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

Privatizing Dispute Resolution and Its Limits

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 Laywars 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
            Unchartered 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. 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**

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<th>Time</th>
<th>Session</th>
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<tr>
<td>10:00</td>
<td>ADR, the Wider Perspective. Comparative Law Aspects</td>
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<td><em>Chair: Professor Loïc Cadiet</em></td>
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<td>• Mr. Alexandre Biard: Monitoring Consumer ADR in the EU: Empirical Insights</td>
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<td>• Ms. Chrisoula Michailidou: Procedural and Substantial Issues of Mandatory Mediation and Its Limits in Cross-Border Cases. The Example of Greek Legislation</td>
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<td>• Mr. Wannes Vandenbussche: Introducing ‘Apology Legislation’ in Civil Law Systems</td>
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<td>11:45</td>
<td>Coffee break</td>
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<td>12:15</td>
<td>Privatizing Dispute Resolution, at What Price?</td>
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<td><em>Chair: Professor Loïc Cadiet</em></td>
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<td>• Professor Diego Fernández Arroyo: Nothing is for Free: The Prices to Pay for “Arbitrabilizing” Legal Disputes</td>
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<td>12:55</td>
<td>Closing Remarks</td>
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<td><em>by Professor Loïc Cadiet</em></td>
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<td>13:20</td>
<td>Lunch and Goodbye</td>
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Contact person:
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Venue:
Max Planck Institute Luxembourg for Procedural Law
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