

**C5**

Business Information in a Global Context

This year marks 30 years since the inception of C5 Group.
It is time to match our brand with the dynamic strides we have made.
See inside for details...

11 – 12 October 2016 | Le Châtelain Boutique Hotel | Brussels, Belgium

2nd Forum on International Trade Disputes

INTERNATIONAL TRADE DISPUTES

C UP TO 14.20 CPD
CREDITS AVAILABLE

» KEYNOTE SPEAKER:

Maria Åsenius

Head of Cabinet, Commissioner,
MALSTRÖM Trade
European Commission (Belgium)

PRACTICAL IN-HOUSE AND ASSOCIATION INSIGHTS FROM:

Huawei (China)

Solar Power Europe (Belgium)

Huntsman (Belgium)

Reliance Industries Ltd (India)

Fertilizers Europe (Belgium)

Trinasolar (Switzerland)

Arcelor Mittal (Belgium)

Evonik Industries (Belgium)

EUROPEAN COMMISSION:

Gerhard Hannes Welge

Hearing Officer
European Commission (Belgium)

Jean-Francois Brakeland

Legal Service DG Trade
European Commission (Belgium)

GOVERNMENT SPEAKERS:

Stephen Johnson

Economic Advisor, Trade Policy Unit
International, Trade and Export Control,
Directorate, Department of Business,
Innovation and Skills (UK)

EUROPEAN COURT OF JUSTICE:

Pascale Hecker

Referendaire
Court of Justice of the European Union
(Belgium)

EU PARLIAMENT:

Christofer Fjellner

MEP
European Parliament

KEY BENEFITS:

- » Find Out the latest on the Market Economy Status of China and how to Best Prepare your Business
- » Take back lessons learned from recent case law on trade defence measures
- » Discover how to minimise risks surrounding strategic sourcing
- » Gain practical tools for responding to international trade defence measures from **China, USA, India, Mexico** and more!

Session Sponsor

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PLUS POST FORUM WORKSHOP THURSDAY, 13TH OCTOBER 2016

Determining when to Engage in an International Trade Dispute as a Globally Operating Multinational

The influx of goods entering countries at non-competitive prices has increased governments' needs to employ trade defence measures or risk local industries being destroyed by outside competition. However, trade defence measures come at a cost to the thousands of local manufacturers that rely on materials at lower costs to make profit.



The European Union and the US will be deciding their stance on the Market Economy Status of China. The EU will also be undergoing reform on the current trade defence measures. It's vital that producers and users of key industries stay up to date with the latest changes taking place.

Many feel that some current defence measures, such as the 'lesser duty rule' are not doing enough to protect European businesses. The decisions made in upcoming months on the future of trade defence will have a lasting impact on European producers and users of products.

There is ample evidence of successful prosecutions of parties who have taken steps to avoid measures. Penalties for errors, whether inadvertent or reckless, significantly outweigh any perceived short term benefits. Therefore, it's essential that impacted industries and their advisors ensure that they do not fall foul. This event will get the international trade community prepared to avoid any turbulence in their industry and effectively operate well in advance, rather than when it is too late.

Join C5's **2nd Forum on International Trade Disputes** to:

- » **Hear from the European Commission, the European Court of Justice, the UK Department of Business, Innovation and Skills** plus many more
- » Find out the impact of **Europe's trade relations with China** on business post the decision on Market Economy Status
- » Master navigating the **legal framework** of international trade disputes and investigations
- » Gain practical strategies for implementing circumvention measures with minimal risks
- » Discover best practices for addressing proposed measures in any investigation and taking steps to **defend the imposition of measures** to minimise their impact
- » **Benchmark on how to best respond to an investigation** with the burden of higher levels of dumping or countervailing measures

C5's forum comes at this most critical stage to address all these major concerns to ensure that attendees are not only aware of the ever changing threats to your market, policy and regulation, but stay up to date and exercise extreme caution with goods, subject to dumping or countervailing measures to ensure the correct declarations and duties are made.

**"The right people,
the right topics"**

Thomas Woolfson, Cleary Gottlieb



“Excellent for networking and update of sensitive issues in an informal setting”

Anonymous

“Excellent topics and presentations”

Lourdes Catrain, Hogan Lovells

A MUST ATTEND EVENT FOR:

Vice Presidents, Directors, In-House Counsel and Managers of:

- International Trade
- Trade Affairs
- Public Affairs
- Government Affairs
- Legal and Regulatory Affairs
- Litigation
- Procurement
- Finance
- Customs
- Indirect Tax
- Finance
- Sales and Marketing

Private Practice Lawyers, Consultants and Outside Counsel Specialising in:

- International Trade
- International Regulations and Compliance
- European Community
- WTO
- Import/Export
- Regulatory and Trade
- Competition
- Customs and Excise

Government Departments, Regulators, Associations and Organisations involved in:

- Policy Making
- Regulation
- Technical Services

The graphic features the C5 logo (a stylized 'C' and '5' inside a circle) and a globe with an arrow. The text 'C5 Business Information in a Global Context' is displayed. Below this, a timeline of three blue curved arrows points from left to right, each containing text about the company's 30-year history.

This year marks 30 years since the inception of C5 Group.

30 years hosting more than 6,000 conferences

30 years building a network of industry leaders

30 years expanding across the globe

It is time for a brand, logo and language in keeping with the dynamic strides we have made as a company. It is time for a brand that will take us forward for the next 30 years.

C5 Group, comprising C5 in Europe, American Conference Institute and The Canadian Institute, will unite under one central brand image, appropriately a globe. See how bringing together the power of people and the power of information can accelerate your growth and success.

Our new brand look and language will be fully revealed soon. Stay tuned for more exciting changes.



FORUM DAY ONE:

TUESDAY 11TH OCTOBER 2016

8:30 **Registration and Refreshments**

9:00 **Opening Remarks by Chairs**

Gerhard Hannes Welge
Hearing Officer, European Commission (Belgium)

9:10 **Keynote Address: Trade Defence Post the Decision of Market Economy Status by the EU Commission**

Maria Åsenius
Head of Cabinet, Commissioner,
MALSTRÖM Trade
European Commission (Belgium)

9:30 **International Developments in Trade Defence Measures and Proceedings; Ensure your Company is Not Caught Off-Guard by Foreign Trade Defence Activities**

Tim Brightbill
Partner, Wiley Rein (USA)

- Key differences between the US and EU trade defence systems including access to confidential information, approach to Chain and governing agencies
- Recent changes to trade law in the US and their potential impact on trade defence
- Brazil's movement of trade defence to the Ministry of Foreign Affairs: what's changed
- Consequences of a Brazilian 'Brexit': impact on trade defence if Brazil leaves Mercosur
- Evolution of trade defence measures in developing countries including Indonesia, Mexico and India

10:30 **Morning Refreshments**

10:45 **How Companies Can Benefit from the EU's Reform of Trade Defence Instruments including Proposed Changes to Lesser Duty**

James Kenneth Lockett
VP, Head of Trade Facilitation and Market Access
Huawei (China)

Ana Escobedo
Director of International Government Relations
Arcelor Mittal (UK)

Ralph Kamphoner*
Director of Policy
EuroCommerce (Belgium)

- Goals of the EU's Reform of Trade Defence Measures; transparency, effectiveness and enforcement: what real-life impact will these have on EU producers and users
- Where the Reform is now: What's changed since the initial 2013 proposal
- Anticipated changes to the 'lesser duty' rule post Reform
- Lessons learned from the 2003 Reform and the recent Argentinian Biodiesel ruling by the WTO

11:30 **How to Strengthen your Case through the Increasing Transparency in Trade Dispute**

Renato Antonini
Partner
Jones Day (Belgium)

Yves Melin
Partner
McGuireWoods (Belgium)

- Major developments in the EU's transparency of international trade disputes in the last 12 months
 - What has changed?
 - Further steps the Commission can take to increase transparency
- How companies and associations are using the added transparency to aid in their trade defence cases

12:00 **Networking Luncheon**

13:15 **Participating in Trade Defence Investigations: International Perspectives How to Prepare and Get your Position Heard**

Jodie Roussel
Head of Public Affairs
Trinasolar (Switzerland)

Stuart Neuman
Advisor
Foreign Trade Association (Belgium)

- New investigation methods for anti-subsidies: what these means for upstream and downstream businesses
- Taking part in a trade defence investigation: who has the rights to participate and when?
- How to become part of the original investigation
- Managing your expectations: length of proceeding
- How to prepare
 - Documentation requirements
- Who to involve
- When to engage external counsel
- What actions can a company take if they believe dumping duties were unlawfully imposed?
- Lessons learned from past cases and investigations
 - Solar Panel case
 - Bicycle case
 - US case
- Likelihood of success in a trade defence litigation case

13:45 **Litigating Trade Defence Measures and the Enforcement of the Court of Justice Trade Defence Measures Judgments**

Geert Zonnekeyn

Senior Legal Counsel, Company Lawyer and Regional Compliance Officer, Evonik (Brussels)

Pascale Hecker*

Referendaire
Court of Justice of the European Union (Belgium)

Arnoud Willems

Partner
Sidley Austin (Brussels)

- Likelihood of success in trade defence litigation cases
- Review by the Court of Justice: strength and weaknesses
- Enforcement of CJEU judgments: lessons learned from the recent case law (e.g. cases CM Eurologistik and GLS*, Puma and Clark)

14:45 **Effectiveness of Alternative Trade Measures: What you can Gain from Floor Pricing on the Grain-Oriented Steel Industry**

Richard Luff

Partner
Van Bael & Bellis (Belgium)

- Alternative forms of defence measures: what the EU and other jurisdictions have employed outside of anti-dumping duties
 - How effective can a European measure be for the user? The producer?
- What have we learned from the current measures available in the EU (ie: declaring a minimum price for a product rather than anti-dumping duties)
- Different degrees of dumping duties based on industry sectors: what does this look like in reality?
- Deep dive into floor prices for grain oriented steel: what the industry thinks about the effectiveness of this alternative measure

15:45 **Afternoon Refreshments**

16:15 **Optimisation Structure, Roles and Responsibilities of Trade Defence within Your Organisation**

Roberto Soprano

International Trade Compliance Manager EMEA
Huntsman (Belgium)

Anil Rajvanshi

Senior Executive Vice President
Reliance Industries Ltd. (India)

- Key role responsibility and structure used by companies experienced in trade defence
- Strategies on how to incorporate an effective role within your company

- Selecting the most suitable person to take the lead on trade laws: key considerations
- When to involve the legal team in potential trade disputes
- Ensuring that key issues for trade defence measures when up on the right desk before it's too late
- How to stay on top of defence measures against third party countries
- Facing trade defence at the frontline of your operations and the coping mechanisms
- How to best use Advance Pricing Arrangements to avoid disruption in price transfers
- When and how to communicate with the authorities

17:15 **Forum Adjourns**



8:15 **Morning Refreshments**

8:45 **Opening Remarks by Chairs**

Gerhard Hannes Welge

Hearing Officer
European Commission (Belgium)

9:00 **Trade Defence Cases in the US, Mexico and Beyond: What to Expect and How to Prevail in Foreign Trade Defence Cases**

Juan Carlos Partida Poblador

Partner
Rubio Villegas & Asociados (Mexico)

- Key trade defence cases from across the globe;
 - countries bringing cases
 - products being targeted
 - jurisdictions most at risk of having a case brought against their local industries
- key signs that your industry might be subject to an foreign trade dispute investigation
- How to respond to a when a case is brought against your industry or company
 - who to involve
 - how to select foreign counsel
 - top tips for obtaining vital confidential data and building a case in a foreign jurisdiction
- Spotlight on US trade defence cases: a look into the solar power and steel cases

10:00 **Q & A with the EU Commission:
Future Role of 'Lesser Duties'
as a Trade Defence Measure**

Gerhard Hannes Welge

Hearing Officer, European Commission (Belgium)

Unlike many other members of the World Trade Organisation, the WTO still utilises the 'lesser duty rule' as a trade defence measure. Many argue that this rule is not fulfilling its purpose, particularly in the steel industry. Take this opportunity to have your questions about the 'lesser duty rule' answered by the EU Commission.

10:30 **International Developments and
Implementation of Anti-Dumping,
Subsidy and Safeguard Proceedings;
Ensure your Company is Not Caught
Off-Guard by Foreign Trade Defence
Activities**

Christofer Fjellner*

MEP, European Parliament (Belgium)

- Anti-dumping, and anti-subsidy proceedings in the EU
 - Procedure: how to navigate through the procedural complexities of trade defence investigations
 - Practical approaches: on what grounds can measures be avoided or reduced
- US angle
 - The US trade defence system and how this differs from the EU
 - Practical implementation of trade defence in the US
 - Current issues under debate in the US
 - Market Economy Status of China
 - Impact of US elections on the immediate future of trade defence in the United States
- Global angle
 - Which other jurisdictions are active in trade defence systems
 - In which countries are cases being brought in

11:15 **Morning Refreshments**

11:30 **Walking the Fine Line of Circumvention:
Deciphering the Difference Between
Strategic Sourcing and Tax Fraud**

Edwin Vermulst

Partner, VVGB (Belgium)

Geert Zonnekeyn

Senior Legal Counsel, Company Lawyer and Regional Compliance Officer
Evonik (Brussels)

- Under which situations is circumvention illegal versus strategic planning
- When can you avoid duties by importing bits and pieces and re-assembling them in a location that isn't subject to dumping duties
- How to launch a circumvention investigation as a producer impacted by dumping

- When to report suspected illegal circumvention and who to report it to
- What does the EU Commission look for before launching an investigation?
- How to comply with a circumvention investigation
- How to apply for an exemption for trading within a country
- Ramification for tax fraud

12:30 **Networking Luncheon**

13:45 **Market Economy Status of China:
Europe's Trade Relations Post a
Decision by the Commission**

Stephen Johnson

Economic Advisor, Trade Policy Unit International, Trade and Export Control, Directorate, Department of Business, Innovation and Skills (UK)

Gerhard Hannes Welge

Hearing Officer, European Commission (Belgium)

Ana Escobedo

Director of International Government Relations
Arcelor Mittal (UK)

James Kenneth Lockett

VP, Head of Trade Facilitation and Market Access
Huawei (China)

Christofer Fjellner

MEP, European Parliament

- Current views of the EU's stance on China's Market Economy Status
 - Possibilities of change in this stance by the December 2016 deadline
- Potential special methodologies that could be used if China is recognised as a Market Economy
 - How will that work in reality
- How to navigate with China after the decision has been made as a producer? As a user of products?
- Developing a plan B as a local producer if China's anti-dumping duties are lowered

15:15 **Recent Legislation, Case Law and
Policies Shaping the Trade Defence
Disputes and Barriers**

Jean-Francois Brakeland

Legal Service DG Trade
European Commission (Belgium)

Dr. James Watson

Chief Executive Officer
Solar Power Europe (Belgium)

- EU's management of export restrictions of anti-dumping and countervailing defence measures in the last 12 months
- WTO case law on trade defence: guidelines for future investigations
- Steel crisis and the use of trade defence
- Recent cases
- Lessons learned
- The consequences
- Next steps

16:00 **Afternoon Refreshments**

16:15 **Dumping Duties, Registration and Retroactive Duties: How to Protect your Organisation from Unexpected Costs**

Bogdan Evtimov

Partner
Dentons (Belgium)

- Current risk level of registration and retroactive activity?
 - How retroactive duties will work in reality
 - When retroactive duties will go into effect
- Making the best strategic move for your company: what to look at when determining whether or not to import goods that may become subject to retroactive duties
- What constitutes a stock pile that will trigger retroactive duties

17:15 **Forum Ends**

POST FORUM WORKSHOP

THURSDAY 13TH OCTOBER 2016

8:30 **Registration and Refreshments**

9:00 **Determining when to Engage in an International Trade Dispute as a Globally Operating Multinational**

Deciding when to engage into a trade dispute is not an easy decision for any multinational company; a choice made on behalf of one business unit or corporate location may have a negative impact on another part of the business that outweighs the overall benefit. Join this exclusive hands-on workshop to gain in-depth and well thought out strategies for determining when to become involved in an international trade dispute and how to best benefit the company as a whole.

- Creating a strong team for deciding which international trade disputes to get involved in
 - Public affairs
 - International trade
 - Legal
 - Finance
- Deciding whether to look at international trade disputes by location, business units or across the global business; what to consider
- Weighing the long term impact of trade defence measures — what do they mean throughout the business
- How to insulate different parts of the business from the knock-on effects of international trade disputes or international trade measures
- When to go through an association and when to engage in disputes on your own

12:30 **Workshop Ends**



SESSION SPONSOR

VAN BAE & BELLIS

Van Bael & Bellis is a leading independent law firm based in Brussels, with a second office in Geneva. The firm is known for its client-centred approach and extensive expertise in EU and international trade law, EU and national competition law, EU regulatory law as well as Belgian business law.
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If you can't watch the live feed, the recorded archives of the presentations will also be available for you to view for 45 days after the event is over, so you can re-watch sessions, or view any sessions you may have missed.

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 **UP TO 14.20 CPD
CREDITS AVAILABLE**
2nd Forum on International Trade Disputes

INTERNATIONAL TRADE DISPUTES

1 Choose your Registration Method

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**MAIL:**

C5 Communications Limited, Customer Service.
11th Floor, The Tower Building, 11 York Road
London, UK SE1 7NX

**EMAIL:**

registrations@C5-Online.com

**ONLINE:**

www.C5-Online.com/InternationalTrade

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2 Select Your Level of Engagement

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☐ Forum Materials Only

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*All Delegates will receive an online link to access the forum materials as part of their registration fee
Forum materials are available 2 working days post event*

If established in the EU please provide an EU VAT number with your order. If an EU VAT number is not provided, please add 21% Belgian VAT to your order.**

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☐ I confirm I have read and understood the terms and
conditions of registering for this event

5 Accept the Terms and Conditions to Register

Venue Information at a Glance

Date: 11–12 October 2016
Time: 8:30–17:15 // 8:15–17:00
Venue: Le Châtelain Hotel
Address: Rue du Châtelain 17, 1000, Brussel, Belgium
Telephone: +32 (0)2 646 0055

Book your Accommodation

An allocation of bedrooms is being held for delegates at a negotiated rate until 19 September 2016.

To book your accommodation please call Venue Search on tel: **+44 (0) 20 8541 5656** or e-mail **beds@venuesearch.co.uk**. Please note, lower rates may be available when booking via the internet or direct with the hotel, but different cancellation policies will apply.

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Fee Includes

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Conference Code	512L17-BRU
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Terms and Conditions

Payment Policy

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Delegate Substitutions and Cancellations

You must notify us by email at least 48 hrs in advance of the conference if you wish to send a substitute participant. If you are unable to find a substitute, please notify us in writing no later than 10 days prior to the conference date. All cancellations received will be subject to a cancellation fee of €350. Delegates opting to receive a credit voucher will receive a credit for the full amount paid, redeemable against any other C5 conference in the next 12 months.

No credits or refunds will be given for cancellations received within 10 days of the conference start date. Delegates may not "share" a pass between multiple attendees without prior authorisation. No liability is assumed by C5 for changes in program date, content, speakers or venue. C5 reserves the right to cancel any conference it deems necessary and will, in such event, make a full refund of any registration fee, but will not be responsible for airfare, hotel or other costs incurred by registrants.