Stefan Wrbka on European Consumer Access to Justice Revisited

Stefan Wrbka, Associate Professor for European and Comparative Private Law at Kyushu University, has authored a book on "European Consumer Access to Justice Revisited". Published by Cambridge University Press it will be out in late November.

More information is available on the publisher's website. The official abstract reads as follows:

European Consumer Access to Justice Revisited takes into account both procedural and substantive law questions in order to give the term 'access to justice' an enhanced meaning. Specifically, it analyses developments and recent trends in EU consumer law and aims to evaluate their potential for increasing consumer confidence in the cross-border market. Via a critical assessment of the advantages and disadvantages of the means initiated at the EU level, the author highlights possible detriments to the cross-border business-to-consumer (B2C) market. To remedy this, he introduces an alternative method of creating a legal framework that facilitates B2C transactions in the EU – 'access to justice 2.0'.

A Note from Professor S.I. Strong on the Results of Her Recent Survey on International

Commercial Mediation and Conciliation

With the permission of the publishers, I wanted to let you know that the preliminary results from a recent empirical study on international commercial mediation and conciliation are now available. The study, which is entitled "Use and Perception of International Commercial Mediation and Conciliation: A Preliminary Report on Issues Relating to the Proposed UNCITRAL Convention on International Commercial Mediation and Conciliation," collected detailed data on 34 different questions from 221 respondents from all over the world. Survey participants included private practitioners, neutrals, in-house counsel, government lawyers, academics and judges with expertise in both domestic and international proceedings.

This information was gathered to assist UNCITRAL and UNCITRAL Working Group II (Arbitration and Conciliation) as they consider a proposal from the Government of the United States regarding a possible convention in this area of law. The U.S. proposal will be considered in depth at the Working Group II meeting in February 2015.

Those who would like to see a copy of the preliminary report can download a free copy here. The data will be further analyzed in the coming months and published sometime next year as an article.

Many thanks to those from conflictsoflaw.net who participated in the survey and who helped distribute it among their networks. If you have any questions about the preliminary report, please feel free to let me know.

Kind regards,

S.I. Strong, FCIArb

Associate Professor of Law

Senior Fellow, Center for the Study of Dispute Resolution University of Missouri

Papers ELI/UNIDROIT Project on Civil Procedure published

As we reported earlier, in October 2013, the first exploratory workshop of the ELI/UNIDROIT project on European Rules of Civil Procedure took place. This was followed by the launch of three pilot studies this spring, the first results of which will be discussed in Rome next week.

Most of the papers presented at the first exploratory workshop have meanwhile been published in the *Uniform Law Review* 2014, issues 2 and 3.

Uniform Law Review 2014/2

- Diana Wallis Introductory remarks on the ELI-Unidroit project
- Geoffrey C. Hazard, Jr. Some preliminary observations on the proposed ELI/Unidroit civil procedure project in the light of the experience of the ALI/Unidroit project
- Sacha Prechal and Kees Cath The European acquis of civil procedure: constitutional aspects
- Thomas Pfeiffer The contribution of arbitration to the harmonization of procedural laws in Europe
- Xandra E. Kramer The structure of civil proceedings and why it matters: exploratory observations on future ELI-Unidroit European rules of civil procedure
- Nicolò Trocker From ALI-Unidroit Principles to common European rules on access to information and evidence? A preliminary outlook and some suggestions
- Loïc Cadiet The ALI-Unidroit project: from transnational principles to European rules of civil procedure: Public Conference, opening session, 18 October 2013
- Neil Andrews Fundamentals of costs law: loser responsibility, access to justice, and procedural discipline
- Miklós Kengyel Transparency of assets and enforcement
- Rolf Stürner Principles of European civil procedure or a European model code? Some considerations on the joint ELI-Unidroit project

- Eva Storskrubb Due notice of proceedings: present and future
- Ianika N. Tzankova Case management: the stepchild of mass claim dispute resolution

International Seminar on Private International Law, Madrid 2015

The 9th International Seminar on Private International Law promoted by Professor Fernández Rozas and Professor De Miguel Asensio (University Complutense, Madrid), has been scheduled for May 22 next year.

This edition's speakers will be, among others, Prof. Burkhard Hess (Max Planck Institute Luxembourg for International, European and Regulatory Procedural Law), Bertrand Ancel (Université Paris II), Franco Ferrari (New York University) and Louis D'Avout (Université Paris II). Short contributions from academics and law professionals are welcome provided they are timely submitted. In this regard the organizers kindly request those intending to participate to send an email to Professor Patricia Orejudo (patricia.orejudo@der.ucm.es) as soon as possible, in any event not later than December 15, 2014, including the title of the proposal and a brief summary of its contents. Accepted papers will be eligible for publication in the *Anuario Español de Derecho Internacional Privado*, subject to prior scientific peer evaluation.

The definitive program, schedule of presentation, venue and further details on organization will be announced here as soon as they become available.

Commemorating Bernd von Hoffmann (1941-2011)

The University of Trier will hold an academic ceremony commemorating the late Professor Dr. Bernd von Hoffmann (1941-2011), on November 28, 2014. Bernd von Hoffmann held a Chair in Private Law, Comparative Law and Private International Law at the University of Trier from 1979 to 2007 and is recognized as one of the leading scholars of his generation, particularly in the fields of private international law and arbitration. The ceremony will be followed by a symposium (in German) dealing with "Structural asymmetries in international dispute resolution" on November 29, 2014. The ceremony and the symposium are organized by von Hoffmann's academic pupils, Professor Dr. Herbert Kronke, LL.M., University of Heidelberg, who is currently serving as a judge with the Iran-United States Claims Tribunal in The Hague, and Professor Dr. Karsten Thorn, LL.M., Bucerius Law School, Hamburg, in close collaboration with the Institute for Legal Policy at the University of Trier and the University's law faculty.

The program is as follows:

Friday, November 28, 2014 - 17.30

Welcome Addresses

Professor Dr. Mark A. Zöller, Dean, Faculty of Law, University of Trier

Professor Dr. Michael Jäckel, President, University of Trier

Zur Person Bernd von Hoffmann

Professor Dr. Herbert Kronke, LL.M., University of Heidelberg; Judge, Iran-United States Claims Tribunal, The Hague

Privatautonomie und Parteiautonomie: (familienrechtliche) Zukunftsperspektiven Professor Dr. Dr. h.c. mult. Dieter Henrich, University of Regensburg

Saturday, November 29, 2014 - 9.00 - 14.00

Welcome Address

Professor Dr. Gerhard Robbers, Minister of Justice, Rhineland-Palatinate

Der Schutz des Geschädigten bei grenzüberschreitenden Delikten im

europäischen Zivilprozessrecht Professor Dr. Jan von Hein, University of Freiburg/Germany

Grenzüberschreitende Rechtsdurchsetzung und Gemeinsames Europäisches Kaufrecht

Professor Dr. Jens Kleinschmidt, LL.M., University of Trier

Schiedsvereinbarungen in Fällen struktureller Unterlegenheit – hinreichende Schutzmechanismen oder Regelungslücken?

Professor Dr. Karsten Thorn, LL.M., Bucerius Law School, Hamburg

Kollektiver Rechtsschutz im Schiedsverfahren Professor Dr. Thomas Rüfner, University of Trier

Justice is open to all – like the Ritz Hotel: Schiedsvereinbarungen im Sport Dr. Francesca Mazza, Deutsche Institution für Schiedsgerichtsbarkeit

Convention on Taking Evidence in the EU

The Institute for Civil, Comparative and International Private Law of the Faculty of Law in Ljubljana is organising an international conference titled "European Dimension of Taking Evidence in Civil Procedure". This conference is focused on one of the important topics in the EU law on civil procedure and its various aspects, including the principle of *audiatur et altera pars*, role of the judge in taking evidence, administration and integrity of evidence as well as function of the information technology in the process. This conference is one of the activities within the EU funded project Dimensions of Evidence in European Civil Procedure. More details are available in the program.

The conference will be held 15 and 16 January 2015 at the premises of the Faculty of Law in Ljubljana, Slovenia.

22nd Croatian Arbitration Days

An annual international arbitration conference with long tradition will gather for the 22nd time some of the leading arbitration experts from Croatia and abroad. This year's topics deal with damages and expert vitnesses in arbitration, in addition to the overview of the recent arbitration developments in the South East Europe. Among presenations which are mostly arbitration-orented, there are some which also have private International law character. The program of the conference is available here: 22nd CAD - Conference Program.

The conference is scheduled for 4-5 December 2014 and will take place in Zagreb at the Croatian Chamber of Economy. Further details may be found on the Chamber's webpage.

Kurt Lipstein: Collection of Essays

Peter Feuerstein and Heinz-Peter Mansel have edited a "Collection of Essays" by Kurt Lipstein, a German law professor who emigrated from Germany to England in 1934.

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The English abstract reads as follows:

This collection contains a selection of essays by the late Professor Kurt Lipstein, who emigrated from Germany to Cambridge in 1934. It focuses on his central works on the general principles of private international law, which are characterized by his comparative approach and his attention to the many relationships between conflicts of law and questions of public international and European law. It includes Lipstein's first studies of the conflict of laws as well as his powerful Hague lecture on the basic principles of private international law and his influencing articles on the development of the conflict of laws

More information is available on the publisher's website.

Save the date: 128th Conference of the Private International Law Association of Japan (2015)

The Private International Law Association of Japan was formed as an academic organization on November 4, 1949, for the purpose of enhancing the study of private international law and promoting cooperation with similar academic bodies overseas, as well as coordination among researchers of private international law. Its 128th conference will take place on Saturday, June 6, and Sunday, June 7, 2015, at the Campus of Waseda University, Shinjuku-Ward, Tokyo. One of the panels will deal with "Regional Economic Integration and Private International Law" from a comparative perspective. Further information and programme details will follow as and when they become available here.

Bareiß on Conflicts of Obligations in the Transnational Taking of Evidence

Andreas Bareiß has authored a book on conflicts of obligations in the transnational taking of evidence ("Pflichtenkollisionen im transnationalen ■ Beweisverkehr. Offenbarungspflichten im Zivilprozessrecht der USA und

Offenbarungsverbote nach deutschem und europäischem Recht"). The book is in German. The English abstract reads as follows:

Andreas Bareiß studies the legal position of German companies involved in an American pretrial discovery which are caught in a dilemma between disclosure obligations in accordance with the American law of civil procedure and the prohibition of disclosure in accordance with German and European law.

More information is available on the publisher's website.