



THE ONLY GLOBAL ASSOCIATION OF YOUNG LAWYERS



# Germany

## HAMBURG

19-20.06.2009

THE GLOBAL EMPLOYER –  
EXPATRIATION INTO AND  
OUT OF THE EU



# Introduction



The following sets out a proposed program for a joint seminar to be hosted by the employment law section of the International Association of Young Lawyers (AIJA) and the American Bar Association (ABA) Section of International Law. This event, which will be aimed at an international audience, shall take place in Hamburg, Northern Germany in June 2009.

The seminar will be entitled “The global employer – Expatriation into and out of the EU”. At a time when many companies are going global, the question of sending employees abroad to work has become increasingly important and it is accompanied by a number of challenges. The issues arising in connection with the secondment of employees abroad will be discussed at the Hamburg seminar in an international context and will be of particular interest to legal advisors.

Globalisation is an important issue for large, mid-sized and small companies alike. Even law firms are becoming more and more global. Companies are obliged to operate flexibly at an international level in order to be able to open up new markets. This world-wide situation means that companies send their employees abroad to ensure the transfer of expertise and implementation of company strategies for the establishment of their overseas branches or the development of new business. According to a recent report, over the past four years three out of four companies continuously increased the number of employee secondments overseas. Secondments from North America to Europe and in the reverse direction are just as common as secondments to Asia. A good 30% of seconded employees are from middle-ranking or management levels although the secondment of newcomers for the purposes of training is becoming increasingly important. The deployment of employees for activities overseas entails considerable financial outlay. On average, an expatriate costs its employer 240.000 Euros per

year. Adequate supervision of secondees and sufficient legal support are therefore required.

Although the number of seconded employees is continuously increasing, the planning of such secondments by many companies is improvable. Many employers realise too late that they have not sufficiently considered the financial, tax and employment law implications of the employee's secondment. A pre-prepared solution that deals with all issues including repatriation contributes considerably to the best possible opportunities to be gained from an overseas secondment. This is particularly important since overseas secondments are often effected at very short notice and advance planning can minimise risks.

The joint seminar to be hosted by the Labour Law Commission of the AIJA and the International Employment Law Committee of the ABA Section of International Law should give legal advisers an in-depth insight into the problems associated with overseas secondments from, within and to Europe. The focus of the seminar will be directed at the requirements of internationally active US American and European companies. The seminar will also focus on expatriations within law firms as attorneys are also moving across the globe for their clients.

The joint seminar of the ABA Section of International Law and AIJA will offer a unique forum to explore the international issues of overseas secondments from a number of locations under various legal systems with experts from several nationalities. Both AIJA and ABA Section of International Law will have the opportunity to present themselves and their respective work in an international context. The event will contribute to closer cooperation between the two organisations in the field of international employment law and shall lead to a broadening of the international network.



# Program



## Thursday, 18 June 2009

18.00 Welcome Barbeque reception Hotel Le Royal Meridien

## Friday, 19 June 2009

8.30 Welcome by **Duarte de Athayde**, AIJA President

### Topic 1:

**“The United States of Europe...or not quite yet?”:  
Arrangements for secondments within the European Union**

#### Program Chairs:

**Alexander Lentz**, Taylor Wessing, Hamburg

**Dirk Jan Rutgers**, DLA Piper, Amsterdam

#### Speakers:

**Salli Swartz**, Phillips Giraud Naud & Swartz, Paris

**Els de Wind**, Van Doorne, Amsterdam

**Giuseppe Bologna**, Ceriani & Associati, Milan

**Warren Wayne**, Bird & Bird, London

10.40 Coffee Break at Montparnasse Foyer

### 11.00 Topic 2:

**Corporate Expatriate Tax Management – finding a way through the maze of international tax regulations**

#### Program Chairs:

**Frans Duynstee**, Van Mens & Wisselink, Amsterdam

#### Speakers:

**Peter Schonewille**, EU Commission, Brussels

**Philip McQueston**, A&L Goodbody, Dublin

**Mark van Casteren**, Loyens & Loeff, Amsterdam

**Isabelle Vendeville**, Nixon Peabody, Paris

12.40 Lunch at the Restaurant “Le Soleil”, 9th Floor

### 14.30 Topic 3:

**Obligation to make social security payments in the case of international employee secondments considering in particular the social security agreement between the USA and the European core markets**

#### Program Chairs:

**Dr. Thomas Griebe**, Taylor Wessing, Hamburg

**Marta Trindade**, Abreu Advogados, Lisbon

#### Speakers:

**Sonia Cortés**, Cuatrecasas, Barcelona

**Marjorie Culver**, Paul Hastings, New York

**Martine Hoogendoorn**, Van Mens & Wisselink, Amsterdam

**Regina Glaser**, Heuking Kühn Lüer Wojtek, Dusseldorf

16.10 Coffee Break at Montparnasse Foyer

16.30 Topic 4:

**-18.15 The stony path overseas: legal requirements for working in Europe and the actual arrangements for the secondment in the home country**

#### Program Chairs:

**Philip Berkowitz**, Nixon Peabody, New York

**Anja Mengel**, WilmerHale, Berlin

#### Speakers:

**Carl Bevernage**, Nieuwdorp Bevernage Gori, Brussels

**Alan Koral**, Vedder Price, New York

**Patrick Govaert**, Fragomen, Brussels

**Carsten Domke**, CMS Hasche Sigle, Cologne

19.00 Reception at the Hamburg Harbour

20.00 Boat trip with dinner Hamburg Harbour and “Speicherstadt”

## Saturday, 20 June 2009

8.45 Topic 5:

**“Eastern Promises”: Secondments from countries in the European Union to emerging markets in the East**

#### Program Chairs:

**Anders Etgen Reitz**, Magnusson, Copenhagen

**Thomas Müller-Bonanni**, Freshfields, Düsseldorf

#### Speakers:

**Aleksandra Minkowicz-Flanek**, Salans, Warsaw

**Hans Laimer**, Schönherr, Vienna

**Michelangelo Cicogna**, De Berti Jacchia, Milan

**Alexander Horvath**, Head of International Assignments, SEB, Stockholm

10.40 Coffee Break at Montparnasse Foyer

11.00 Topic 6:

**“Go West !?”: Special aspects of employment, tax and social security laws to consider for secondments from the European Union to the USA**

#### Program Chairs:

**Ueli Sommer**, Walder Wyss, Zurich

**Salvador del Rey**, Cuatrecasas, Barcelona

#### Speakers:

**Chris Bracebridge**, Paul Hastings, London

**Scott Landau**, Pillsbury Winthrop Shaw Pittman, New York

**Arnd Haller**, Chief Counsel, Member of Managing Board Google (Germany), Hamburg

**Chris van Olmen**, Van Olmen – Wynant, Brussels

13.00 Closing Lunch reception (Le Soleil, 9th Floor)



# Administration

## Venue of the Seminar

Le Royal Meridien Hamburg  
An der Alster 52-56, 20099 Hamburg  
Phone +49-40-2100 2991  
Fax +49-40-2100 2029

## Language – Number of participants – Cancellation

The Seminar will be held in English without simultaneous translation. The number of participants is limited. Enrolment takes place on a first-come, first-served basis. The organisers reserve the right to cancel or modify the Seminar. In the event of cancellation by a participant, no money can be refunded. A participant, who cannot attend, may send a substitute participant.

## Registration Fees

| Date for the early bird | ≤ 8-5-2009 | > 8-5-2009 |
|-------------------------|------------|------------|
| Speaker                 | EUR 470,-  | EUR 470,-  |
| AIJA/ABA Member - < 35  | EUR 470,-  | EUR 595,-  |
| AIJA/ABA Member - ≥ 35  | EUR 520,-  | EUR 595,-  |
| Non AIJA/ABA Member     | EUR 595,-  | EUR 670,-  |
| Accompanying person     | EUR 175,-  | EUR 175,-  |

The registration fee includes attendance at the seminar, documentation, coffee breaks, lunches, receptions and boat trip with dinner.

The accompanying persons' fee includes welcome barbeque reception and boat trip with dinner.

Registration will only be effective after payment.

Payment should be transferred in EUR with no cost to the organisers to the following account:

**IBAN LU77 0030 6270 3965 0000 – BIC BGLLLULL**  
**BGL – Agence Royale Monterey, 27, avenue Monterey,**  
**L-2951 Luxembourg**  
**Ref: AIJA HAMBURG**

## Accommodation

Accommodation is not included in the registration fee. A limited number of rooms have been reserved at special rates at the hotel conditions indicated below. These rooms will be held only **until 21 May 2009**.

## Hotel information:

Le Royal Meridien Hamburg  
An der Alster 52-56, 20099 Hamburg  
Phone +49-40-2100 2991  
Fax +49-40-2100 2029

Bookings via:

<http://www.starwoodmeeting.com/Book/ABAAIJA>  
189 EUR /night/person (including breakfast)

**Dress code:** Business (working sessions) or smart casual (evening program).





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# REGISTRATION FORM

## HAMBURG, 19-20.06.2009

To be returned before **08.05.2009** to: **AIJA, Avenue Louis Lepoutre 59/20, 1050 Bruxelles, Belgium**, Fax +32-2-347.55.22. Or register online at [www.aija.org](http://www.aija.org).

Namem.....

Law firm .....

Address .....

Zip Code ..... City .....

Telephone ..... Fax: .....

E-mail ..... Website .....

Date of birth ..... Gender: M  F

Accompanying person(s) .....

First AIJA Event?  Yes  No

Special dietary requirements .....

Delegate/Participant ..... Acc. pers.....

### Registration Fees

|   | ≤ 8 May 2009 | > 8 May 2009 |                  |
|---|--------------|--------------|------------------|
| <input type="checkbox"/> Speaker              | EUR 470,-    | EUR 470,-    | .....            |
| <input type="checkbox"/> AIJA/ABA Member < 35 | EUR 470,-    | EUR 595,-    | .....            |
| <input type="checkbox"/> AIJA/ABA Member ≥ 35 | EUR 520,-    | EUR 595,-    | .....            |
| <input type="checkbox"/> Non AIJA/ABA Member  | EUR 595,-    | EUR 670,-    | .....            |
| <input type="checkbox"/> Accompanying person  | EUR 175,-    | EUR 175,-    | .....            |
|   | <b>TOTAL</b> |              | <b>EUR .....</b> |

I attach proof of payment by bank transfer to account no. The payee is not liable for any charges.  
**IBAN LU77 0030 6270 3965 0000 – BIC BGLULL**  
 BGL – Agence Royale Monterey, 27, avenue Monterey, L-2951 Luxembourg  
**Ref: AIJA “HAMBURG”**

No cheques

### PAYMENT VISA / MASTERCARD

I authorise AIJA to debit my credit card (Visa/Mastercard/) of the amount of ..... EUR (+ 20 EUR for bank costs/registration)

Credit card Number: .....

Exp. Date: .....

Security Code: .....

(3 last digits, printed at the back of your credit card under the signature panel)

In the event of cancellation by a participant, no money can be refunded. A participant, who cannot attend, may send a substitute participant.

Accommodation: <http://www.starwoodmeeting.com/Book/ABAAIJA>

- Yes  No: full autorisation to print my details on the list of participants  
 Yes  No: full autorisation do forward my details to a sponsor

Date Signature



### ORGANIZING COMMITTEE

**Dr. Thomas Griebe**  
Hamburg, Germany

**Dr. Alexander Lentz**  
Hamburg, Germany

**Anders Reitz Etgen**  
Copenhagen, Denmark

**Marta de Oliveira Trindade**  
Lisbon, Portugal

**Marjorie Culver,**  
New York, United States of America

The International Association of Young Lawyers is a non-political organization whose objective is to promote mutual cooperation and understanding among young lawyers from all over the world.

In addition to its annual Congress, AIJA organizes Courses and Seminars on various topics of current interest to professionals in the field, allowing active experts.

Given AIJA's goals, its Courses and Seminars are not limited solely to academic study. They also include meals and social gatherings which give attendees from around the world the opportunity to exchange experiences, to become better acquainted and to engage in further discussions of the seminar and course topics.

Courses and Seminars are open to members and non-members alike.

The American Bar Association Section of International Law (ABA International) is the leader in the development of policy in the international legal arena, including the promotion of the rule of law, international humanitarian efforts and the education of international law practitioners.

Membership in ABA International will give you access to a network of 23,000+ legal professionals and students in 90 countries, continuing legal education opportunities and information on the latest international legal news and cases.

Section membership provides for the following opportunities:

- Global networking via more than 60 special interest and regional committees, listserves, and an interactive website to network, exchange ideas, offer client referrals, and collaborate with other members.
- Leadership and advocacy opportunities, which impact international law and legal practice and shape ABA policies.
- Continuing education programming

ABA International can help you stay up to date with your continuing legal education (CLE) requirements and career goals via our seasonal meetings, which bring together 1,000+ legal professionals to discuss crucial and late-breaking issues in International Law. Additional CLE programs (including teleconferences) are conducted throughout the year.

As a Section member you would enjoy free subscriptions to *The International Lawyer*, a quarterly journal on international practice, and *International Law News*, the quarterly ABA International newsletter.

# Germany

[ Young lawyers of every country stand together. They intend to defend those principles which are common and which they consider to be indivisible from the notion of justice and law ]

AIJA, Declaration of Athens. Adopted, August 27, 1966.



ABA Section of  
International Law  
*Your Gateway to International Practice*

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