

Erasmus Law Review (issue 12-2)

Call for papers

International Business Courts – A European and Global Perspective

(Deadline: 10 June 2018)

Erasmus Law Review is a double-blind peer review journal and invites submissions for its upcoming special issue on *International Business Courts – A European and Global Perspective*.

International commercial or business courts have long been established in a number of countries as a form of court specialization the aim of which is to offer a tailor-made procedure within one or more specialist courts or court divisions. Over the past decade the topic of court specialization and the creation of business courts in particular has gained attention. In Europe, in February 2018, the International Commercial Chamber within the Paris Court of Appeal was inaugurated, and the Netherlands Commercial Court (NCC) will open its doors on 1 July 2018. In Belgium in early May 2018, a proposal to create the Brussels International Business Court (BIBC) was put before parliament, and in Germany an initiative has been launched to strengthen Frankfurt as a centre for commercial litigation in Europe (the Frankfurt Initiative). Outside of Europe, noteworthy developments in this area are: the Singapore International Commercial Court (SICC), established in 2015; and, in the financial sector, the Dubai International Financial Centre Court (DIFC), the Qatar International Court in the Qatar Financial Centre, and the Abu Dhabi Global Market (ADGM) Court in the United Arab Emirates. Many of these courts are inspired, in part, by or modelled on the Commercial Court in London, England.

The recent rise of commercial or business courts is a consequence of the need to provide appropriate court expertise and procedural rules, and is inherent to the increasing complexity of business relations. However, the recent creation of these courts is often also triggered by other considerations. First, commercial disputes and litigation are often not confined to one jurisdiction, but have international aspects. This requires not only subject-matter expertise, but also knowledge of the particulars of international business relations, foreign legal systems, and private international law rules. It is noteworthy that a special feature of the recently established courts is that they offer parties the possibility of litigating in English, requiring appropriate language skills. Secondly, establishing such courts is also triggered by the desire to raise the profile of the jurisdiction so that it is seen to be an attractive venue for international business litigants. While the aforementioned initiatives date back to before the Brexit vote, recent discussions are fuelled by uncertainty as to the future international litigation regime, business relocation, and opportunities this may create for boosting local legal markets. Thirdly, commercial arbitration has taken over a substantial part of commercial court litigation. To counter what has been called the vanishing trial – a phenomenon that was first evidenced in the United States – some governments justify the creation of business courts with procedural regimes that in part are modelled on arbitration rules by reference to the desire to provide a high quality and cheaper alternative.

The Erasmus Law Review invites submissions on topics relating to court specialization, specifically relating to the development of international business courts in Europe and beyond, and focusing on justice innovation and their relevance for access to justice and the judicial system, including the challenges they may pose for judicial administration, litigants and other stakeholders. Contributions can be theoretical, empirical as well as policy oriented. Interdisciplinary approaches are especially encouraged.

The issue will also include papers focusing on the Netherlands, the United Kingdom (England and Wales), France, Germany, and Belgium, and deriving from the seminar on ‘[Innovating International Business Courts: A European Outlook](#)’ that will take place in Rotterdam on 10 July 2018. The seminar is organized by [Erasmus School of Law](#) under the ERC project ‘[Building EU Civil Justice](#)’ (Erasmus University Rotterdam), the [Max Planck Institute for Procedural Law](#) Luxembourg, and the [Montaigne Centre](#) for Rule of Law and Administration of Justice (Utrecht University).

Authors of selected papers will be exempt from registration fees for the seminar and will have the opportunity to present a poster during the drinks after the seminar.

Submission

Please submit an abstract in English of no more than 500 words to Erlis Themeli (themeli@law.eur.nl) and Alexandre Biard (biard@law.eur.nl) before **10 June 2018**. Include your name, affiliation, and a link to your research profile. You will be informed on the outcome on **24 June 2018** at the latest. Responsible issue editors are Xandra Kramer (Erasmus University Rotterdam/Utrecht Utrecht) and John Sorabji (University College, London).

The final paper should be 8,000-12,000 words in length (including footnotes) and must comply with the Erasmus Law Review’s [Authors Guidelines](#). Selected papers will go through the regular double-blind peer review process and publication is subject to the outcome of this review process. The deadline for submission of the paper is **1 October 2018**.

