

Conference on “Characterisation in the Conflict of Laws” at Oxford, 20-21 March 2025

Information kindly provided by Johannes Ungerer

At the University of Oxford, a conference on ‘Characterisation in the Conflict of Laws’ will be held on 20 and 21 March 2025. It is jointly organised by Dr Johannes Ungerer (University of Oxford and University of Notre Dame in England), Dr Caterina Benini (Catholic University of the Sacred Heart, Milan), and PD Dr Felix Berner (University of Tübingen), and is funded by the Institute of European and Comparative Law and the Faculty of Law.

For more than a century, characterisation has been discussed in the conflict of laws without reaching a consensus on a generally accepted theory. However, it is arguably the most crucial step for a court when determining its international jurisdiction and the applicable law. Characterisation identifies in cross-border litigation the nature or category of a particular cause of action (for instance contractual, tortious, proprietary, corporate, matrimonial), so that the correct connecting factor can be employed. This is difficult where the action is unknown domestically or potentially falls in-between two categories and could thus be litigated in different fora or under different laws, leading to different outcomes. What makes it even more complex are the different techniques proposed for characterisation, depending on the origin of the conflicts rules in question (national, EU, or international rules).

The conference, taking place at St Hilda’s College, will be organised as a round-table discussion, bringing together legal scholars and practitioners from a range of jurisdictions, covering both Common Law and Civil Law traditions, in order to establish a common understanding of the practices and challenges regarding characterisation. It will feature contributions from 15 speakers in three sessions: the programme can be accessed [here](#).

The conference room can accommodate a small number of attendees. Interested scholars and practitioners are invited to express their interest in attending the

conference by sending an email to Dr Ungerer by 17 November 2024.