

## Objective

The aim of this conference is to provide legal practitioners with a comprehensive overview and high-level discussions on key topics and recent developments affecting their daily practice at the crossroads of international law and EU law.

## Key topics

- EU/Member States and international law: who does what? Issues relating to international negotiations, international responsibility, representation in international litigation, international law as a standard of review in CJEU case law
- The international dispute resolution mechanism jigsaw:
  - Litigation before European courts: private parties' access to the ECtHR and the CJEU, equivalent protection system
  - Brussels I and the arbitration exception, primacy of the New York Convention, parallel proceedings and conflicting court and arbitral decisions, recent EU case law (C-536/13 *Gazprom* and C-352/13 *CDQ*), 2015 entry into force of the Hague Convention on Choice of Court Agreements: changes and coordination
  - Relationship between ISDS and national judicial systems, protection of the State's right to regulate and legitimate public policy objectives, establishment and functioning of arbitral tribunals, review of ISDS decisions by bilateral or multilateral appellate mechanisms
- UN, EU and State sanctions: role and effectiveness, (extra-)territorial scope, impact on fundamental rights and judicial review by the ECtHR (*Nada* and *Al Dulimi*) and by the CJEU (*Kadi* and recent cases), impact on international sales contracts

## Who should attend?

Lawyers dealing with international law either in private practice or working for the EU, national governments or central banks.

## Speakers

**Mercédeh Azeredo da Silveira**, Associate, Derains & Gharavi International, Paris

**Régis Bismuth**, Professor, University of Poitiers, Director of Studies, ILA French Branch, Poitiers

**Colin Brown**, Deputy Head of Unit, Dispute Settlement and Legal Aspects of Trade Policy, DG Trade, European Commission, Brussels

**Pedro Cruz Villalón**, Advocate General, Court of Justice of the European Union, Luxembourg

**Rolf Einar Fife**, Norwegian Ambassador to France, former Director General of the Legal Affairs Department of the Norwegian Ministry of Foreign Affairs, Paris

**Francesco Giumelli**, Assistant Professor, Dept. of International Relations and International Organization, University of Groningen

**Jacob Grierson**, Partner, McDermott, Will & Emery, Paris

**Lucio Gussetti**, Director, Principal Legal Adviser, Legal Service, European Commission, Brussels

**Catherine Kessedjian**, Professor, University of Panthéon-Assas, Paris II; President, ILA French Branch; Member, ERA Board of Trustees, Paris

**Pieter Jan Kuijper**, Professor of the Law of International (Economic) Organisations, University of Amsterdam

**Jeremy McBride**, Barrister, Monckton Chambers, London

**Nuala Mole**, The Aire Centre (Advice on Individual Rights in Europe), London

**Konstanze von Papp**, Erich Brost Fellow in EU Law and German Law, University of Oxford

**Marc van der Woude**, Judge, General Court of the European Union, Luxembourg

**Valentin Zellweger**, Director General for International Law and Legal Adviser, Swiss Federal Department of Foreign Affairs (DFAE), Bern

### For further information and registration:

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## INTERNATIONAL LAW AND EUROPEAN UNION LAW – HARMONY AND DISSONANCE IN INTERNATIONAL AND EUROPEAN BUSINESS LAW PRACTICE

Trier, 24-25 September 2015  
ERA Conference Centre  
Metzer Allee 4, Trier, Germany

Organiser for ERA:  
Dr Karine Caunes

Languages:  
English, French  
(with simultaneous interpretation)

Event number: 415DP27



## Thursday 24 September 2015

- 13:15 Arrival and registration of participants
- 13:45 **Welcome and introduction**  
*Wolfgang Heusel, Catherine Kessedjian, Valentin Zellweger*
- I. THE EUROPEAN UNION AND INTERNATIONAL LAW: A COMPLEX RELATIONSHIP**  
*Chair: Rolf Einar Fife*
- 14:00 **The role of the EU and its Member States in international negotiations**  
*Konstanze von Papp*
- 14:30 **International Law as a standard of review in EU Law**  
*Pedro Cruz Villalón*
- 15:00 Discussion
- 15:30 Coffee break
- 16:00 **The international responsibility of the EU and its Member States**  
*Pieter Jan Kuijper*
- 16:30 **The representation of the EU in international litigation**  
*Lucio Gussetti*
- 17:00 Discussion
- 18:00 End of the first day
- 19:00 Guided city tour of Trier
- 20:00 Conference dinner

## Friday 25 September 2015

- II. DISPUTE RESOLUTION MECHANISMS: COMPLEMENTARITY OR COMPETITION?**  
*Chair: Catherine Kessedjian*
- 9:30 **Litigation before European courts**  
*Nuala Mole*
- Private parties' access to the ECtHR and the CJEU
  - Equivalent protection: function and limits
- 10:00 Discussion
- 10:20 **Interplay between arbitration proceedings and national court proceedings in civil and commercial matters**  
*Jacob Grierson*
- 10:50 Discussion
- 11:10 Coffee break
- 11:30 **The choice between arbitration and other dispute settlement mechanisms in investment matters**  
*Colin Brown*
- 12:00 Discussion
- 12:30 Lunch

## III. INTERNATIONAL AND EUROPEAN SANCTIONS REGIMES

- Chair: Valentin Zellweger*
- 13:30 **UN, EU and State sanctions**  
*Francesco Giumelli and Régis Bismuth*
- Role and effectiveness of sanctions
  - Legal effects and territorial scope
  - Impact on fundamental rights
- 14:10 **Judicial review of sanctions: the CJEU's perspective**  
*Marc van der Woude*
- 14:40 **Judicial review of sanctions: the ECtHR's contribution**  
*Jeremy McBride*
- 15:10 Discussion
- 16:00 Coffee break
- 16:30 **Impact of trade sanctions on international sales contracts**  
*Mercédeh Azeredo da Silveira*
- 17:00 Discussion
- 17:30 End of the conference

Programme may be subject to amendment.  
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