The following list has been developed by the coordinators of the project as a support tool for the authors in choosing and formulating topics. It contains only suggestions and does not exclude any other proposals, they are expressly welcomed. Not all topics mentioned in the list are expected to be taken.

The list contains some overlappings of topics. If overlapping topics are chosen, the project coordinators will try in the further course of the project, in contact with authors, to either delimitate or coordinate the chosen topics. It may be also be an approach to deal with some topics from different professional or country-specific perspectives.

Subtopics (a, b, etc.) may be chosen as separate topics or as parts of a more general topic.

It would be welcome to have some topics with a broader approach (including comparative considerations) and more specific topics. Broader topics (general topics), e.g. on domestic proceedings, recognition of foreign proceedings or coordination of concurrent proceedings, could have more length than specific topics (will be explained more in detail in a separate text on „technical description“).

Some topics are close to presentations by speakers in the 1 February kick-off conference. We expect that speakers will probably wish to choose the same (or a similar) topic for their written contributions, but they also free to choose a different topic. Authors are also free to choose several topics.

The process of choosing topics will be described more in detail in a separate communication („Technical Notes“).

### A. General or cross-cutting aspects (examples)

1. Which relevance of „principles“ of international insolvency law for future regulatory approaches:\n   a) Which role and meaning for the concepts of „universality“ and territoriality“, „unity“ and „plurality“ (of proceedings) in future international insolvency law?
   b) Which role and meaning for „comity“?

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1 The term „future regulatory approaches (or future regulation) on cross-border insolvency“ is understood here in a broad sense, including, in particular, domestic (national) legislation, EU legislation, international treaties and soft law.
c) Other principles?

2. Which basic terms should be used under future (EU?) international insolvency law?
3. Which role for conflict of laws in future (EU?) regulatory approaches?
4. Which role for uniform substantive law (as distinguished from conflict of laws)?
5. Which role for discretion of courts, insolvency administrators or creditors in cross-border insolvencies?
6. Should proceedings, which can be described as „similar“ to insolvency proceedings (e.g. certain types of receiverships, schemes of arrangement etc.), be particularly addressed and how could that be done?
7. Should insolvencies in the financial sector (banks, insurance etc.) be included in future regulatory approaches on cross-border insolvency and how could that be done?
8. Should relations between international insolvency law and international criminal procedure (judicial assistance) be addressed?
9. Should relations between international insolvency law and international tax law be addressed?
10. Should non-commercial insolvency proceedings, e.g. consumer insolvencies, be particularly addressed?
11. Should provisional (interim) measures be particularly addressed?
12. Should avoidance of transactions be particularly addressed?
13. Should issues of corporate reorganization be particularly addressed?
14. How could information to creditors in cross-border cases be best organized?
15. Should issues of mutual exchange of information be be addressed in future regulation on cross-border insolvency?
16. Should issues of mutual control of insolvency practitioners be addressed in future regulation on cross-border insolvency?
17. (How) should the use of IT be addressed in future regulatory approaches on cross-border insolvency?
18. (How) should the use of ADR (arbitration and/or mediation) be addressed in future regulatory approaches on cross-border insolvency?
19. Future instruments
   a) Should the focus be on a revision of the EU Insolvency Regulation or are other approaches or a combination of approaches preferable?
   b) Which relation with approaches developed in other international organizations, in particular UNCITRAL?
20. Others

B. Domestic insolvency proceedings²

² In view of the general orientation of the project, the term „domestic proceedings“ (as well as „foreign proceedings“) is understood here mainly from an EU perspective. This does not exclude, however, that authors from third countries take their own country as the starting-point, i.e. as „their“ domestic proceedings, while EU-based proceedings are for them foreign proceedings. Whatever perspective is taken, depends on the authors, but the topics should always take a particular view at EU – nonEU relations.
I. Main proceedings

1. General topic
2. Jurisdiction
3. Other aspects of „opening phase“, including provisional measures
4. Universality (both in opening phase and as to consequences of the proceeding)
5. Legal consequences of „opening“ of insolvency proceedings with a focus on cross-border dimensions
   a) Issues of conflict of laws
   b) Issues of domestic law with an international dimension (procedural or substantive; German term „Sachrecht“)

II. Non-main proceedings

1. General topic
2. Jurisdiction
3. Other aspects of „opening phase“, including e.g. definition of insolvency in this context, participating creditors, provisional measures
4. Territoriality (both in opening phase and as to consequences of the proceeding)
5. Legal consequences of „opening“ of non-main insolvency proceeding

C. Foreign insolvency proceedings

1. General topic. May include „Basic model: „recognition + enforcement“ or „judicial assistance?“, but should also address more specific aspects in an overview.
2. Prerequisites of recognition or judicial assistance?
3. Procedure of recognition or judicial assistance?
4. Legal consequences of recognition or content of judicial assistance
   a) Conflict of laws
   b) Issues of domestic law with an international dimension („Sachrecht“; procedural or substantive)

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3 See supra note 2.
D. Concurrent (or parallel)\textsuperscript{4} insolvency proceedings (one debtor)

1. General topic
2. Procedural aspects
3. Substantive (as distinguished from procedural) aspects

E. Insolvency of corporate groups

1. General topic
2. Procedural aspects, e.g. procedural consolidation or mere coordination
3. Substantive (as distinguished from procedural) aspects, e.g. substantive consolidation, specific rules e.g. on set-off/netting, avoidance etc.

F. Specific third country approaches and experiences (with a focus on future relations with the EU)

1. U.S.
2. UK
3. Switzerland
4. China
5. South Korea
6. Russia
7. EU-associated countries, e.g. Georgia, Kazakhstan, Serbia, Ukraine, ...
8. Offshore countries or territories
9. Others (e.g. Australia, Brazil, Canada, Mexico, South Africa ...)

\textsuperscript{4} The terms „concurrent“ and „parallel“ as used here as synonyms.