



Institute of European and Comparative Law

University of Oxford Faculty of Law



Civil Justice Systems in Europe:

Implications for Choice of Forum and
Choice of Contract Law

St Anne's College, Oxford,
14/15 March 2008

**C L I F F O R D
C H A N C E**



Civil justice systems of the Member States of the European Union differ substantially; each jurisdiction has its own way of defining how people can legitimately resolve disputes and enforce their rights and the obligations of others.

This conference, hosted by The Oxford Institute of European and Comparative Law, the Oxford Centre for Socio-Legal Studies and leading international law firm Clifford Chance, will investigate the extent to which perceptions of differences between national civil justice systems affect businesses engaging in cross-border transactions when they choose the forum and the governing contract law.

It will present the results of a major survey of European businesses on the impact which particular features of civil justice systems have on choices of forum and choices of law.

The results will help to assess the strengths and weaknesses of domestic civil justice systems, and the prospects of recent EU measures to gradually harmonise this area.

The issues will be assessed in the context of recent discussions of the 'competitiveness' of jurisdictions, as discussed in the World Bank sponsored 'Lex Mundi Project' on the efficiency of civil procedure and the recent campaign of the Law Society of England and Wales promoting England and Wales as the 'Jurisdiction of Choice' for the resolution of international commercial disputes.

This event will bring together academics, practitioners and policymakers from across Europe. It should be of interest to anyone interested in transnational contract law, civil procedure, EU law and comparative law.

The conference is convened by Professor Stefan Vogenauer of the Oxford Institute of European and Comparative Law and Dr Christopher Hodges of the Oxford Centre for Socio-Legal Studies. It is endorsed by the European Company Lawyers Association (ECLA) and the European Justice Forum (EJF).

It will begin with lunch on Friday 14 March and will conclude with lunch on Saturday 15 March. The conference venue is St Anne's College, Oxford, where accommodation for participants can be arranged.

Please find a registration form at http://denning.law.ox.ac.uk/iecl/eventdetail.php?events_ID=1656 or email jenny.dix@iecl.ox.ac.uk for further information.

This conference will be accredited with 7.5 CPD hours.

Civil Justice Systems, Choice of Forum and Choice of Contract Law in Europe: the Current Position Friday 14 March 2008

Chairman: Lord Mance, Lord of Appeal in Ordinary (tbc)

TIME	SESSION	TOPIC
12:30	Registration	
13:00	Lunch	
14:00	First Session	<ul style="list-style-type: none"> - Welcome - Domestic Civil Justice Systems in Europe: Current Approaches, Techniques and Trends Professor Vincenzo Varano, University of Florence - Achievements and Initiatives of the European Union in the Area of Civil Justice Professor Jonathan Faull, European Commission, Director-General, DG Justice, Freedom and Security - Choice of Contract Law and Choice of Forum in the European Union: Current Developments Dr Gisela Rühl, European University Institute, Florence, and Max Planck Institute for Comparative and Private International Law, Hamburg
15:45	Tea and Coffee	
16:15	Second Session	<ul style="list-style-type: none"> - Harmonisation of Contract Law in the European Union: Current Developments Professor Stefan Vogenauer, Institute of European and Comparative Law, University of Oxford - Perception, Performance, and Politics: Recent Approaches to the Qualitative Comparison of Civil Justice Systems Dr Christoph Kern, University of Freiburg - The View of European Businesses: Results of a Survey Stuart Popham, Senior Partner, Clifford Chance LLP
19:00 for 19:30	Conference Dinner	

Civil Justice Systems, Choice of Forum and Choice of Contract Law in Europe: an Agenda Saturday 15 March 2008

Chairman: The Hon. Mr Justice Cranston

TIME	SESSION	TOPIC
08:15	Breakfast	
09:00	Third Session	Implications for National Civil Justice Systems <ul style="list-style-type: none">- Italy – Professor Elisabetta Silvestri, University of Pavia- France – Professor Véronique Magnier, University of Paris XI- Germany – Professor Harald Koch, University of Rostock- The Netherlands – Professor CH (Remco) van Rhee, University of Maastricht- England – Simon Davis, Partner; Clifford Chance LLP
10:30	Coffee	
11:00	Fourth Session	Implications for European Legal Policy <ul style="list-style-type: none">- Business Perspective Malcolm Carlisle, Chairman, European Justice Forum (EJF); Representative of the European Company Lawyers Association (ECLA)- Practitioner's Perspective Jonathan Goldsmith, Secretary General of the Council of Bars and Law Societies of the European Union (CCBE)- Academic's Perspective Dr Christopher Hodges, Centre for Socio-Legal Studies, University of Oxford- Policy-maker's Perspective Diana Wallis MEP, Vice President of the European Parliament (tbc)
12:30	Lunch	

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