

Programme

09:30	Registration of participants
10:00	Welcome address by the representative of UNCITRAL Secretariat (tbd) Welcome address by the representative of the HCCH (tbd)
10:10 – 11:00	1. <i>Applicable law in insolvency proceedings: existing texts</i> <i>The aim of the session is to take stock of the past initiatives, the existing legal frameworks, and how those legal frameworks interplay with jurisdiction. It will identify how courts apply private international law rules to determine the applicable law in insolvency proceedings.</i>
11:00	Open discussion
11:20	Coffee break
11:35 – 12:30	2. <i>Applicable law in cross-border insolvency: main implications</i> <i>The aim of the session is to closely examine the practical problems on specific claims that are in most legal systems not governed by the lex fori concursus. This panel will focus on the following aspects of cross-border insolvency cases: set-off rights and limitation payments, regulated financial markets, avoidance provisions, rights in rem (final list tbc). Following the presentations, the open discussions will allow for in-depth debate on those issues and additional ones if any.</i>
12:30	Open discussion
13:00	Lunch
15:00 – 16:00	3. <i>Applicable law in concurrent insolvency proceedings</i> <i>Following the previous session, this session will continue to discuss at the sub-topics linked with applicable law in cross-border insolvency proceedings. It will focus on more systemic issues in presence of concurrent proceedings, such as the enterprise group insolvency, the liability of directors in the period approaching obligation, recognition of concurrent proceedings. It will pay a particular attention to how the current UNCITRAL/HCCH texts could be relevant to this project.</i>
16:00	Open discussion
16:15 – 16:30	Coffee break
16:30 – 17:15	4. <i>Possible work by UNCITRAL and HCCH on applicable law in insolvency proceedings</i> <i>The aim of the session is to assess on the basis of the preceding sessions, feasibility and desirability of work by UNCITRAL and HCCH on applicable law in insolvency proceedings and, if work were to be undertaken, its possible form and scope.</i>
17:15	Open discussion
18:00	Closing