



BRUSSELS CONGRESS

INTERNATIONAL LITIGATION, ADR, and CONTRACTS GROUP

14 OCTOBER 2017 MEETING REPORT

25 participants
See list attached.

Topics: 1. Litigation in European Law by Prof Xandra KRAMER
2. Mediation

13 countries were represented: Belgium, Finland, France, Germany, Poland, Spain, UAE, UK, Austria, The Netherlands, Monaco, Czech Republic, Luxemburg.

Thank you to Francis Wallace for all the work he has done, for the reports, the articles and the presentations and only just recently the report on Lisbon on the topic of bank liability and hidden defects, but also the mediation questionnaire for England and Wales.

Thank you also to our Chinese and Italian friends who, even though they were not able to attend, sent us their mediation questionnaire.

If we were able to meet at the Flemish Bar Association, it is thanks to Fabienne Legrand and her hospitality was rivalled only by the quality of the (Belgian) chocolates that were gifted to us.

Thank you also to Stefan Daubner for his report on hidden defects, which was a topic covered in Lisbon.

We have updated the website which now better reflects the range of work we carry out, whilst detailing all the researched topics and the documents produced by the group.

We currently have approximately sixty Eurojuris members who follow our work, of which 20 to 30 take part in all our meetings.

All we need to do now is find ways to fund our projects for the next meetings in order to ensure we always have quality speakers.

We asked Sandra Xramer to come and talk to us about litigation in European law, which is a subject she knows particularly well, since she teaches it at the university of Utrecht, but also at the European Recht Academy (ERA) where many Eurojuris members now go for training. It is a European law training centre, mainly subsidised by the European Commission. The quality of the speakers is on a par with that of the participants which makes for meetings of exceedingly high quality.

After a round table and brief introductions from the 25 participants on the attached list, we discussed two topics:

- **First, litigation in Europe**, overview of the latest case law, an update on Brexit and then, at the end of the meeting, we analysed a Franco-Belgian case of debt recovery and termination of a distribution contract with one of the two bankrupt companies. This allowed to juggle with the EU regulation on proceedings, the EU regulation on applicable law and the EU regulation on bankruptcy. The PowerPoint presentation was handed out to the participants. We have a few photos which can accompany the summary of the meeting.
- Second Topic was **Mediation** in the afternoon and we were able to compare the legislations and best practices thanks to the questionnaires received.

We have elected four “volunteers” to manage our group’s attractiveness, Martijn Maathuis from the Netherlands, Naveen Indrakanti from Dubai, Christian Schlemmer from Germany and Thierry Clerc from France.

We are currently working on the **Stockholm** congress where we will talk about **e-justice and anti-bribery legislation**.

Also, the topic for **Dubai** has been chosen: it is **arbitration** before the international chamber of commerce and **exequatur** of rulings outside Europe, and of course an introduction to the **Sharia law** with a possible visit to a court in the United Arab Emirates.

It may be that in Stockholm and Dubai, we have a co-session with another practice group.

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