



The Inter-Pacific Bar Association invites you to Luxembourg!



International Courts and their Role in Dispute Resolution

• 13 and 14 November 2024 •

Join us for an interesting and fun event! We start our time together with a luxurious dinner, followed by a full day that includes a visit to the EU Court and Tribunal, lunch, and an afternoon conference featuring two panels of speakers.

- **November 13:** Experience exquisite dining at the exclusive [Munster Club](#) along the banks of the Alzette River. Fee: 150€.
- **November 14 (8:00am):** Visit to the EU Court and Tribunal, for a personal talk by one of its senior members and very interesting court sessions. Limit: 35 participants.
- Lunch at Stibbe's offices in Luxembourg
- **November 14 (2:30pm – 5:30pm):** Two panel discussions from IPBA's Dispute Resolution & Arbitration Committee

Panel 1: The quest for predominance: European litigation after Brexit

Panel 2: The quest for supremacy: EU Courts and Investor-State Arbitration

We welcome you to Luxembourg!



Jan Peeters
IPBA Deputy Secretary-General



Frédérique David
IPBA At-Large Council Member, Europe

Register [HERE](#) or use the QR code:





Panel Details • 14 November

2:30pm – 3:30pm Panel 1

The quest for predominance: European litigation after Brexit

Brexit has introduced complexities and uncertainties into European litigation practices, particularly regarding jurisdiction, enforcement of judgments, and the alignment of legal standards between the UK and the EU. The Brussels I Recast Regulation, which facilitated the mutual recognition and enforcement of judgments across EU member states, is no longer applicable in the UK. Instead, the UK has reverted to older conventions like the Hague Convention on Choice of Court Agreements. At the same time, the UK might benefit from a competitive advantage, being able to return to anti-suit injunctions in a European context and acting as an enforcement “safe haven” in intra-EU investment disputes. The panel will assess the new complexities and debate whether Brexit has been a boon or bane for UK and European litigation.

Panellists

Nicholas Peacock – Independent (**Moderator**) England and Wales
Estelle Brisson – Arendt, Luxembourg
Joe Tirado – Garrigues, England and Wales
Deirdre O'Donovan – William Fry, Ireland

3:30pm – 4:00pm Coffee break

4:00pm – 5:30pm Panel 2

The quest for supremacy: EU Courts and Investor- State Arbitration

This panel will address how the CJEU's jurisprudence – as implemented by EU authorities and courts of EU Member States – has affected investor-state arbitration in so-called “intra-EU” cases. The discussion will start from the CJEU's Achmea judgment and inquire whether EU Law should be accorded primacy over public international law – and if so, what it means for investor- state arbitrations playing out in the EU. The panel will canvass latest developments, such as EU Member States denying arbitral jurisdiction to ICSID tribunals, US and UK courts grappling with the enforcement of intra-EU arbitral awards, and the EU Commission using the EU subsidies' regime and Member States anti-enforcement injunctions to stall the enforcement of intra-EU awards.

Panellists

Mariel Dimsey – CMS (**Moderator**) Germany and Hong Kong
Elisabeth Omes – Elvinger Hoss, Luxembourg
Jean-Claude Beaujour – Harlay Avocats, France
Katrien Baetens – Linklaters, Luxembourg
Hans Van Houtte – Independent, Belgium