

## CONFERENCE

### **The Future of the Commercial Contract in Scholarship and Law Reform - The interface between public international law and substantive contract law**

**Friday, 20th October 2017; 10.00-17.00 hrs**

**Venue:** Institute of Advanced Legal Studies (IALS),  
School of Advanced Study, University of London, 17 Russell Square, London WC1B 5DR

**Website:** [www.sas.ac.uk/events/event/12622](http://www.sas.ac.uk/events/event/12622)

Organised by the IALS Centre for Corporate and Commercial Law and University of Exeter  
Academic Convenors: Dr Maren Heidemann, IALS, and Dr Joseph Lee, University of Exeter

Recent years have seen new European, EU and academic proposals and legislation in regard of contract law. Examples are CESL, PECL and the DCFR but also the UK Consumer Rights Act 2015. These are either based on a universal notion of contract or deal predominantly with consumer contracts. Is there therefore a need to focus on commercial contracts in research and legislation? Is the current identity based system of merchant and consumer law sustainable? How can commercial contracts be defined? Are they a separate contract type? What should be the role of cross border dealings in this process? Should this outlook be universal or sector specific? This conference presents research undertaken during 2016 and 2017 at CCL, IALS and focusses on the interface between public and private international law.

## PROGRAMME

**09.30**      **Registration**

**10.00**      **Welcome and Introduction (Convenors and Prof. Mads Andenas, tbc)**

*Opening session : general developments and recurring challenges in transnational commercial law*

**10.05**      *Opening Address:*

**Professor JH Dalhuisen,**

Professor of Law, King's College London; Visiting Professor UC Berkeley; Chair  
Transnational Financial Law Catholic University Lisbon

**“The Necessity of the Transnationalisation of the Professional Contract.  
Common Law or Civil Law or Something Else? The Legal Sources and the  
Challenge of Public Order or the Application of Transnational Minimum  
Standards.”**

**10.20**      *Keynote Speech:*

**Prof. Juergen Basedow,**

Director, Max-Planck-Institute for Comparative and International Private Law,  
Hamburg, Germany

**“Public International Law and Commercial Contracts – Promoting Cross-  
border Trade by International Conventions”**

**10.50** Soterios Loizou, Kings College London and University of Cambridge  
“Balancing National, regional and international law: the international sales law experience”

**11.00** -- Discussion--

**11.15** ---- morning coffee break----

*First session: Interpretation standards in international commercial contracts*  
*Chair: Dr Maren Heidemann*

**11.30** Dr. Maren Heidemann, IALS  
“Object and purpose in uniform laws”

**11.50** Catherine Pédamon, University of Westminster  
“Judicial interpretation in French and English commercial contract law”

**12.10** Dr. Lorenza Mola and Dr. Cristina Poncibò, University of Turin, Italy  
“The autonomous interpretation standard and international uniform private law: Dialogues on methods of interpretation between a public and a private lawyer”

**12.30** Dr Sara Hourani, Middlesex University  
"The Curious Case of the Interpretation of Investment Contracts: A Purely Private Law Dimension?"

**12.50** --Discussion--

---- 13.00-14.00 Lunch----

*Second session: Influence of public policies in commercial contractual relationships*  
*Chair: Hendrik Puschmann, K&L Gates*

**14.00** *Keynote speaker:*  
**Prof. Ewan McKendrick**, University of Oxford  
“**Transnational commercial contract law – challenges and achievements**”

**14.20** Daniele D’Alvia, Birkbeck, University of London and MPI Hamburg  
“Private Means to Public ends: the new economic order in public international law”

**14.40** Dr Thomas Papadopoulos, University of Cyprus  
"The legal framework of privatisations in Greece after the third economic adjustment programme"

**15.00** Dr. Alexandra Horváthová, University of Copenhagen  
“CSR and Social Justice in the EU: How Close?”

**15.20** --Discussion--

**15.30.-15.45** ---- afternoon coffee break ----

*Third Session: Contemporary methods in negotiating and settling: Roundtable:  
Chair: Hendrik Puschmann, K&L Gates*

**15.45 Prof. Jason Chuah, City, University of London  
"Hardship, Adaptation and Renegotiation Clauses - Limits of a Transnational Approach"**

Comment and Discussion: Catherine Pédamon, University of Westminster, Dr Maren Heidemann, IALS

**16.30** Dr Despina Anagnostopoulou, Associate Professor, Jean Monnet Chair, University of Macedonia, Greece  
"Electronic contracts and e-mediation in the European Union"

**16.50 ---Discussion--**

---- 5pm end of conference ----

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*Contact Convenors:*

Dr. Maren Heidemann, IALS - mheidera[at]aol.com or  
Dr. Joseph Lee, University of Exeter - J.Lee[at]exeter.ac.uk

**For conference information and booking:** [www.sas.ac.uk/events/event/12622](http://www.sas.ac.uk/events/event/12622)  
or contact Belinda Crothers, [Belinda.Crothers@sas.ac.uk](mailto:Belinda.Crothers@sas.ac.uk)

*Conference registration fees:*

Standard Rate - £75.00.  
Concessionary Day Rate for Speakers and Students - £50.00;  
Concessionary Half Day Rate for Speakers and Students - £35.00.