

2023 AILA/GMS ANNUAL GLOBAL MIGRATION FORUM

June 19–20, 2023, Orlando, FL



AMERICAN IMMIGRATION LAWYERS ASSOCIATION

It's a Small World After All: Global Migration Challenges in the Post-Pandemic Era

The grand, pandemic-induced, global telecommuting experiment has been a rousing success overall. Employees have demonstrated that they can be just as effective, if not more so, working outside of the physical office. In turn, companies have enjoyed the fruits of improved worker efficiency and productivity, compelling them to adapt accordingly. As the labor force expects, even demands, remote work opportunities and benefits, company management has begun adjusting standardly accepted policies relating to international migration and practice management. In addition to instituting updated remote work guidelines, corporate clients have had to revise their global mobility strategies to strengthen retention policies, increase support of nontraditional family units, relocate employees from war zones, and become more intentional and proactive in keeping up with the technological advancements that have, in practice, made the world “smaller.”

In light of this paradigm shift in global migration and employment practices, the AILA Global Migration Section (GMS), in conjunction with AILA National, the GMS Steering Committee, and the Conference Program Committee, is excited to invite you to attend the 2023 AILA/GMS Annual Global Migration Forum this summer at Disney World in Orlando! Don't miss this exciting opportunity to network with fellow global migration practitioners and learn from our international faculty of experts as they survey the new landscape of global migration practice, identify and redefine best practices for success, provide updates from around the world, and help you plan for the future!

Monday and Tuesday, June 19–20, 2023
Disney's Contemporary Resort, Orlando, FL
AILA National Conference
All Times Indicated Below Are U.S. Eastern Time (ET)

Monday, June 19, 2023

7:30 am–5:30 pm **Registration and Exhibits**

Unified Track

Day Coordinator: TBD

8:00 am–8:15 am **Welcome Address and Greetings**
*Anita E.J. Ninan, AILA Global Migration Section Steering Committee Chair,
Marietta, GA*

8:20 am–9:20 am

Is It a Small World After All?

Panelists from around the world will discuss global migration hot topics from their respective jurisdictions. They will identify the most impactful recent trends and offer predictions about what to expect in the future.

- Asia: Is the Asia-Pacific region still a leader in global migration? What countries are open for business, and what has changed?
- Africa: What are the African migration trends in 2023?
- North and Central America: Cross-border travel to Canada and Mexico
- South America: Current elections and how they could affect global mobility
- Europe: How Brexit, the war in Ukraine, and adaptations to a post-pandemic world have affected migration

Faculty:

Lisa Atkins (DL), San Francisco, CA

**Daniela Lima, São Paulo, Brazil*

Nicolas W. Rollason, London, UK

Vivien Yu, Hong Kong

9:20 am–9:30 am

Networking Break

9:30 am–10:00 am

Keynote Address

10:05 am–11:05 am

Visas for Athletes, Artists, and Entertainment Industry Professionals

Panelists from around the world will share the immigration requirements and processes that athletes, artists, and companies operating in the entertainment industry must follow in their respective jurisdictions. They also will discuss the practical aspects to be considered by law firms when working with clients in these fields.

- Visa needed vs. visa waiver
- Red flags and challenges
- Entertainers, film and theater productions, actors, support crews
 - Other performing artists
- Sports teams and players, amateur athletes
- How to manage this type of client: strategy, fees, planning, and timing challenges

Faculty:

Ana Garicano Solé (DL), Conference Program Committee, Madrid, Spain

Yvette Allen, London, UK

Jacqueline R. Bart, Toronto, ON, Canada

Noriko Kurotsu, San Francisco, CA

11:10 am–12:10 pm

What Are Clients Demanding?

Panelists will provide a high-level overview of the current global migration landscape.

- Current political climate for global migration
- The trend of rising protectionism/nativism
- Jurisdictions without a rise in protectionism: new opportunities
- Other recent changes in migration laws, policies, and procedures

Faculty:

**TBD (DL)*

(DL) = Discussion Leader

** = Invited Speakers, Not Confirmed*

- All events, sessions, conference materials, and free recordings are subject to change -

Zara Najam, AILA Global Migration Section Steering Committee, Los Angeles, CA

*Jamie Cheung, New York, NY

12:10 pm–12:55 pm **Networking Lunch with the Experts**
Lunch will be provided.

Track I: Special Topics

12:55 pm–1:55 pm **Increased Government Compliance and Enforcement in Global Migration**
“Compliance” is not just a trendy buzzword—it’s the new reality. In recent years, companies have been subject to enhanced compliance and recordkeeping requirements. The focus in many jurisdictions shifts away from the application process to the (automated) compliance monitoring after issuance of permits, often coupled with increased enforcement efforts. Panelists will discuss how practitioners can manage this new reality and effectively keep their clients compliant.

- Recent trends in compliance and recordkeeping requirements for employers
- Implementation of electronic monitoring and tracking systems, including:
 - The Schengen Information System
 - European Travel Information and Authorisation System (ETIAS)
- Increased employer accountability and audits
- Noncompliance penalties for both employers and employees

Faculty:

Bram Van Melle (DL), Conference Program Committee, Amsterdam, The Netherlands

Janice A. Flynn, AILA Rome District Chapter Chair/CBP Liaison Committee, London, UK

Chetal Patel, AILA Global Migration Section Steering Committee, London, UK

Ravi Jain, Toronto, ON, Canada

Jackson Taylor, Melbourne, Australia

2:00 pm–3:00 pm **The Future of Innovative Technology in Global Migration**
In the last few years, practitioners have witnessed the importance of enhanced technology in managing immigration processes. The demands from major clients for advanced technology to lead processes have become an integral part of Requests for Proposals (RFPs). Our panel of experts will share strategies for how firms deal with these challenging demands: in-house innovation, technology support for posted worker compliance in the European Union (EU), client interface, immigration suppliers’ interfaces (lawyers in many countries), data privacy, and more.

- Recent technology trends impacting a global mobility practice
- Security: hackers and ransomware
- Compliance and legislation: implementation of the EU’s General Data Protection Regulation (GDPR)
- Best methods for incorporating technology into your practice

Faculty:

Amit Acco (DL), Conference Program Committee, Tel Aviv, Israel

**Farshad Owji, AILA President-Elect, San Francisco, CA*

(DL) = Discussion Leader

** = Invited Speakers, Not Confirmed*

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*Gregory H. Siskind, AILA Board of Governors/Benefits Litigation Committee,
AILA Author, AILA's Immigration Law Practice and Procedure Manual: A
"Cookbook" of Essential Practice Materials, 2nd ed., Memphis, TN*

**Jane Pilkington, Dublin, Ireland*

**Ara Samuelian, Zurich, Switzerland*

3:00 pm–3:10 pm

Networking Break

3:10 pm–4:10 pm

Golden/Investment Visas

Our panel of experts will provide an overview of the available visas in their respective jurisdiction for foreign nationals seeking to obtain a "Golden Visa," a pathway to citizenship based on an applicant's financial profile or through passive investment in real estate, government bonds, etc. They also will discuss what requirements exist in each jurisdiction, and they will expound on the appeal and limitations of each.

- Visas based on the applicant's financial reliability/retirement status
- Visas based on passive investment

Faculty:

**Audrey Lustgarten (DL), Petoskey, MI*

Maria Elena Abraham Garfias, Mexico City, Mexico

**David Heneghan, Dublin, Ireland*

Sara Sousa Rebolo, Lisbon, Portugal

**Stelios Triantafyllides, Nicosia, Cyprus*

Track II: Global Mobility Practice Management

12:55 pm–1:55 pm

All Legal Things Considered: Common Pitfalls Prior to an International Transfer

Corporate clients today increasingly expect their global migration counsel to advise them not only on the types of visas and work permits available to their employees, but also to warn them of tax, labor, social security, and sometimes even family law issues involved in the international movement of employees. In short, clients expect advice on all aspects of global mobility. Our panel of experts will discuss how to navigate expectations and address these issues from a high-level, international perspective while also providing insight into considerations unique to their respective jurisdictions.

- Common pitfalls to consider prior to an international transfer
 - Tax, employment, and social security law
 - Family law perspectives
- How to set boundaries and bring in experts to help (when needed)
- Creating a due diligence checklist of key items to address in international assignments

Faculty:

*Maria Celebi (DL), AILA Global Migration Section Steering Committee
Immediate Past Chair, Istanbul, Turkey*

**Gabriela Lessa, AILA Global Migration Section Steering Committee,
Conference Program Committee Chair, Rio de Janeiro, Brazil*

**Leon Kwong Wing, Singapore, Singapore*

Helle H. Thomsen, Aarhus, Denmark

2:00 pm–3:00 pm

Digital Nomad Visas and Remote Work Permits: The Nomad's Perspective

(DL) = Discussion Leader

** = Invited Speakers, Not Confirmed*

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An ever-increasing number of countries are developing a visa stream for digital nomads and remote workers who are not entering the local workforce. As countries promote their digital nomad visas, tax rules have not always caught up, which leaves employers, employees, and independent contractors to determine their tax liability within these new immigration frameworks. Immigration issues, while at the forefront of the immigration lawyer's concerns with outbound assignments, are not the only critical factors for employers and employees with such positions. Panelists will provide a foundation of core employment and tax issues that immigration lawyers need to identify for an outbound assignment, focusing on employment agreements, payroll systems, and income tax and social security tax compliance.

- Structuring the employment/assignment agreement to account for foreign law disparities
- Corporate presence and permanent establishment issues
- Surviving overlapping home and foreign country social security systems
- Managing the premature conclusion of the assignment
- Digital nomad visas: requirements, processing, and benefits
- Tax and immigration compliance landscape for independent contractors and freelancers

Faculty:

**Pavan Dhillon (DL), AILA Global Migration Section Steering Committee, San Francisco, CA*

**Eszter Ila-Horvath, Budapest, Hungary*

Rodrigo Tannus Serrano, Bogota, Colombia

**Nicola J. Tiffen, Christchurch, New Zealand*

3:00 pm–3:10 pm

Networking Break

3:10 pm–4:10 pm

Remote Work in the Context of Global Migration and Employment

Digital nomad visas may no longer make headline news, but the challenges associated with employees who want to use these visas to work from anywhere continue. Human resource professionals are struggling to balance the expectations of a labor force wanting remote work options with the difficulties of administering telecommuting programs and staying legally compliant. Join our speakers as they discuss the current landscape of digital nomad and remote work visas. They also will advise on best practices for counseling clients on telecommuting policies and procedures, and they will identify pitfalls to guard against.

- New vs. old: overview of popular new programs and longstanding options
- Trends: How are clients handling employees' demands for "work from anywhere" in 2023?
- Creative solutions and best practices: What should a remote work policy include?
- Pitfalls: Common problems when counseling clients on remote work policies, and how to avoid them

Faculty:

**Shannon Donnelly (DL), Conference Program Committee Vice Chair, Washington, D.C.*

Michal Kacprzyk, AILA Global Migration Section Steering Committee, Warsaw, Poland

**Gary McIndoe, Manchester, UK*

(DL) = Discussion Leader

** = Invited Speakers, Not Confirmed*

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Elaine C. Young, Salt Lake City, UT

**Nicholas Hobson, Senior Vice President and Associate General Counsel for
Immigration, Endeavor, New York, NY*

Unified Track

4:15 pm–5:15 pm

What Is the Future for the Actual “Practice” of Global Migration Law?

Is there a future for the non-global practitioner? As the world becomes “smaller” (i.e., more connected) and corporations become larger, many lawyers believe there is safety and security in numbers and that clients are naturally attracted to firms that can act as a “one-stop shop” for all their immigration (and even non-immigration) needs. Moreover, clients are seeking law practices that can provide up-to-date, fulsome technology which smaller firms cannot afford to offer. Others argue that not all clients desire a uniform approach, instead seeking a more personal, “trusted advisor” relationship for their team. Our panel of experts will explore these differing perspectives, offering advice and best practices for how a smaller practitioner can compete and thrive in the current climate. Panelists come from across the immigration landscape, representing a variety of perspectives in this critical discussion.

- What does the future hold for the global migration practitioner?
- Global vs. regional vs. country-specific
- Can immigration firms survive without expanding and diversifying their practice areas?
- Small and solo practitioners: strategies for competing with larger firms (and thriving)
 - Practical advice: affordable tech solutions

Faculty:

David L.P. Garson (DL), Conference Program Committee, Toronto, ON, Canada

Sergio R. Karas, Toronto, ON, Canada

**Marco Mazzeschi, Siena, Italy*

George Reis, Toronto, ON, Canada

**Charlotte Slocombe, London, UK*

5:15 pm–5:30 pm

Closing Remarks

*Anita E.J. Ninan, AILA Global Migration Section Steering Committee Chair,
Marietta, GA*

*William Russell Hummel, AILA Global Migration Section Steering Committee
Vice Chair, Charlotte, NC*

5:30 pm–7:30 pm

Cocktail Reception and Networking

Tuesday, June 20, 2023

8:30 am–9:30 am

AILA GMS 2023 Membership Meeting

*The annual AILA GMS Membership Meeting to welcome the 2023–24 GMS
Steering Committee.*

10:00 am–12:30 pm

Consultation with the Experts

(DL) = Discussion Leader

** = Invited Speakers, Not Confirmed*

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Country-specific experts will lead interactive discussions. Topics and a list of experts will be provided prior to the conference so that registrants can plan which discussions they would like to attend.

12:30 pm–1:30 pm

Lunch Break

*AILA will **not** be providing lunch. Conference attendees are invited to dine at one of the hotel property restaurants. **Please note:** most restaurants at the conference hotel require reservations. Please plan ahead.*

1:30 pm–5:30 pm

Registration and Exhibits

Track I: Global Trends

2:00 pm–2:10 pm

Welcome Address and Greeting

**Gabriela Lessa, AILA Global Migration Section Steering Committee, Conference Program Committee Chair, Rio de Janeiro, Brazil*

2:15 pm–3:15 pm

Everything Is So Slow! What Do I Do?

After COVID-19 and the many unfortunate humanitarian crises and conflicts that have arisen in the past two years, immigration attorneys have seen a tremendous slowdown in visa application processing throughout the world. In some cases, this may be especially true for consular processing. Our expert panelists will explore this trend, including the issues that countries are facing and a variety of strategic approaches that immigration practitioners can put into action. In addition, they will discuss best practices from a practitioner's point of view.

- Strategies to combat the “slowdown”
- Managing clients' expectations
- Proactive methods to engage with clients: being as helpful as possible
- Is there an end in sight? predictions for the immediate– and mid-range future

Faculty:

**Vishal Chander (DL), New York, NY*

Elizabeth Long, Toronto, ON, Canada

**James Perrott, London, UK*

3:15 pm–3:25 pm

Networking Break

3:25 pm–4:25 pm

Is the European Work Permit a Dream or Reality?

After the initial disappointment of the Blue Card scheme, the EU has now approved the new “Blue Card” Directive. Together with the Intra-Corporate Transfer Directive and Long-Term Residence Directive, the “Blue Card” Directive aims to facilitate intra-EU mobility between EU member states to non-EU nationals. Our panel of experts will examine what these directives mean for clients seeking intra-EU mobility.

- Scope and requirements of the directives
- Status of member state implementation
- Eligibility for short-term/long-term mobility
- Best practices for mobility between EU countries

Faculty:

**TBD (DL)*

Marcel A.G. Reurs, Amsterdam, The Netherlands

(DL) = Discussion Leader

** = Invited Speakers, Not Confirmed*

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Karolina Schiffter, Warsaw, Poland

4:30 pm–5:30 pm

Latin America: Mobility in the Post-Pandemic Era

By many measures, Latin America was the region hardest hit by the COVID-19 pandemic. The health crisis had an enormous social and economic effect in the Mercado Común del Sur (MERCOSUR) countries, and it also had a huge impact on mobility in the region. Each MERCOSUR country approached COVID-19 immigration differently, with sharp contrasts between them (e.g., Chile/Argentina vs. Brazil). Panelists will discuss the aftermath of COVID-19, including the region's approach to the pandemic (border closures, vaccination requirements, etc.). In addition, they will address the impact on visa/residency permit processing, with a special focus on the current state of affairs (i.e., COVID-19 measures that are permanent and the new "digital nomad" visa classifications).

- Humanitarian programs in effect:
 - Ukraine and Russian dissidents' cases
 - Refugees
 - Special programs
- Regional residence agreements: strategies for mobility between MERCOSUR countries, requirements, duration of permits
- Consular processing vs. in-country processing: advantages, disadvantages, and tax implications

Faculty:

**Hector Gabriel Celano (DL), Buenos Aires, Argentina*

**Ricardo Maldonado, Caracas, Venezuela*

**Luis A. Pinilla, Bogota, Colombia*

Renê Ramos, Sao Paulo, Brazil

Cristina Sandoval Saravia, Guatemala, Guatemala

Track II: Country-Specific Track

2:15 pm–3:15 pm:

EU Citizens in the United Kingdom and UK Citizens in the EU: What Is Going On Post-Brexit?

What is expected for the United Kingdom (UK) and Europe as it relates to global mobility and the movement of people? Panelists will provide an update on the ramifications of Brexit, including the challenges it imposes on mobility in the UK and throughout the EU. They also will provide practical guidance on how UK and EU nationals should proceed in the post-Brexit world.

- UK Brexit perspective: EU citizens in the UK
- EU Brexit perspective: the status of EU member states post-Brexit

Faculty:

Sophie de Bellissen (DL), AILA Family Section Steering Committee, New York, NY

Matthew Amoils, Sydney, Australia

**Wojciech Bergier, Krakow, Poland*

**Bernard Caris, Brussels, Belgium*

Laura Devine, New York, NY

3:15 pm–3:25 pm

Networking Break

(DL) = Discussion Leader

** = Invited Speakers, Not Confirmed*

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3:25 pm–4:25 pm

All About Africa and Asia: Is African and Asian Migration Really on the Move?

The global mobility world is fascinated by the exquisite continents of Africa and Asia. There exists a particular eagerness to understand the future plans for these important (and enormous) regions. Panelists will provide an in-depth look into emerging trends for immigration opportunities in Asia and Africa. They also will examine, in detail, the various permanent residence options.

- Have local content and localization policies enacted by certain governments been effective at bridging the skills gap?
- Intra-Africa migration trends, including the potential impact the African Continental Free Trade Agreement (AfCFTA) would have on the continent
- Navigating immigration challenges in Africa and Asia
- How adaptive are African and Asian countries to changing trends in global mobility (i.e., remote working, e-visas, online submissions, etc.)

Faculty:

Paa Kwesi Hagan (DL), Accra, Ghana

B. Oluwapamilerin “Pamilerin” Akabunwa, Ikoyi, Nigeria

**Jeffrey Jackson, Nagoya, Japan*

**Satyendra Shrivastava, Mumbai, India*

**Chris Watters, Bedfordview, South Africa*

4:30 pm–5:30 pm

Is It a “Small World After All” for the LGBTQ+ Expatriate Community?

Many countries have very specific rules that apply to individuals who consider themselves part of the LGBTQ+ community. Panelists will discuss how much the world has advanced (or not) with regard to mobility and visa issues that surface when representing clients who are transgender, in a same-sex relationship, or otherwise identify as LGBTQ+.

- Dependent visas
- Visitor visas
- Asylum
- Practical realities managing daily life and estate planning

Faculty:

Poorvi R. Chothani (DL), Conference Program Committee Senior Advisor, Mumbai, India

**Jonas Lindblad, Gothenburg, Sweden*

J. Ariel Orrego-Villacorta Icochea, Miraflores, Peru

Salam Samad, Beirut, Lebanon

Ben Sheldrick, London, UK

5:30 pm

Conference Concludes

6:30 pm–9:00 pm

Conference Farewell Dinner

Advance purchase of tickets required for attendance.

Conference Program Committee

Gabriela Lessa, AILA Global Migration Section Steering Committee, Conference Program Committee Chair, Rio de Janeiro, Brazil

(DL) = Discussion Leader

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Shannon Donnelly, Conference Program Committee Vice Chair, Washington, D.C.

Poorvi Chothani, Conference Program Committee Senior Advisor, Mumbai, India

Amit Acco, Tel Aviv, Israel

David L.P. Garson, Toronto, ON, Canada

Ericka A. McFee, Elmhurst, IL

Ana Garicano Solé, Madrid, Spain

Bram Van Melle, Amsterdam, The Netherlands

Anita E.J. Ninan, AILA Global Migration Section Steering Committee Chair, Marietta, GA

William Russell Hummel, AILA Global Migration Section Steering Committee Vice Chair, Charlotte, NC

JJ Area, AILA Education Program Manager, Washington, D.C.

(DL) = Discussion Leader

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