

Call for Abstracts

Dispute resolution mechanisms and competence-competence in multi-level systems
Workshop for early career researchers

15th February 2024-17th February 2024, Freie Universität Berlin

From 15th February 2024 to 17th February 2024, the Department of Law at Freie Universität Berlin will host a workshop for early career researchers on the topic

Dispute resolution mechanisms and competence-competence in multi-level systems.

Since the *Van Gend en Loos* case, the European Court of Justice (ECJ) has established and shaped a unique legal system within the European Union through its case law on the autonomy of the EU's legal order. The founding treaties have become the basis of a legal community of its own kind, which is characterised by a complex relationship with the national legal systems of the member states and international law.

The ECJ plays a special role in this multi-level system. This is exemplified by its handling of dispute resolution mechanisms in the context of investment protection and free trade agreements, such as CETA, EUSFTA and the Energy Charter Treaty. As part of its case law on the autonomy of the EU legal order, the CJEU is attempting to secure a monopoly on the interpretation of EU law, thereby pushing back the dispute resolution mechanisms provided for in international agreements. However, investment protection clauses and clauses on state-investor arbitration proceedings often fall within the (shared) competence of the member states. In addition, the boundaries of jurisdiction are also blurred in relation to national procedural law in view of the influence of EU law on the substantive and procedural law of the member states. The ECJ must therefore justify its competence against both national legal systems and the international legal order.

The workshop offers the opportunity to examine questions of how dispute resolution mechanisms can collide in multi-level systems and how such collisions may be resolved from different perspectives. We invite contributions from all subject areas, the foundations of law and interdisciplinary topics. The workshop is also open to various methodological approaches (e.g. from empirical legal research). How is the current case law of the ECJ compatible with the primary law competence requirements and the principle of conferral? Are there similar lines of tension, for example, in the relationship between the ECJ and the European Court of Human Rights (ECtHR) since the ECJ's second opinion on the accession to the ECHR, or do comparable issues also exist in the context of other international organizations? What role does the so-called competence-competence of international commercial or investment arbitration tribunals play in this context? Although the EU legal order provides the starting point for these

questions, the workshop is open to contributions from other multi-level systems. The interface between public international law, European law and international civil procedural law can also be examined.

We would like to open up a space that offers young researchers the opportunity to present their own ideas, but also for feedback and for methodological inspiration and networking.

Abstracts in German or English (max. 300 words) shall be sent to Maren Vogel (maren.vogel@fu-berlin.de) by 19th January 2024. Presentations should be 20 minutes in length and will be accompanied by a 20-minute discussion. Acceptances and rejections will be sent by 26th January 2024.

Selection is based on the quality of the submitted topic proposals, thematic suitability and time and financial capacities. Travel and accommodation costs can be reimbursed (pro rata) .

Date:	15 th February 2024-17 th February 2024
Place:	Department of Law, Freie Universität Berlin
Application deadline:	19 th January 2024
Application documents:	Title of the project topic, stating the status of the work, abstract on the presentation topic, German/English (max. 300 words, incl. footnotes)

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