

The Future of the Commercial Contract in Scholarship and Law Reform

Sixth Annual Conference

Friday, 15 October 2021 - 10:00-18:00 hrs UK time (GMT+1)

-Zoom Webinar -

- Programme -

Website: www.lcf-academic.org

Organised by the London Centre for Commercial and Financial Law (LCF) –
Professor Mads Andenas, QC, Director

Academic Convenor: Dr Maren Heidemann, (Co- Director LCF)

Institute of Advanced Legal Studies, School of Advanced Studies, University of London
in co-operation with Catherine Pédamon, Commercial Law Research Group at Westminster Law
School, University of Westminster; and Dr Joseph Lee, Centre for Law and Business, University of
Manchester Law School

This conference builds on research undertaken at the University of London (Institute of Advanced Legal Studies, School of Advanced Studies) from 2016-2019. The 2021 conference explores topics in commercial contract law with a focus on energy trading, new contractual and commercial practices emerging from the Covid-19 crisis, general theory of merchant law and issues in international commercial arbitration including investment treaty arbitration, mediation and reconciliation

10:00 hrs: **Welcome Address by Professor Mads Andenas QC**
LCF, University of Oslo and Institute of Advanced Legal Studies

Keynote speaker (at 14:35 hrs) :

**Professor David Freestone, George Washington University Law School; Executive
Secretary, Sargasso Sea Commission, Washington, DC, USA**

***“Successes of the emissions trading system and the importance of settling outstanding
issues under Art. 6 of the Paris Agreement”***

10:10 - 11:50 hrs **Panel 1: Chair: Hendrik Puschmann, Farrer&Co. , London**

Issues in international commercial arbitration including investment treaty arbitration, mediation and reconciliation

- ▶ 10:10-10:30 *Automation in Smart Contract Arbitration: Moving Towards New Conceptions of Procedural Fairness? Dr Sara Hourani*
- ▶ 10:30-10:50 *Investment Arbitration and the Rule of Law: Is It Not Time to Bridge the Ethical Gap? Dr Radosveta Vassileva*
- ▶ 10:50-11:00 Q&A
- ▶ 11:00-11:20: *Contractual claims versus treaty claims in investor-state disputes. Dr Leonardo Carpentieri*
- ▶ 11:20-11:40 *Picking up the tab: monetising arbitral claims and awards. Gautam Mohanty and Rituparna Padhy*
- ▶ 11:40-11:50 Q&A

coffee break 10 minutes

12:00-13:00 hrs **Panel 2 Part 1: Chairs: Dr Maren Heidemann, IALS, University of London and LCF, London and Catherine Pédamon, University of Westminster, London**

General theory of merchant law

- ▶ 12:00-12:20 *The Dichotomy of Good Faith in the context of the CISG - Has Good Faith become an Interpretative Doctrine? Michala Meiselles*
- ▶ 12:20-12:40 *The underlying values of German and English contract law, Dr Timothy J. Dodsworth*
- ▶ 12:40h-13:00 Q&A

Lunchbreak 30 minutes _____

13:30 - 14:30 hrs **Panel 2 Part 2 : Chair: Catherine Pédamon, Westminster University, London**

Building back better' - This panel focuses on new contractual and commercial practices emerging from the Covid-19 crisis. This subject is to include the paper presented and discussed in panel 4.

- ▶ 13:30h-13:50 **Panel keynote:** *Commercial contracts: what have we learned from Covid-19? Richard Calnan*
- ▶ 13:50h-14:00 Q&A
- ▶ 14:00h-14:20 *A new approach to contracts breached by COVID19, Dr Sepideh Harrasi*
- ▶ 14:20-14:30 Q&A

Coffee break 5 minutes _____

From 14:35hrs:

14:35 hrs **KEYNOTE: Professor David Freestone, George Washington University Law School; Executive Secretary, Sargasso Sea Commission, Washington, DC, USA**
“Successes of the emissions trading system and the importance of settling outstanding issues under Art. 6 of the Paris Agreement”

14:55-15:10 Discussion

15:10 -17:00 hrs **Panel 3: Chair: Dr Joseph Lee, University of Manchester**

The role of commercial law and technology in the sustainable energy development

- ▶ 15:10h -15:30 *Duty to mitigate and duty to hedge in energy trade, Liz Bossley*
- ▶ 15:30-15:50 *The emissions trading system in China, Olive Yusehng Feng*
- ▶ 15:50- 16:10 *Blockchain and renewable energy: policy, practice, and governance, Vere Marie Khan*
- ▶ 16:10-16:20 Q&A and short break
- ▶ 16:20h-16:40 *Non-financial disclosure and the «E» of «ESG» in the energy sector: normative and empirical perspectives, Alberto Mattia Serafin*
- ▶ 16:40–17:00 *Reaching carbon neutrality in Kazakhstan: the role of green finance, Aigul Kussaliyeva*

17-18:00 hrs **Panel 4 - Roundtable discussion: Chair: Dr Maren Heidemann, LCF**

The future of unfair terms regulation in commercial contracts

- ▶ *The Future of Unfair Terms Regulation in Commercial Contracts, Dr Marcus Moore*
- ▶ *Roundtable discussion – Prof. Gerard McMeel, Prof. Mads Andenas, panel chairs*

18:00 hrs end of conference

Contact Convenors:

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For conference information and booking information visit www.lcf-academic.org

Registration fee: £30/ Euros 40

Registration is required for all speakers and delegates via Eventbrite or the LCF website.