Max-Planck-Institut für
ausländisches und internationales
Privatrecht | Hamburg

An alle Gäste und Mitarbeiter des Instituts
An die interessierten Mitglieder benachbarter juristischer Fakultäten

EINLADUNG

Prof. Dr. Dr. h.c. mult. Jürgen Basedow
Direktor des Max-Planck-Instituts für ausländisches und internationales Privatrecht

"International Arbitration and EU Law: Referrals to the Court of Justice"

Mittwoch, 2. Dezember 2015 – 19:00 Uhr

Ernst-Rabel-Saal

Zu dem Vortrag sind alle Interessierten herzlich eingeladen.

Prof. Dr. Dr. h.c. Holger Fleischer
Geschäftsführender Direktor

Max-Planck-Institut für ausländisches und internationales Privatrecht, Mittelweg 187, 20148 Hamburg

About the topic:

While the courts of Member States are enabled or even required to submit preliminary questions concerning the interpretation of EU law to the Court of Justice of the European Union such referrals have traditionally been held inadmissible where made by arbitration panels. The article highlights a gradual softening of the Court of Justice's position on this matter which would allow arbitral tribunals in investment protection proceedings to address the Court of Justice already at present. It further outlines some fundamental changes in the overall environment of commercial arbitration which should lead to a reversal of the Court's position also in this field.