



Max Planck Institute
LUXEMBOURG
for Procedural Law



**3rd IAPL-MPI Post-Doctoral
Summer School
on European and Comparative
Procedural Law**

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Privatizing Dispute Resolution and Its Limits
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Luxembourg, 1- 4 July 2018

Programme

Sunday, 1 July 2018

17:00 Welcome Coffee

17:30 Introduction to the Summer School

Welcome Address

by Professor Burkhard Hess, Director of the MPI Luxembourg
and Professor Loïc Cadiet, President of the IAPL

Presentation of the Participants

Inaugural Lecture

by Professor Burkhard Hess, Director of the MPI

19:30 Dinner

Directors: Professor Loïc Cadiet, Professor Burkhard Hess
Scientific Organisation: Professor Marta Requejo Isidro
Scientific backup support: Ms. Stavroula Angoura

Monday, 2 July 2018

10:00 Different Paths to Dispute Resolution in Europe

Chair: Professor Burkhard Hess

- Professor Stefan Voet: Dispute Resolution in Europe: New Avenues and Plea for an Integrated Approach
- Ms. Alina Ontanu: Court and Out-of-Court Procedures: In Search of a Comprehensive Framework for Consumers' Access to Justice in Cross-Border Litigation
- Mr. Juan Antonio Andino López: A Glance to the Future of Dispute Resolution: Collaborative Lawyers in Europe and Legal Attorney-Client Privilege in Subsequent Judicial Proceedings

11:50 Coffee Break

12:20 ADR, the Wider Picture: Settlements in Dispute Resolution

Chair: Professor Astrid Stadler

- Ms. Dorcas Quek Anderson: Supporting Party Autonomy in the Enforcement of Mediated Settlements Agreements - A Brave New World or Uncharted Territory?
- Mr. Paul Rolland: A Right to an Amicable Settlement and Equal Access to Amicable Dispute Resolution Mechanisms

13:30 Lunch

14:45 **Privatizing Dispute Resolution: The Case of Public Interest Litigation**
Chair: Professor Marta Requejo Isidro

- Ms. Alexia Pato: The Collective Private Enforcement of Data Protection Rights in the EU
- Mr. Yuji Yasunaga: The Role of the Japanese Court in Civil Litigations: Seeking to Protect the Public Interest

15:55 **Visit of the MPI Library**

16:35 Coffee Break

17:05 **Privatizing Dispute Resolution: The Case of Public Interest Litigation**
Chair: Professor Diego Fernández Arroyo

- Professor George Kodek: Arbitration and European Union Law

(End approx. 17:45)

19:00 Dinner

Tuesday, 3 July 2018

09:30 **Investment Arbitration**
Chair: Professor Janet Walker

- Ms. Margie-Lys Jaime: A New Framework for Improving the Investor-State Dispute Settlement System
- Ms. Marta Cichomska: Competing Jurisdictions: Domestic Courts v. Investment Tribunals—How to Manage Parallel Claims?
- Mr. Fengua Li: Privatizing Dispute Resolution: International IP Agreements as a Gateway to Trigger Investor-State Arbitration

11.15 Coffee Break

11:45 **International Commercial Arbitration**
Chair: Professor Diego Fernández Arroyo

- Professor Franco Ferrari: The Limits to Party Autonomy in International Commercial Arbitration

12:25 **ADR: Standards of Fairness and Values**
Chair: Professor Stefaan Voet

- Ms. Barbara Warwas: Access to Privatized Consumer Justice: Arbitration, ADR and the Future of Value-Oriented Justice in the EU
- Ms. Caroline Daniels: Alternative Dispute Resolution for European Consumers: A Question of Access to and Standards of Justice

13.35 Lunch

14:35 Third Party Funding in Dispute Resolution

Chair: Professor Franco Ferrari

- Professor Astrid Stadler: Third Party Funding of Mass Litigation in Germany
- Ms. Vassiliki Marazopoulou: Private International Law Issues to Third Party Funding in International Commercial Arbitration
- Ms. Rebecca Kahn: A Proposal for Mandatory Disclosure of Third Party Funding in International Investment Arbitration

16:25 Coffee break

16:55 International Commercial Arbitration

Chair: Professor Diego Fernández Arroyo

- Professor Janet Walker: International Commercial Arbitration in the Era of Transparency

(End approx. 17:35)

19:00 Dinner

Wednesday, 4 July 2018

10:00 **ADR, the Wider Perspective. Comparative Law Aspects**
Chair: Professor Loïc Cadet

- Mr. Alexandre Biard: Monitoring Consumer ADR in the EU: Empirical Insights
- Ms. Chrisoula Michailidou: Procedural and Substantial Issues of Mandatory Mediation and Its Limits in Cross-Border Cases. The Example of Greek Legislation
- Mr. Wannes Vandenbussche: Introducing 'Apology Legislation' in Civil Law Systems

11:45 Coffee break

12:15 **Privatizing Dispute Resolution, at What Price?**
Chair: Professor Loïc Cadet

- Professor Diego Fernández Arroyo : Nothing is for Free: The Prices to Pay for "Arbitrabilizing" Legal Disputes

12:55 **Closing Remarks**
by Professor Loïc Cadet

13:20 Lunch and Goodbye

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