Objective

This conference will analyse the most important recent legislative initiatives of the EU in the field of civil procedure.

Key topics

The conference will debate the state of play of the following current topics:

- Revision of the Brussels I Regulation
- Collective redress
- Alternative and online dispute resolution
- EU-wide freezing of bank accounts

Who should attend?

Legal practitioners involved in cross-border litigation, in-house counsel, representatives of consumer and business organisations, ministry officials, banking lawyers.

Travel to Trier:

Shuttle services from Luxembourg airport to the ERA Conference Centre can be booked at special rates with our partner Taxi Franken: www.taxi-franken.de/era

Speakers

Dr Ivo Bach, Lecturer, University of Mainz

Professor Avv Stefania Bariatti, University of Milan; Partner, Chiomenti Studio Legale, Milan

Mr Sebastian Bohr, DG Health and Consumers, European Commission, Brussels

Mr Jérôme Carriat, DG Justice, European Commission, Brussels

Ms Helen Carty, Partner, Clifford Chance, London

Professor Gilles Cuniberti, University of Luxembourg

Mr Mihail Danov, Senior Lecturer, School of Law, Brunel University, Uxbridge

Professor Burkhard Hess, University of Heidelberg

Professor Christopher Hodges, University of Oxford; Erasmus Professor of the Fundamentals of Private Law, Erasmus University, Rotterdam

Ms Marieke van Hooijdonk, Partner, Allen & Overy, Amsterdam

Mr Jens Kruse Mikkelsen, High Court Judge, Østre Landsret, Copenhagen

Mr Alexander Layton QC, 20 Essex Street, London

Ms Fatma Sahin, Advisor on Internal Market & Consumer Affairs, Eurocommerce, Brussels

Professor Ianika Tzankova, University of Tilburg; Senior Associate, NautaDutilh, Amsterdam

Ms Karen Vandekerckhove, DG Justice, European Commission, Brussels

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NEW LEGISLATIVE PROPOSALS ON CROSS-BORDER CIVIL LITIGATION

BRUSSELS I, ADR & ODR, COLLECTIVE REDRESS AND FREEZING OF BANK ACCOUNTS

Trier, 8-9 March 2012
ERA Conference Centre
Metzer Allee 4, Trier, Germany

Language: English

Organiser: Dr Angelika Fuchs

Event number: 112D37

Education and Culture DG
Lifelong Learning Programme

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Thursday, 8 March 2012

09:00 Arrival and registration

I. REVISION OF BRUSSELS I
Chair: *Gilles Cuniberti*

09:30 **Recast of the Brussels I Regulation: state of play**
European Commission: *Karen Vandekerckhove*
Danish EU Presidency: *Jens Kruse Mikkelsen*

10:15 **Analysis of the most topical issues**
- Brussels I and third countries
- Effectiveness of prorogation clauses
- Abolition of exequatur: which safeguards will be established?

Stefania Bariatti

10:45 Discussion

11:00 Coffee break

II. COLLECTIVE REDRESS
Chair: *Burkhard Hess*

11:30 **Brussels I and collective redress**
Mihail Danov

11:50 **Hands-on experience with mass claims**
Alexander Layton

12:15 **A coherent approach to European collective redress**
- Legal basis
- Effects on national procedural law
- Horizontal or sector-specific approach?

Ianika Tzankova

12:40 Discussion

13:00 Lunch

III. LEGISLATIVE PACKAGE ON ADR & ODR
Chair: *Stefania Bariatti*

14:00 **What member states, consumers and business need to do to establish effective ADR systems**
Christopher Hodges

14:30 **What changes does the Directive on ADR bring? How will the new EU-wide ODR platform work in practice?**
Sebastian Bohr

15:00 Discussion

15:30 Coffee break

16:00 **ADR & ODR: a win-win solution for consumers and business alike?**
Fatma Sahin

16:20 **Solving consumer disputes out-of-court: some critical remarks and open questions**
Ivo Bach

16:45 Discussion

17:15 End of the first conference day

19:00 Evening programme and dinner

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

Friday, 9 March 2012

IV. EU-WIDE FREEZING OF BANK ACCOUNTS
Chair: *Alexander Layton*

09:00 **The Draft Regulation Creating a European Account Preservation Order (EAPO)**
- Rationale and ambit
- What courts will be competent?
- Locating bank accounts
- What can be frozen?

Marieke van Hooijdonk

09:30 **What protection does the debtor receive?**
- Right to be heard?
- Amounts exempt from enforcement
- Challenging the order

Gilles Cuniberti

10:00 **Assessment of the proposal**
- Legislative competence
- Rule of law
- Compatibility with data protection rules

Burkhard Hess

10:30 Discussion

11:00 Coffee break

11:30 **The common law perspective**
Helen Carty

12:00 **Panel discussion:**
Who pays the costs?
What will be the next steps?
with an introduction by
Jérôme Carriat

13:00 Lunch and end of the conference