

Van Den Eeckhout on CJEU case law in PIL matters - Follow up and a recently published paper

Veerle Van Den Eeckhout (working at the CJEU) has published a short article on recent CJEU case law in Private International Law matters.

The paper is entitled “CJEU case law. A few observations on recent CJEU case law.” It has been published as a contribution to the fifth volume in the series of the Dialog Internationales Familienrecht. The article sets the scene and contextualizes the findings detailed in the presentation given by the author on April 29, 2023 at the Dialog Internationales Familienrecht 2023 at the University of Münster. See also previously here on the presentation.

In essence, while presenting case law of the CJEU in PIL matters, the Author explored selected methodological aspects of reasoning employed by the Court of Justice, including deductive arguments and those aiming to ensure “consistency” within the whole system.

The Author focuses on case law of the CJEU regarding international family law but, adopting sometimes also a wider perspective, attempts to draw some considerations of relevance for EU private international law in general. Thus, also PIL dynamics unfolding outside the field of international family law were taken into account. For example, case law of the CJEU regarding the notion “cross-border” following the joined cases Parking and Interplastics (C-267/19 and C-323/19) was pointed out.

Moreover, attention was not only paid to case law of the CJEU interpreting PIL-regulations. The Author proves that issues of (international) family law may come to the CJEU in many shapes and forms. In fact, one may say that various roads lead to Luxembourg. Looking from this perspective and attempting to position case law of the CJEU in a wide context, the Author did not only include case law of the CJEU interpreting a PIL-regulation such as the Brussels II bis regulation, but also pointed out case law of the CJEU such as the Coman case (C-673/16) and the Pancharevo case (C-490/20), as well as case law of the CJEU regarding the

law on names. Adopting a broad view, also some aspects of the case *Belgische Staat (Réfugiée mineure mariée)*, Case C-230/21, regarding a right to family reunification based on Directive 2003/86, were considered in the analysis - this case itself giving rise to the formulation of some observations regarding the interaction of (international) family law and migration law (in the broad sense of the word).

The PowerPoint of the presentation in Münster is available [here](#). A version of this PowerPoint including also an extended version thereof is available [here](#).

On SSRN, working versions of the paper are available in Dutch and in English.

Any view expressed in this presentation or in the paper discussed above is the personal opinion of the Author.