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A call for papers has been issued for the next number, whose theme will be “Matrimonio poliamoroso en el Derecho internacional privado”. Contributions must be sent before 25 February 2022 to the following email address: < graham@jamesgraham.legal >. For more information, see the last page of the current issue.

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La convention d'arbitrage dans les nouvelles puissances économiques

(Bruselas, Bruylant, 2021, 890 pp.)

Texto y Contexto. Ley General de Derecho Internacional Privado N.º 19.920

(Uruguay, FCU, 2021, 280 pp.)

DOCUMENTOS

CONTRATOS ENTRE COMERCIANTES CON PARTE CONTRACTUALMENTE DÉBIL (PROPUESTA AL COMITÉ JURÍDICO INTERAMERICANO)

(presentado por la doctora Cecilia Fresnedo de Aguirre)

Third Issue of Journal of Private International Law for 2021

The third issue of the *Journal of Private International law* for 2021 was released today. It features the following articles:

Jonannes Ungerer, “Explicit legislative characterisation of overriding mandatory provisions in EU Directives: Seeking for but struggling to achieve legal certainty”

Traditionally, the judiciary has been tasked with characterising a provision in EU secondary law as an overriding mandatory provision (“OMP”) in the sense of Art 9(1) Rome I Regulation. This paradigm has however shifted recently as the legislator has started setting out such OMP characterisation explicitly, which this paper addresses with regard to EU Directives. The analysis of two Directives on unfair trading practices in the food supply chain and on the resolution of financial institutions reveals that their explicit legislative characterisations of OMPs can benefit legal certainty if properly drafted by the EU and correctly transposed into national law by the Member States. These requirements have not yet been fully met as there are inconsistencies and confusion with only domestically mandatory provisions, which need to be resolved. More generally, the paper elucidates the tensions of competence between legislators and courts on both the EU and national levels due to the explicit legislative characterisation. It also considers the side effects on pre-existing and future provisions in Directives without explicit legislative characterisation. Finally, it acknowledges that the extraterritorial effect of OMPs is intensified and therefore requires the legislator to seek international alignment.

Patrick Ostendorf, “The choice of foreign law in (predominantly) domestic contracts and the controversial quest for a genuine international element: potential for future judicial conflicts between the UK and the EU?”

The valid choice of a (foreign) governing law in commercial contracts presupposes, pursuant to EU private international law, a genuine international element to the transaction in question. Given that the underlying rationale of this requirement stipulated in Article 3(3) of the Rome I Regulation has yet to be fully explored, the normative foundations as to the properties that a genuine international element must possess remain unsettled. The particularly low threshold applied by more recent English case law in favour of almost unfettered party autonomy in choice of law at first glance avoids legal uncertainty. However, such a liberal interpretation not only robs Article 3(3) Rome I Regulation almost entirely of its meaning but also appears to be rooted in a basic misunderstanding of both the function and rationale of Article 3(3) Rome I Regulation in the overall

system of EU private international law. Consequently, legal tensions with courts based in EU member states maintaining a more restrictive approach may become inevitable in the future due to Brexit.

Darius Chan & Jim Yang Teo, “Re-formulating the test for ascertaining the proper law of an arbitration agreement: a comparative common law analysis”

Following two recent decisions from the apex courts in England and Singapore on the appropriate methodology to ascertain the proper law of an arbitration agreement, the positions in these two leading arbitration destinations have now converged in some respects. But other issues of conceptual and practical significance have not been fully addressed, including the extent to which the true nature of the inquiry into whether the parties had made a choice of law is in substance an exercise in contractual interpretation, the applicability of a validation principle, and the extent to which the choice of a neutral seat may affect the court’s determination of the proper law of the arbitration agreement. We propose a re-formulation of the common law’s traditional three-stage test for determining the proper law of an arbitration agreement that can be applied by courts and tribunals alike.

Amin Dawwas, “*Dépeçage* of contract in choice of law: Hague Principles and Arab laws compared”

This paper discusses the extent to which the parties may use their freedom to choose the law governing their contract under the Hague Principles on Choice of Law in International Commercial Contracts and Arab laws, namely whether they can make a partial or multiple choice of laws. While this question is straightforwardly answered in the affirmative by the Hague Principles, it is debatable under (most) Arab laws. After discussion of the definition of *dépeçage* of contract, this paper presents the provisions of *dépeçage* of contract under comparative and international law, including the Hague Principles, and then under Arab laws. It concludes that Arab conflict of laws rules concerning contract should be reformed according to the best practices embodied in this regard by the Hague Principles.

Jan Ciaptacz, “*Actio pauliana* under the Brussels Ia Regulation – a challenge for principles, objectives and policies of EU private international law”

The paper discusses international jurisdiction in cases based on *actio pauliana* under the Brussels Ia Regulation, especially with regard to the principles, objectives and policies of EU private international law. It concentrates on the assessment of various heads of jurisdiction that could possibly apply to *actio pauliana*. To that end, the CJEU case law was thoroughly analysed alongside international legal scholarship. As to the jurisdictional characterisation of *actio pauliana*, the primary role should be assigned to teleological and systematic considerations. *Actio pauliana* can neither be characterised as an issue relating to torts nor as a right *in rem* in immovable property. Contrary to the recent position adopted by the CJEU, it should also be deemed not to fall within matters relating to a contract. The characterisation of *actio pauliana* as a provisional measure or an enforcement mechanism for jurisdictional purposes is equally incorrect.

Harry Stratton, “Against renvoi in commercial law”

The doctrine of renvoi is rightly described as “a subject loved by academics, hated by students and ignored (when noticed) by practising lawyers (including judges)”. This article argues that the students have much the better of the argument. English commercial law has rightly rejected renvoi as a general rule, because it multiplies the expense and complexity of proceedings, while doing little to deter forum-shopping and enable enforcement. It should go even further to reject renvoi in questions of immovable property, because the special justification that this enables enforcement of English judgments against foreign land ignores the fact that title or possession of such land is generally not justiciable in English courts and such judgments will not be enforced irrespective of whether renvoi is applied.

Yun Zhao, “The Singapore mediation convention: A version of the New York convention for mediation?”

Settlement agreements have traditionally been enforced as binding contracts under national rules, a situation considered less than ideal for the promotion of mediation. Drawing on the experience of the 1958 New York Convention on international arbitration, the 2019 Singapore Mediation Convention provides for the enforcement of settlement agreements in international commercial disputes. Based on its provisions and the characteristics and procedures of mediation, this article discusses the impact of the Singapore Mediation Convention on the promotion of mediation and its acceptance by the international community. It is argued that the achievements of the New York Convention do not necessarily promise the same success for the Singapore Mediation Convention.

Jakub Pawliczak, "Reformed Polish court proceedings for the return of a child under the 1980 Hague Convention in the light of the Brussels IIb Regulation"

In recent years a significant increase in applications sent to Polish institutions to obtain the return of abducted children under the 1980 Hague Abduction Convention can be observed. Simultaneously, Poland has struggled with a problem of excessively long court proceedings in those cases and the lack of specialisation among family judges. Taking these difficulties into consideration, in 2018 the Polish Parliament introduced a reform aimed at improving the effectiveness of the court proceedings for the return of abducted children. The work on the amendment of the Polish legal regulations was carried out in parallel to the EU legislative process in the field of international child abduction. Although the Polish reform had been introduced before Council Regulation (EU) 2019/1111 of 25 June 2019 (Brussels IIb) was adopted, the 2016 proposal for this Regulation had been known to the national legislature. When discussing the amended Polish legal regulations, it should be considered whether they meet their goals and whether they are in line with the new EU law.

Elaine O'Callaghan, "Return travel and Covid-19 as a grave risk of harm in Hague Child Abduction Convention cases"

Since February, 2020, courts have been faced with many novel arguments concerning the Covid-19 pandemic in return proceedings under the "grave risk exception" provided in Article 13(1)(b) of the 1980 Hague Convention. This article

presents an analysis of judgments delivered by courts internationally which concern arguments regarding the safety of international travel in return proceedings during the Covid-19 pandemic. While courts have largely taken a restrictive approach, important clarity has been provided regarding the risk of contracting Covid-19 as against the grave risk of harm, as well as other factors such as ensuring a prompt return despite practical impediments raised by Covid-19 and about quarantine requirements in the context of return orders. Given that the pandemic is ongoing, it is important to reflect on this case law and anticipate possible future issues.

Chukwudi Paschal Ojiegbe, "The overview of private international law in Nigeria"
(Review Article)

EUI Conference on Appellate Review and Rule of Law In International Trade and Investment Law

Tomorrow, **20 January 2022**, the Department of Law of the European University Institute organizes a Conference on Appellate Review and Rule of Law In International Trade and Investment Law. The event will take place in a hybrid format that may be attended online via zoom or offline in person at the Badia Fiesolana-Refettorio.

The organizers characterise the purpose of the Conference as follows:

"Do regulatory competition, geopolitical rivalries, climate change, regionalism and plurilateral agreements risk undermining the UN

and WTO legal orders and sustainable development objectives? How should the EU respond? This conference aims to create an interactive and targeted discussion on these intricate questions, with presentations by esteemed scholars in international economic law and policy

Why is it that the EU promotes judicialization and appellate review in trade and investment relations while the US government has unilaterally disrupted the appellate review system of the World Trade Organization and seeks to limit judicial remedies in trade and investment agreements? Is appellate review necessary for protecting rule of law, sustainable development and prevention of trade, investment and climate conflicts? Answers to these questions are influenced by the prevailing conceptions of international economic law. Commercial law conceptions and Anglo-Saxon neo-liberalism often prioritize private autonomy and business-driven arbitration and market regulation. Authoritarian governments tend to prioritize state sovereignty and intergovernmental dispute settlements. European ordo-liberalism emphasizes the need for embedding economic markets into multilevel human and constitutional rights and judicial remedies.

This conference aims to create an interactive and targeted discussion on these intricate questions, with presentations by esteemed scholars in international economic law and policy. The International Economic Law and Policy Working Group is therefore delighted to invite you to join this discussion on Thursday, 20th January 2022 at 14.30 (CET).

Speakers:

Professor Ernst-Ulrich Petersmann, European University Institute,

Professor Fabrizio Marrella, Ca' Foscari University of Venice,

Dr Maria Laura Marceddu, European University Institute, and

Professor Bernard Hoekman, European University Institute”

This event is open to all. Please register via the following link by Wednesday, 19th January 2022, indicating whether you would like to attend the event in person or

online. The Zoom link as well as the participants allowed to attend the event in person will be shared with registered participants prior to the event.”

For the programme and further information on the EUI Conference please consult the attached programme as well as the event’s website.

Save the Date: German Conference for Young Scholars in Private International Law 2023

Following successful conferences in Bonn, Würzburg and Hamburg, please save the date for the 4th German-speaking Conference for Young Scholars in Private International Law, which will take place on 23 and 24 February 2023 at Sigmund Freud University in Vienna.

The theme of the conference will be

Deference to the foreign - empty phrase or guiding principle of private international law?

The organisers explain: “As part of the legal system, rules of private international law are bound by the principles of their national jurisdiction, but they also open up the national system to foreign rules. Is the claim of deference to the foreign merely an empty phrase or, at best, a working hypothesis, or can it serve as a meaningful guiding principle of private international law? Are there tendencies within or across specific areas of private international law to move away from deference to, and towards a general suspicion against, the foreign? To what

extent does (mutual) trust become the basis of deference to the foreign in the process of internationalisation and Europeanisation? What, if any, is the relationship between deference to the foreign and the methods of private international law?

We would like to explore these and many other related questions at the 4th German-speaking Conference for Young Scholars in Private International Law. We are inviting contributions from all areas of private international law, including but not limited to contract and tort law, company law, family and succession law as well as international procedural law, international arbitration and uniform law. The written contributions will be published in an edited conference volume. The conference will be held in German, but English presentations are also welcome. The call for papers will be released in spring 2022 and we expect the submission of abstracts until late summer 2022.

We cordially invite all interested scholars to save the date of the conference. Please feel free to contact us with any questions (ipr@sfu.ac.at). Further information on the conference is available at <https://tinyurl.com/YoungPIL>.

Andreas Engel, Florian Heindler, Katharina Kaesling, Ben Köhler,
Martina Melcher, Bettina Rentsch, Susanna Roßbach, Johannes Ungerer.”

For the German text of the note, please consult the attached pdf: Save-the-date-IPR-2023_DE

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Kind regards,

Andreas Engel

Florian Heindler

Katharina Kaesling

Ben Köhler

Martina Melcher

Bettina Rentsch

Susanna Roßbach

Johannes Ungerer

Update: HCCH 2019 Judgments Convention Repository

Rescheduled: “The HCCH 2019 Judgments Convention: Prospects for Judicial Cooperation in Civil Matters between the EU and Third Countries” - Conference on 9 and 10 September 2022, University of Bonn, Germany

In preparation of the Conference on the HCCH 2019 Judgments Convention on 9/10 September 2022, planned to be taking place on campus of the University of Bonn, Germany, we are offering here a Repository of contributions to the HCCH 2019 Judgments Convention. Please email us if you miss something in it, we will update immediately...

Update of 12 January 2022: New entries are printed bold.

Please also check the “official” Bibliography of the HCCH for the instrument.

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III. Recordings of Events Related to the HCCH 2019 Judgments Convention

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| HCCH | “HCCH a Bridged: Innovation in Transnational Litigation – Edition 2021: Enabling Party Autonomy with the HCCH 2005 Choice of Court Convention”, 1 December 2021 (full recording available here) |
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| UIHJ; HCCH | “3 rd training webinar on the Hague Conventions on service of documents (1965) and recognition and enforcement of judgements (2019)”, 15/18 March 2021 (full recording available here in French and here in English) |
| ASADIP; HCCH | “Conferencia Internacional: Convención HCCH 2019 sobre Reconocimiento y Ejecución de Sentencias Extranjeras”, 3 December 2020 (full recording available here and here) |
| ASIL | “The Promise and Prospects of the 2019 Hague Convention”, 25-26 June 2020 (full recording available here and here) |
| JPRI; HCCH; UNIDROIT; UNCITRAL | “2020 Judicial Policy Research Institute International Conference - International Commercial Litigation: Recent Developments and Future Challenges, Session 3: Recognition and Enforcement of Foreign Judgments”, 12 November 2020 (recording available here) |
| University of Bonn; HCCH | “Pre-Conference Video Roundtable on the HCCH 2019 Judgments Convention: Prospects for Judicial Cooperation in Civil and Commercial Matters between the EU and Third Countries”, 29 October 2020 (full recording available here) |
| Department of Justice Hong Kong; HCCH | “Inaugural Global Conference - 2019 HCCH Judgments Convention: Global Enforcement of Civil and Commercial Judgments”, 9 September 2019 (recording available here) |
| HCCH | “22 nd Diplomatic Session of the HCCH: The Adoption of the 2019 Judgments Convention”, 2 July 2020 (short documentary video available here) |

Chronology of Practice: Chinese Practice in Private International Law in 2020

This post has been prepared by He Qisheng, Professor of International Law, Peking University Law School, and Chairman at the Peking University International Economical Law Institute, has published the 7th Survey on Chinese Practice in Private International Law.

This survey contains materials reflecting the practice of Chinese private international law in 2020. First, regarding changes in the statutory framework of private international law in China, three legislative acts, one administrative regulation on the Unreliable Entity List and ten judicial interpretations of the Supreme People's Court were adopted or amended in 2020 on a wide range of matters, including conflict of laws, punitive damages, international civil procedure, *etc.* Second, 11 typical cases involving Chinese courts' jurisdiction are selected to highlight the development in Chinese private international law, involving standard essential patents, abuse of market dominance, declaration of non-infringement of patent, asymmetric choice of court agreement and other matters. Third, nine cases on choice of law questions relating, in particular, to habitual residence, rights *in rem*, matrimonial property regimes and ascertainment of foreign law, are examined. Fourth, five cases involving anti-suit injunction or anti-enforcement injunction are reported and one introduced in detail. Fifth, the first occasion for on international judicial assistance of extracting DNA, as well as three representative cases on the recognition and enforcement of foreign judgments, are discussed. The Statistics of international judicial assistance cases in China is first released in this survey. Finally, this survey also covers five recent decisions illustrating Chinese courts' pro-arbitration attitude towards the uncertainty brought about by contractual clauses referring to both litigation and arbitration.

Here are the links to the article:

· Standard link (you may share this link anywhere):

<https://academic.oup.com/chinesejil/advance-article-abstract/doi/10.1093/chinesejil/jmab031/6449363>

· Free-access link (see below for how you may use this link):

<https://academic.oup.com/chinesejil/advance-article/doi/10.1093/chinesejil/jmab031/6449363?guestAccessKey=4f7f76a9-41f4-4c46-9366-ea0198ab74ca>

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Golan v. Saada: A New Hague Child Abduction Case at the U.S. Supreme Court

Last week, the Supreme Court of the United States agreed to hear a case concerning Hague Convention on the Civil Aspects of International Child Abduction. Amy Howe has an excellent summary of the case on her blog, *Howe on the Court*.

Under the convention, children who are wrongfully taken from the country where they live must be returned to that country, so that custody disputes can be resolved there. The convention makes an exception for cases in which there is a “grave risk” that returning the child would expose him or her to physical or

psychological harm.

In *Golan v. Saada*, a U.S. citizen married an Italian citizen in 2015; they had a child, born in Milan, in 2016. The husband was allegedly abusive toward the wife throughout the marriage, but he did not directly abuse their son. In 2018, the wife took the child to the United States and did not return, remaining in a domestic-violence shelter in New York. The husband went to federal court there, trying to compel the child's return to Italy.

The U.S. Court of Appeals for the 2nd Circuit ruled that, when a district court concludes that a child's return would pose a grave risk of harm, the district court must consider measures that would reduce that risk. This holding clashes with the holdings of other courts of appeals, which do not mandate the consideration of such measures, particularly in cases involving domestic violence. The case then went back to the district court, which ordered the child's return to Italy with a variety of protective measures in place – for example, mandatory therapy and parenting classes. The Supreme Court agreed to decide whether courts are required to consider all measures that might reduce the grave risk of harm if the child were to return home.

The case will be argued in the Spring and decided before June 2022; the docket and publicly available filings can be accessed [here](#).

JPIL-SMU Virtual Conference on Conflicts of Jurisdiction on 23 to 24 June 2022 and postponement of the biennial JPIL Conference until

2023

The Journal of Private International Law and the Singapore Management University will hold a virtual conference on 23 to 24 June 2022. The theme of the conference is Conflicts of Jurisdiction. The conference is designed to assist with the ongoing work of the Hague Conference on Private International Law (HCCH) on Jurisdiction. The speakers are leading private international law scholars and experts, many of whom are directly involved in the ongoing negotiations at the HCCH. Registration to attend the conference will open nearer the time.

The biennial Journal of Private International Law Conference has been delayed until 2023 in order to enable it to take place in person at the Singapore Management University. This conference will be based on a call for papers. We will announce further details in due course.

Conference on Conflicts of Jurisdiction

23-24 June 2022

Organised by the Journal of Private International Law and the Singapore Management University

(SGT=Singapore Time; BST=British Summer Time)

Day 1

Session 1 Thursday 23 June 2022 - The Common Law Approaches to Conflicts of Jurisdiction

Chair: Professor Jonathan Harris (QC) (King's College London)

| Time | Speaker | Topic |
|-------------|----------------|--------------|
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|------------------------------------------|----------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| 18.00-18.05 SGT 11.00-11.05 BST | Professor Jonathan Harris (QC) (King's College London) | Welcome by Chair |
| 18.05-18.10 SGT 11.05-11.10 BST | Dean of Yong Pung How School of Law, Singapore Management University | Opening comments |
| 18.10-18.35 SGT 11.10-11.35 BST | Professor Campbell McLachlan QC (Victoria University, New Zealand) | Overview of some key issues in relation to conflicts of jurisdiction |
| 18.35-19.00 SGT 11.35-12.00 BST | Dr Ardavan Arzandeh (National University of Singapore) | The Scottish, English and Singapore approach of forum non conveniens in conflicts of jurisdiction cases |
| 19.00-19.25 SGT 12.00-12.25 BST | Professor Ronald Brand (University of Pittsburgh) | The US approach to forum non conveniens in conflicts of jurisdiction cases |
| 19.25-19.50 SGT 12.25-12.50 BST | Professor Mary Keyes (Griffith University) | The Australian approach to forum non conveniens in conflicts of jurisdiction cases |
| 19.50-20.05 SGT 12.50-13.05 BST | Q&A | |
| 20.05-20.20 SGT 13.05-13.20 BST | Break | |

Session 2 Thursday 23 June 2022 - Civilian Approaches to Conflicts of Jurisdiction

Chair: Professor Kei Takeshita (Hitotsubashi University and Chair of the HCCH Working Group on Jurisdiction)

| Time | Speaker | Topic |
|------------------------------------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 20.20-20.25 SGT 13.20-13.25 BST | Professor Kei Takeshita (Hitotsubashi University and Chair of the HCCH Working Group on Jurisdiction) | Welcome by Chair |
| 20.25-20.50 SGT 13.25-13.50 BST | Professor Tanja Domej (University of Zurich) | The EU and Lugano Convention approaches to conflicts of jurisdiction for internal cases (ie within the EU or between Contracting States to the Lugano Convention) |
| 20.50-21.15 SGT 13.50-14.15 BST | Professor Geert Van Calster (KU Leuven) | The EU approach to conflicts of jurisdiction with non-EU and Lugano States (Articles 33 and 34 of Brussels Ia Regulation) |
| 21.15-21.40 SGT 14.15-14.40 BST | Professors Nadia De Araujo and Marcelo De Nardi (Brazil) | Latin American approaches to conflicts of jurisdiction in international cases |
| 21.40-22.05 SGT 14.40-15.05 BST | Professor Zheng (Sophia) Tang (University of Wuhan and Newcastle University) | Chinese and some other civilian approaches in Asia to conflicts of jurisdiction |

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| 22.05-22.20 SGT 15.05-15.20 BST | Q&A | |
|------------------------------------------|-----|--|

Day 2

Session 3 Friday 24 June 2022 - Work at the Hague Conference on Private International Law on Conflicts of Jurisdiction

Chair: Professor Paul Beaumont (University of Stirling)

| Time | Speaker | Topic |
|------------------------------------------|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| 18.00-18.05 SGT 11.00-11.05 BST | Professor Paul Beaumont (University of Stirling) | Welcome by Chair |
| 18.05-18.30 SGT 11.05-11.30 BST | Professor Fausto Pocar (University of Milan) | The work on the Judgments Project in the Hague in the 1990s culminating in the interim text of 2001 |
| 18.30-18.55 SGT 11.30-11.55 BST | Professor David McClean (University of Sheffield) | Lessons from family law notably the provisions on conflicts of jurisdiction including transfers of jurisdiction in the Child Protection Convention 1996 |
| 18.55-19.20 SGT 11.55-12.20 BST | Dr João Ribeiro-Bidaoui (First Secretary, HCCH) | The revived Jurisdiction Project in the Hague - from Experts' Group to Working Group - possible solutions on conflicts of jurisdiction |

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|------------------------------------------|---------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| 19.20-19.45 SGT 12.20-12.45 BST | Professor Matthias Lehmann (University of Vienna) | Challenges and opportunities for a new binding global instrument on conflicts of jurisdiction |
| 19.45-20.00 SGT 12.45-13.00 BST | Q&A | |
| 20.00-20.15 SGT 13.00-13.15 BST | Break | |

Session 4 Friday 24 June 2022 - Work at the Hague Conference on Private International Law on Conflicts of Jurisdiction (continued)

Chair: Dr Adeline Chong (Singapore Management University)

| Time | Speaker | Topic |
|------------------------------------------|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 20.15-20.20 SGT 13.15-13.20 BST | Dr Adeline Chong (Singapore Management University) | Welcome by Chair |
| 20.20-20.45 SGT 13.20-13.45 BST | Professor Trevor Hartley (London School of Economics) | Balancing forum non conveniens and lis pendens (same parties and same subject matter) in a new global instrument on conflicts of jurisdiction |
| 20.45-21.10 SGT 13.45-14.10 BST | Professor Yeo Tiong Min (Singapore Management University) | Dealing with related actions in a new global instrument on conflicts of jurisdiction |

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|------------------------------------------|------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 21.10-21.35 SGT 14.10-14.35 BST | Professor Franco Ferrari (NYU) | Conflicts between courts and arbitration in international cases and how to resolve them in a new global instrument on conflicts of jurisdiction |
| 21.35-22.00 SGT 14.35-15.00 BST | Justice Anselmo Reyes (Singapore International Commercial Court and Doshisha University) | International commercial courts' approaches to conflicts of jurisdiction and how they fit with a new global instrument on conflicts of jurisdiction |
| 22.00-22.15 SGT 15.00-15.15 BST | Q&A | |
| 22.15-22.20 SGT 15.15-15.20 BST | Professor Jonathan Harris, Professor Paul Beaumont, Dr Adeline Chong | Closing remarks |

2021 UNCITRAL ASIA PACIFIC DAY UNCITRAL RCAP-UM JOINT CONFERENCE 2021 CONQUERING THE COVID: ENHANCING

ECONOMIC RECOVERY THROUGH HARMONIZATION OF LAW GOVERNING MSMEs

On 17 December 2021, the UNCITRAL RCAPUM Joint Conference, an event celebrating the 2021 UNCITRAL Asia Pacific Day, is scheduled in the University of Macau (Macau SAR) under the title “Conquering the COVID: Enhancing Economic Recovery through Harmonization of Law Governing MSMEs”. This is the annual conference rising from the successful cooperation between the UNCITRAL Regional Centre for Asia and the Pacific (RCAP) and the University of Macau since 2014. The UNCITRAL RCAP-UM Joint Conference 2021 intends to bring together a group of distinguished experts and scholars to analyze contemporary issues related to the current agenda of UNCITRAL impacting MSMEs and the legal instruments resulting from its previous works. The conference will focus on the following tracks: 1. MSMEs formation: simplification of practices in business registration and transformation of business establishment procedures. 2. Creating congenial legal environment for MSMEs in special economic zones through legal harmonization: regional developments including the Guangdong-Macao in-depth Cooperation Zone. 3. MSME Financing: Financial support, access to credit, and sustainable finance for MSMEs & MSE insolvency, further efforts of UNCITRAL to simplify insolvency procedures, and unify insolvency law. 4. Promotion of viable dispute resolution mechanisms for MSMEs through adaptation of arbitration and mediation. 5. Contemporary legal developments facilitating the establishment and the successful operation of the MSMEs.

As the core legal body of the United Nations system in the field of international trade law, the United Nations Commission on International Trade Law (UNCITRAL) seeks to progressively harmonize and modernize trade laws by preparing and promoting the adoption and use of legislative and nonlegislative instruments in several key areas of commercial law. UNCITRAL RCAP (Incheon, Republic of Korea) was inaugurated in 2012 to promote the work of UNCITRAL in the Asia-Pacific region and provide technical assistance to the states concerning the implementation and uniform interpretation of UNCITRAL texts, thereby diminishing legal obstacles to global commercial transactions. University of

Macau, founded in 1981, is the leading comprehensive public university in Macau. It is a resourceful and ambitious educational institution with unique Sino-European heritage and global connections. In 2017, it was ranked within the top-50 universities in Asia by the Times Higher Education Asia University Rankings. It has also been ranked within the top-100 Asian University Rankings in QS World University Rankings. The Faculty of Law of the University of Macau, responsible for organizing the conference, is the oldest law school in Macau. With its diverse multilingual programs and teaching staff of international background, the Faculty has been playing a vital role in promoting legal education and research in Macau and contributing to the build-up of the local legal system. In addition, the Faculty of Law has also successfully held many high-level international conferences and meetings on a range of legal topics.

The registration for the conference is free of charge. Participants should complete registration in advance and obtain confirmation to secure a place at the conference. The deadline for registration is 15 December 2021. The conference will be held on 17 December 2021 in a mixed format (online and offline). The speakers and participants from outside Macau are invited to take part in the conference via Zoom. The conference will start at 9:30 a.m. (Macau time) and may end late in the evening to accommodate speakers and participants from different time zones.

FOR MORE INFORMATION AND ENQUIRIES, PLEASE CONTACT US AT
LAW.UMUNCITRAL@UM.EDU.MO

Conflict of Laws and More at RIDOC 2021

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The **RIDOC 2021**: Rijeka Doctoral Conference will be held on Friday 10

December 2021, from 8:30 to 17:30, in 10 sessions (some running parallel), at the University of Rijeka, Faculty of Law and online. The record number of doctoral students and outstanding three-member panels will provide an internationally diverse environment for discussion of various legal topics. Among the topics many of our readers will find something along their interests in conflict of laws, arbitration law, and of course public international law, as the same day we celebrate the international day of human rights.

The special treat is the plenary lecture to be given by the First Advocate General of the CJEU Maciej Szpunar on “The Court of Justice of the European Union and Effects of Research upon its Functioning” which starts at 12:30 at [this link](#).

The programme is available [here](#), and next to each session there is a corresponding link.