# Table of Contents

## Inaugural Lecture

Privatizing Dispute Resolution and its Limits  
*Burkhard Hess*  

## Different Paths to Dispute Resolution in Europe

Court and Out-of-Court Procedures: In Search of a Comprehensive Framework for Consumers’ Access to Justice in Cross-Border Litigation  
*Elena Alina Onțanu*  

Towards High-Quality Consumer ADR: The Belgian Experience  
*Alexandre Biard*  

A Glance to the Future of the Dispute Resolution: Collaborative Lawyers in Europe and Client-Attorney Legal Privilege in Subsequent Judicial Proceedings  
*Juan Antonio Andino López*  

## Privatizing Dispute Resolution: The Case of Public Interest Litigation

The Collective Private Enforcement of Data Protection Rights in the EU  
*Alexia Pato*
Table of Contents

The Role of the Japanese Court in Civil Litigations Seeking to Protect the Public Interest 155
Yuji Yasunaga

Commercial Arbitration after Achmea: Business as Usual? 187
Georg Kodek

Third Party Funding of Mass Litigation in Germany: Entrepreneurial Parties – Curse or Blessing? 209
Astrid Stadler

Clearing the Next Barrier for the Transparency Movement: A Proposal for Mandatory Disclosure of Third-Party Funding in International Investment Arbitration 233
Rebecca E. Khan

ADR, Standards of Fairness and Values

Alternative Dispute Resolution for European Consumers: A Question of Access to and Standards of Justice 257
Caroline Daniels

Toward a Right of Access to an Amicable Process and its Challenges 297
Paul Rolland

Access to Privatized Consumer Justice: Arbitration, ADR, and the Future of Value-Oriented Justice in the EU 325
Barbara Warwas
# Table of Contents

## ADR, the Wider Perspective

Supporting Party Autonomy in the Enforcement of Cross-Border Mediated Settlement Agreements: A Brave New World or Unchartered Territory?

*Dorcas Quek Anderson*

351

Procedural and Substantive Issues of Mandatory Mediation and its Limits in Cross-Border Cases – The Example of the Greek Legislation

*Chrisoula M. Michailidou*

393

Introducing Apology Legislation in Civil Law Systems: A New Way to Encourage Out-of-Court Dispute Resolution

*Wannes Vandenbussche*

433

## International Arbitration

A New Legal Framework for Improving Investor-State Dispute Settlement (ISDS)

*Margie-Lys Jaime*

485

Competing Jurisdictions: Domestic Courts v Investment Tribunals – How to Manage Parallel Claims?

*Marta Cichomska*

533

Privatizing Dispute Resolution: International Intellectual Property Agreements as a Gateway to Trigger Investor-State Arbitration

*Fenghua Li*

573

Privatizing Dispute Resolution and Its Limits: International Commercial Arbitration and National Courts

*Janet Walker*

597
Table of Contents

*To Conclude: Privatizing Dispute Resolution, at What Price?*

Nothing is for Free: The Prices to Pay for Arbitralizing Legal Disputes 617

Diego P. Fernández Arroyo