EU International Insolvency Law and Third Countries: Which Way(s) Forward?

Interim results

2nd Conference, 26 – 28 Oct 2023

Provisional program (draft of 13-07-2023)

Location: Kiel University, „Seeburg“ building.
Format: hybrid

26 October 2023

Pre-conference program

10.00 – 12.00 Young Researchers Forum

12.00 – 13.00 Break (lunch outside)

Main conference

I. Introduction
13.00 – 13.15 Opening
13.15 – 13.30 View from UNCITRAL (Samira Musaeva)
13.30 – 13.45 View from EU Commission (Miha Zebre)
13.45 – 14.00 View(s) from other organization (N.N.)
14.00 – 14.15 Report on results of survey (Kevin Silvestri)
14.15 – 14.30 Q&A
II. General Aspects

14.30 – 15.00 Introductory remarks (N.N.)

Idea for issues (examples):
- „Basic concepts“ and „principles“ of international insolvency: which relevance for future regulatory approaches in EU – third country relations?
- Minimum standards v. best practices?
- Separate systems for intra-EU relations and EU-third country relations?
- Which legal instruments (including delimitation from non-insolvency specific instruments)?
- Which role for conflict of laws?
- Which role for discretion?

15.00 – 15.30 One to three further presentations
- Topic to be specified (Elina Moustaira)
- Position of foreign creditors with focus on information (Jasnica Garašić)
- Other

15.30 – 16.00 Discussion

16.00 – 16.30 Coffee break

III. Domestic proceedings

16.30 – 17.00 General presentation: Alexander Trunk

17.00 – 17.30 One to three further presentations (on conflict of laws issues, procedural issues or substantive-matter issues)

- Transaction avoidance law and third countries (Renato Mangano)
- Other (N.N.)

17.30 – 18.30 Discussion or roundtable

18.30 – 19.00 Wrap-up of the day (N.N.)
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IV. Recognition of foreign insolvency proceedings

9.00 – 9.30 General presentation: Georg Kodek

9.30 – 10.30 Discussion

10.30 – 11.00 Coffee break

11.00 – 11.30 Special topic: Recognition of foreign insolvency-related judgments (N.N.)

11.30 – 12.30 One to three further presentations
    E.g.
    - position of foreign administrator,
    - views of judges

12.30 – 13.00 Discussion or roundtable

13.00 – 14.00 Lunch

V. Concurrent proceedings

14.00 – 14.30 General presentation: Henriette Boscheinen-Duursma

14.30 – 15.00 Discussion

15.00 – 15.30 Coffee break
15.30 – 16.30 One to three further presentations
   E.g. experience with protocols (N.N.)

16.30 – 17.30 Discussion or roundtable

17.30 – 18.00 Wrap-up of the day (N.N.)

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VI. Overarching issues

Moderations (N.N., per section)

9.00 – 10.30 First round of topics: „selected topical issues“
   E.g.
   - Schemes of arrangement and other borderline institutes of corporate rescue: Gerard McCormack
   - ADR in cross-border insolvencies: Vesna Lazić (arbitration), N.N. (mediation)
   - information technology in cross-border insolvencies (N.N.)
   - particular aspects of consumer insolvencies (?)
   - corporate groups (N.N.)
   - special branches (e.g. banks)

10.30 – 11.00 Discussion

11.00 – 11.30 Coffee break

11.30 – 12.00 Second round of topics: „organization of future regulatory approach“
   e.g.
   - Which instruments to choose?
- Delimitation of instruments?

12.00 – 12.30 Discussion

12.00 – 13.00 General roundtable on topics of the conference

13.00 – 14.00 Lunch break

**VII. Discussion on possible recommendations**

14 h – 15 h Roundtable
15 h – 17 h Discussion

**VIII. General wrap-up**

17.00 – 17.30 (N.N.)