellectual property. He evokes the different aspects of the activities. He stresses that we need to simplify the entire system of intellectual property, aiming it to be quicker and cheaper. He notices that we are celebrating today the first year of the unitary patent in all the member states.

## Understanding the role of Mediation in ensuring better access to Justice

**Monika Wlodarczyk.** Vice President, European Judges Group for Mediation. GEMME.

**Monika Wlodarczyk** explains that GEMME is not only open for judges (the organization has to count 2/3 of judges). She promotes the mediation and says several sentences which summarize it: “the best lawyer is the one who loves more people than law” African proverb: “they are not men in conflict they are only two men who have not discussed.” Abraham Lincoln: “Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser—in fees, expenses, and waste of time. As a peacemaker, the lawyer has a superior opportunity of being a good man. There will still be business enough.”

Interventions in the public: **Erich Heinke** thinks that between litigation and mediation, it is not all white and all black. We, lawyers, have to defend the best interests of our clients and sometimes there is no other choice than to litigate.



## Addressing Gender Equality issues within the legal profession

**Silvia Giménez-Salinas.** Former President of the Fédération des Barreaux d'Europe (FBE) and **Emeritus President** of the Barcelona Bar Association.



She speaks about gender equality and the necessity of a global perspective in all modern matters and challenges of our time.

She says that the law firms are often organized hierarchically and the capacity to be available for the clients and to be able to generate business and honoraries. There are much less women lawyers in the hierarchy of law firms. She evokes the evolution of the

mentalities. It is not any more an alternative to choose between the family and the job. Therefore, in the last 3 decades women are much more present. She evokes the work of the Conseil National des Barreaux with its program “Diversity and Inclusion” and the efforts in different Bars (Nederland; ICAB, etc).

**Izabela Konopacka** mentions the initiative of the FBE with the “Women Leaders in Law Summit.”





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## **Session on: “Intellectual Property and Innovation in the UE- Envisioning a Bright Future. Evolving Role of Lawyers in IP Law”**

Analysis of the changing landscape of intellectual property in the digital era and the opportunities it offers for lawyers and clients, with a focus on the impact of new EU regulations on Geographical Indications for Craft and Industrial Products.

Moderator: **Maria Dymitruk**. President of the FBE New Technologies Commission.

**Jakub Michalik**. Head of International, Institutional Affairs and Communications, European Securities and Markets Authority (ESMA).

**Jonas Wehleit**. Member of the German Association on Intellectual Property Law.

**Nicolas Vigneron**. Head of Service, Customer Expérience and SME Network Service at the EUIPO

**Nicolas Vigneron** for the EUIPO and **Izabela Konopacka** for the FBE sign an agreement of cooperation after some interesting explanations about the work and the collaborations of EUIPO.

**Jakub Michalik.** Head of International, Institutional Affairs and Communications, European Securities and Markets Authority (ESMA).

He evokes the benefits of the AI in all the domains of the life. He stresses that AI is very much used in the insurance sector, that the use of block chain technology is growing fast (for example in assets management) and that all these instruments offer a huge opportunity for increasing the productivity in the finance and insurance sector.

**Jonas Wehleit.** Member of the German Association on Intellectual Property Law.

Where are we with the AI and the IT? No regulation in the moment and in the near future. He evokes also the block chains technology.

The case law in this matter practically doesn't exist.

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# Session on: “Litigate or Mediate? This is the question”



Exploration of how mediation can become an effective tool for better access to justice with lawyer assistance, featuring insights from lawyers and judges.

Moderator: **Carles García Roqueta**. President FBE Mediation Commission.

**Marc Labbe**. Vice President European Bars Federation (FBE).



**Esteban Rondón Mata.** General Director of Juvenile Justice and Cooperation, Local Administration and Civil Service, Government of Andalusia.

**Inmaculada Jiménez Martín.** Former Coordinator of the Mediation Section of the Malaga Bar Association.

**Michele Calantropo.** President of the FBE Arbitration Commission.

**Marzena Korzonek.** President of the District Court in Poland and Member of GEMME.

## **Summary of Carles García Roqueta**

- Mediation is advancing in great steps, but it is still not enough.
- Mediation still requires idealism.
- We must build an ecosystem, an environment, a spirit and a will to develop mediation, as well as a skill.
- With mediation, we gain in quality and mental health while saving money and time, which is ideal in an immediate and noisy society.
- Mediation has helped reduce litigation rates.
- Mediation is no longer just a legal issue, but of culture and tradition too.
- We must carry mediation and settlement culture in our DNA.

- At the European level, mediation is increasingly gaining more recognition and application.
- Conciliation can be more superficial than mediation if we analyze emotional components, as it occurs in family matters.
- Mediation must be equally compatible between lawyers and judges.
- It is fundamental to work through mediation as a preventive element.
- We must introduce tiered clauses that recognize other methods, such as conciliation or arbitration.
- A mediator is fortunate because they work for all parts of the process without distinction.
- The legal profession plays a predominant role in mediation, hence its ethical and deontological relevance.
- Training in mediation is primordial and it seems that we are already moving towards the specialization.
- To mediate is to communicate, and what better communicator than a lawyer/mediator?

***See attached PowerPoint Presentation by Marc Labbé. FBE President.***

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# Simultaneous Panels

## Gender Equality in the Legal Sphere

Deliberation on the need of implementation of gender quotas and targets by Bar Associations and law firms, and exploration of reasons behind the underrepresentation of women in leadership positions despite outnumbering men in the legal profession.

Moderator: **Michael Griem**. 2nd Vice President FBE.

**Fernanda de Almeida Pinheiro**. President Ordem dos Advogados de Portugal.

**Maria Slazak**. President AEA, European Association of Lawyers.

**Sara Chandler**. Former FBE President.

**Flor Carrasco**. Vice President of the Malaga Bar Association.

## Summary of Michael Griem and Izabela Konopacka

As a spontaneous speaker **Elham Zanjani**, who is a member of the Women's Committee of the National Council of Resistance of Iran, took part in the panel and



reported about the human rights situation for Iranian women since the uprising against the shah in 1979, the following developments under the Mullah regime and the actual situation for women in Iran. Her report which was filled with experiences of violence against and the imprisoning and torture of women was very impressive and relativized the discussion on Gender Equality in the legal sphere.

**Fernanda de Almeida Pinheiro, Maria Slazak, Sara Chandler** and **Flor Carrasco** spoke about Gender Equality in the Legal Sphere. They all recognize much more men than women in leading positions, both in Bar Associations and in law firms on a partner level. They analyzed different education of boys and girls as one main reason for this situation. Consequence of their considerations is, that women have to be promoted. All speakers agreed that this has to be done by binding quotas, wheresoever the speakers had different opinions about their favorable content and wording of thinkable quota-regulations.

## **Session on AI in Legal Practice**

Discussion on leveraging AI-based tools to enhance legal proficiency while adhering to ethical standards and cybersecurity protocols.

Moderator: **Maria Dymitruk**. President of the FBE New Technologies Commission.

**Francesco Spina** and **Flavia Betti**. Members of the FBE New Technologies Commission.

**Christoph Munz**. Former Treasurer of the European Bars Federation, FBE.

**Ludmila Glembotzky Goya**. Member of the FBE New Technologies Commission.

**Alba Márquez Canalejo**. Global Head of Expansion at Google Cloud Security.

**Maria Dymitruk** evokes the case of a New York lawyer who was condemned because of using ChatGPT for his plaidoirie.

**Francesco Spina** insists on the necessity of the education of lawyers. It is crucial to avoid such mistakes. He stresses that when the guidelines were published in June 2023 some new tools were not known. Will we really be able to make regulations compatible with the very fast development of the AI landscape?

**Flavia Torti** speaks of the concern about AI and environment. We have to be conscious that the energy consumption is absolute enormous while using AI.

**Christoph Munz** has a very practical approach and mentions among other the communication to the clients. He gives the example of a question about how to cook a pizza (the answer was to put glue on the pizza because the AI was not able to check that it was a joke)

## **Conclusions**

Presentation of the book “Historical formation and values of the European Legal Profession. **José María Davó Fernández**. Former President of the Málaga Bar Association



