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CALL FOR ABSTRACTS

Polish Academy of Sciences – Scientific Centre in Vienna

&

Vienna University of Economics and Business

in cooperation with

Kluwer Law International B.V. by Wolters Kluwer

under the aegis of

Center for European Company Law

(Leiden-Utrecht-Maastricht-Uppsala-Rome-Kraków)

invite academics, in particular early-stage researchers, to submit abstracts for a conference

***Closing the justice gap in investor protection
through specialised corporate and capital market courts***

(10 December 2021, Vienna, Austria)

ABOUT THE CONFERENCE

The world of labour is characterized by progressing specialization. This holds true for legal services as well. As various branches of law are becoming increasingly complex, the market creates demand for highly specialized attorneys. Judiciary too embarks on this specialization path, yet the level of courts' departmentalisation in most cases remains far behind the developments we see in the law firms. The aim of the conference is to exchange ideas and experiences from several EU and non-EU jurisdictions on specialized corporate and capital market courts. Some countries have established specialized courts or chambers vested with competence to handle corporate law disputes or decide on investor claims against issuers of securities and other financial instruments. These efforts have been made with a view of enhancing investor protection, speeding up court proceedings and closing the justice gap between law on books and law in action. Private enforcement has been widely acknowledged as potentially efficient legal mechanism available to the investors in cases when administrative toolset at the disposal of market supervision authorities falls short of protecting investors' interests. Public enforcement, on the other hand, should not remain exempted from an efficient monitoring by the courts. *Quis custodiet ipsos custodes?* – the exercise of powers by the state financial supervision authorities needs to be subject to judicial review in order to assure legality and efficiency of their actions.

The conference will offer a forum to discuss possibilities and limitations of judicial specialization and share experiences from establishing and working in specialized corporate and capital market courts. In particular, the focus of the conference is on the following areas (indicative list of topics):

1. Judicial specialization: chances, risks, limits and recent developments in a comparative perspective [*country reports or theoretical/comparative papers, including examples of specialized courts other than these dealing with corporate or capital market law*]
2. Specialised corporate courts [*country reports or theoretical/comparative papers, empirical studies are especially welcome*]
3. Specialised capital and financial market courts [*country reports or theoretical/comparative papers, empirical studies are especially welcome*]
4. Quis custodiet ipsos custodes? – Judicial review of the exercise of administrative powers by the financial and capital market authorities [*country reports or theoretical/comparative papers*]
5. Investor protection and white collar crime – specialised police, prosecutors and the challenges of criminal justice in handling the complexity of corporate, capital market and financial law [*country reports or theoretical/comparative papers*]
6. Expert witness, judicial independence and the blurring line between *iura novit curia* and understanding the business [*country reports or theoretical/comparative papers*]
7. Race to the top, race to the bottom or no race at all? – what drives institutional change in the corporate and capital market law enforcement? [*country reports or theoretical/comparative papers*]
8. Specialised corporate and capital market courts and the broader context – CJEU, ECHR, constitutional courts, arbitration, listing rules and the role of stock exchanges, investor associations

FORMAT OF THE CONFERENCE AND THE CONFERENCE PUBLICATION

The conference will be held in a hybrid format (on-site in Vienna and on-line). The organizers hope that it will be possible for the majority of speakers to meet in Vienna, but some presentations may be delivered on-line. Invited speakers will have their travel expenses reimbursed and accommodation will be provided by the organisers.

The conference proceedings will be published as a book volume of the established European Company Law Series by Wolters Kluwer.

More information will be circulated by the organisers closer to the conference date.

TIMELINE AND SUBMISSIONS

Interested researchers are invited to submit **a paper abstract (maximum 1000 words) by 17th of October 2021**. Abstracts should be sent by e-mail: arkadiusz.radwan@vienna.pan.pl CC to arkadiusz.radwan@gmail.com. Please include your name and affiliation in the e-mail and indicate whether you are interested in participating in the conference on site or remotely. Submission is also possible without a conference presentation (submission for publication in the aforementioned book).

Selected scholars will be contacted by 22nd of October 2021. They may be asked to submit a draft paper or an extended abstract (around 4000 words) by 30th of November 2021. The deadline for submission of final papers is 28th of February 2022 to leave the authors enough time to incorporate feedback received during the conference.

Organisers:



Patrons:



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