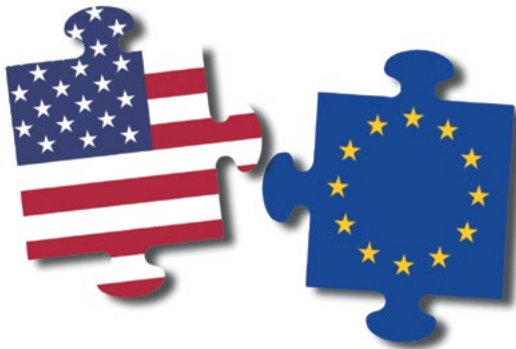




Max Planck Institute
LUXEMBOURG
for Procedural Law



Stevens, Gutenberg / www.halsdrucker.de

Transatlantic Trade and Investment Partnership (TTIP)

Framing the Adequate System for
Investor-State Dispute Settlement

Luxembourg, 3 & 4 December 2015

Event in the programme of Luxembourg's EU Council presidency where senior government and EU representatives will discuss challenges of the TTIP.

Experts of international investment arbitration will address the EU Commission proposal to establish a permanent court on the protection of investments.

Luxembourg's presidency of the Council of the European Union offers the opportunity to host a two-day event under the title "Transatlantic Trade and Investment Partnership (TTIP) – Framing the Adequate System for Investor-State Dispute Settlement." On this occasion, senior representatives of the ministries in Luxembourg and of EU institutions will discuss the expectations and challenges of the TTIP.

In the second part of the conference, leading experts in international arbitration will discuss the current state of affairs and the most pertinent problems of the investor-state dispute settlement, especially the latest proposals of the EU Commission on the establishment of a permanent court on investment dispute settlement as well as the prospects of a future dispute resolution mechanism.

Programme

Thursday, 3 December 2015

15:30 Welcome address

Professor H el ene Ruiz Fabri and Professor Burkhard Hess, Directors of the Max Planck Institute Luxembourg

Marc Hansen, Secretary of State for Higher Education and Research

16:00 **[** Round table:
Expectations and Challenges of the TTIP

Participants:

Viviane Reding, Member of the European Parliament;
Blanche Weber, Mouvement  cologique, Luxembourg;
Colin Brown, Deputy Head of Unit, Dispute Settlement and Legal Aspects of Trade Policy, European Commission;
Marc H ubsch, Deputy Director, Directorate for International Economic Relations and European Affairs, Government of the Grand Duchy of Luxembourg

Moderator: Fran ois Aulner, Journalist, radio 100,7, Luxembourg

Concluding remarks:

TTIP – A Strategic Alliance for Growth and Employment
Daniel Sahr, Advisor, International Affairs, Chamber of Commerce of Luxembourg

18:00 Reception

Friday, 4 December 2015

09:00

Panel 1:
Increasing the Legitimacy of ISDS

Chair: Professor Matthew Happold
Speaker: Professor Jeremy Sharpe
Commentator: Professor Stephan Schill

Discussion

09:45

Panel 2:
*Controlling the Arbitration Process
(remedies, binding declarations of states)*

Chair: Professor Matthew Happold
Speaker: Professor Christoph Schreuer
Commentator: Professor Alain Pellet

Discussion

10:30

Coffee break

11:00

Panel 3:
BITs and Applicable International Law in ISDS

Chair: Professor Rainer Hofmann
Speaker: Professor Laurence Boisson de Chazournes
Commentator: Professor Giorgio Sacerdoti

Discussion

11:45

Panel 4:
*Differences and Similarities between Investment and
Commercial Arbitration (different role of the awards,
precedent-building)*

Chair: Professor Rainer Hofmann
Speaker: Professor Diego Fernández Arroyo
Commentator: Professor Patrick Thieffry

Discussion

12:30

Lunch break

14:00

Round table:
*The Court of Justice, Union Law and ISDS
(preliminary references, state aid, exclusive competences)*

Chair: Professor H el ene Ruiz Fabri
Participants: Professor Pieter Jan Kuijper
Professor Eleftheria Neframi
Professor Rainer Hofmann
Professor Robert Howse
John Beechey

15:30

Closing remarks
Professor Burkhard Hess

16:00

Official closing

The Max Planck Institute for Procedural Law

Procedural law matters – this could be our leitmotif.

The Max Planck Institute Luxembourg for Procedural Law started its work in fall 2012 at its location on the Kirchberg, where, from the reading room, you can see the towers of the European Court of Justice. The Institute is the first Max Planck Institute on legal matters outside the German borders.

The location is ideal for focusing on procedural law: Luxembourg is indeed synonymous with the constant development and expansion of the legal systems of the EU Member States by means of European law and the jurisprudence of the Court of Justice of the European Union. The MPI is working on establishing a continuous and productive dialogue with the European courts and institutions. It organises lectures series and various international conferences and hosts an International Max Planck Research School on Successful Dispute Resolution.

The Institute comprises three departments:

- The Department of International Law and Dispute Resolution investigates the mechanisms and techniques of international dispute settlement and all kinds of decision-making processes. It focuses on their underlying principles and explores the related theoretical and historical schools of thought in international law.
- The Department of European and Comparative Procedural Law addresses the whole range of judicial and extrajudicial settlement of civil and commercial disputes. A special focus is given to the development of European procedural law.
- The Department of Regulatory Procedural Law to be established soon will investigate legal questions concerning capital and financial markets regulation.



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