



Recent Developments in European Civil Procedural Law

- Brussels Ibis: latest case law
- Digitalisation of judicial cooperation
- Climate justice and human rights litigation
- Third states relationships

Online, 1-2 December 2022

1 December 2022, 9:00-15:15 (CET)

2 December 2022, 9:00-13:00 (CET)



**UP
GRADE**
YOUR LEGAL
EXPERTISE

- Civil Procedure -

Speakers

Ilse Couwenberg, Judge at the Belgian Court of Cassation, Brussels

Tanja Domej, Professor at the University of Zurich

Christian Herrera Petrus, Partner, Professor of Procedural Law, Herrera Advocats, Barcelona

Burkhard Hess, Director of the Max Planck Institute Luxembourg for Procedural Law

Niilo Jääskinen, Judge at the Court of Justice of the European Union, Luxembourg

Xandra Kramer, Professor at Erasmus School of Law, University of Rotterdam; Part-time Professor at Utrecht University

Thalia Kruger, Professor at the University of Antwerp; Honorary Research Associate at the University of Cape Town

Alexander Layton KC, Barrister, Twenty Essex; Deputy High Court Judge; Visiting Professor at King's College London

Cristian Nicolau, Head of Unit, E-Justice, IT and Document Management, DG for Justice and Consumers, European Commission, Brussels

Krzysztof Pacula, Legal Secretary, Court of Justice of the European Union, Luxembourg

Marta Pertegás Sender, Part-time Professor at Maastricht University and the University of Antwerp

Mansur Pour Rafsendjani, Partner, Noerr, Munich

Rodrigo Rodriguez, Attorney-at-Law; Professor at the University of Lucerne

Pavel Simon, Judge at the Supreme Court of the Czech Republic, Brno

Andreas Stein, Head of Unit, Civil Justice, DG for Justice and Consumers, European Commission, Brussels

Geert van Calster, Attorney-at-Law; Professor at KU Leuven

Key topics

- Brussels Ibis: recent CJEU case law
- New Regulations on service of documents and taking of evidence, applicable since 1 July 2022
- New Regulation of 30 May 2022 on the e-CODEX system and recent Commission proposals on digitalisation in cross-border judicial cooperation
- Climate justice litigation and protection of human rights in supply chains
- Third states relationships

Language
English

Event number
122D67

Organiser
Dr Angelika Fuchs (ERA)



Recent developments in European Civil Procedural Law

Thursday, 1 December 2022

08:40 Connecting to the video platform

09:00 **Opening of the conference**
Angelika Fuchs

I. BRUSSELS Ibis: RECENT CASE LAW

Moderator: *Ilse Couwenberg*

09:05 **Scope and arbitration exception**
Niilo Jääskinen

09:20 Discussion

09:35 **The (new) concept of contract**
Krzysztof Pacula

09:50 Discussion

10:05 **Locating pure financial loss**
Alexander Layton

10:20 Discussion

10:35 Break

Moderator: *Geert van Calster*

10:45 **Choice of court agreements**
Marta Pertegás Sender

11:00 Discussion

11:15 **Pendency and *lis pendens***
Ilse Couwenberg

11:30 Discussion

11:45 **Provisional measures, recognition and enforcement**
Burkhard Hess

12:00 Discussion

12:15 Lunch break

II. BRUSSELS Ibis IN THE BROADER PICTURE

Moderator: *Burkhard Hess*

13:00 **Privacy issues, including strategic lawsuits against public participation (SLAPP)**
Xandra Kramer

13:15 Discussion

13:30 **Collective redress and Brussels Ibis**
Tanja Domej

13:45 Discussion

14:00 Break

Objective

This online conference aims at keeping legal practitioners dealing with cross-border civil litigation and dispute resolution up-to-date on the latest relevant regulatory developments, legislative initiatives and case law.

You will discuss...

- practical implications of the latest CJEU case law in European civil procedure
- key issues of the Brussels Ibis Regulation and proposals for its reform
- cross-border aspects of climate change litigation
- liability and conflict of laws issues in the context of the proposed Directive on corporate sustainability due diligence, COM(2022)71
- the new Regulations on service of documents and taking of evidence, applicable since 1 July 2022
- the new Regulation on e-Justice Communication via On-line Data Exchange of 30 May 2022 (e-CODEX)
- Commission proposals on digitalisation and cross-border judicial cooperation
- third states relationships, including cross-border enforcement after Brexit

Who should attend?

Lawyers in private practice dealing with civil litigation and commercial litigation and dispute resolution; in-house counsel; judges; notaries; business, company and banking lawyers; ministry officials; representatives of business and consumer organisations; stakeholders and policymakers; academics.

What participants said last year

“Outstanding interactive webinar”

“High quality of the speakers and the streaming platform”

“Top level of speakers”

“Excellent experience on all counts”

Moderator: *Xandra Kramer*

- 14:15 **Climate justice litigation**
Geert van Calster
- 14:30 Discussion
- 14:45 **Liability issues in the proposed Directive on corporate sustainability due diligence**
Mansur Pour Rafsendjani
- 15:00 Discussion
- 15:15 End of the first conference day

Friday, 2 December 2022

III. REPORTS FROM BRUSSELS

Moderator: *Thalia Kruger*

- 09:00 **e-CODEX and beyond: stocktake of EU policy and legislation**
Cristian Nicolau
- 09:20 Discussion
- 09:30 **Judicial cooperation in civil matters: current issues**
Andreas Stein
- 09:50 Discussion
- 10:15 Break

IV. SERVICE OF DOCUMENTS & TAKING OF EVIDENCE

Moderator: *Marta Pertegás Sender*

- 10:30 **New features of the Regulation on service of documents**
Pavel Simon
- 10:50 Discussion
- 11:05 **Videoconferences and more: the new Regulation on taking of evidence**
Christian Herrera
- 11:30 Discussion
- 11:45 Break

V. THIRD STATES RELATIONSHIPS

Moderator: *Alexander Layton*

- 12:00 **Heads of jurisdiction and *lis pendens***
Thalia Kruger
- 12:15 Discussion
- 12:30 **Enforcing judgments from third states, including the role of the 2005 and 2019 Hague Conventions**
Rodrigo Rodriguez
- 12:45 Discussion
- 13:00 End of conference

Your contact persons



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Interactive online seminar

The seminar will be hosted on the Zoom videoconferencing platform. The highest security settings will be applied. You will be able to interact immediately and directly with our top-level speakers and other participants. We will make the most of the technical tools available to deliver an intensive, interactive experience.

CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). Participation in the full programme of this event corresponds to **8 CPD hours**.

To obtain a certificate of participation for CPD purposes with indication of the number of training hours completed, participants must allow for their participation to be tracked. CPD certificates must be requested at the latest 14 days after the event, after which the participation records will be deleted for data protection purposes.

For programme updates: www.era.int
Programme may be subject to amendment.