Third Issue of 2010's Revue Critique de Droit International Privé

The last issue of the *Revue critique de droit international privé* was just released. It contains two articles and several casenotes. The full table of content can be found here.



The first article is authored by Jürgen Basedow, who is one of the directors of the Max Planck Institute of Comparative and International Private Law in Hamburg. The article discusses nationality as a connecting factor in European Union law (*Le rattachement à la nationalité et les conflits de nationalité en droit de l'Union Européenne*). The English abstract reads:

> *The constance and variety of recourse to nationality as connecting factor in the laws of Member States as within the private international law of the European Union requires that its use be confronted with article 18 TFEU, which prohibits all discrimination by reason of nationality. In cases of double nationality, the Court of Justice has undertaken to conciliate the principle and the prohibition by setting aside more traditional approaches in favour of one based on the equality of treatment of national regulations, which implies both preference to the first in time and mutual recognition. A renewed assessment of nationality as an indicator of close connection and a reading of article 18 which restricts its content to unilateral rules conferring rights and privileges to citizens of the forum State leads to the formulation of a corpus of general rules of private international law.*

The second article is authored by the Director of the *Revue*, Bertand Ancel (Paris II University) and its Editor in Chief Horatia Muir Watt (Sciences Po Law School). The article offers a comprehensive study of the 2009 maintenance regulation (*Aliments sans frontières. Le règlement CE n° 4/2009 du 18 décembre 2008 relatif à la compétence, la loi applicable, la reconnaissance et l'exécution des décisions et la coopération en matière d'obligations alimentaires*). The English abstract reads:

Beyond its commitment to ensure the effectiveness within the European Union of the Convention and Protocol signed at the Hague on 23rd November 2007, on alimentary obligations, EC Regulation n° 4/2009 lays out the defining features of the future European private international law ; it imposes new orientations on jurisdictional issues, particularly since trans-European enforcement of judgments is now freed from the constraints of specific enforcement procedures or formalities ; on issues of applicable law, il devises a method of coordination with the Hague Protocol which consists in actually borrowing its content ; in turn, this content serves as a guarantee ensuring the free movement of decisions as between Member States ; finally, by extending its personal scope and establishing a forum necessitatis, it carries its own authority beyond the borders of the internal market so as to catch litigation involving third states.

Articles of the *Revue* can be downloaded here by subscribers.