CELCOS Conference in Maribor (Slovenia): Strengthening the Rule of Law in the EU (31 March – 2 April 2016)

The **University of Maribor (Slovenia)** is organizing the **Central European Law Conference for Students (CELCOS)**. It will take place in Maribor from 31 March to 2 April 2016. CELCOS will be the first large international student event in Central and Southeastern Europe to reflect current issues of EU law.
The main concept of this Jean Monnet project is to gather over 50 law doctoral students from universities across Europe for a three-day conference at the University of Maribor (Slovenia), where the doctoral students will be the main actors and about 30 experts, i.e. professors of EU law, judges, prosecutors and policy-makers at the national and EU level will give impulses to the discussion about selected areas of EU law by commenting on the students' contributions.
The aim of this conference is to analyze current topics of EU law, especially in light of the importance that EU law has for establishing the rule of law in Central and Southeastern Europe. Moreover, it aims at promoting fresh ideas and proposals for the future development of the EU legal system in general.

The conference will be divided into nine sessions dealing with the following topics:

> **Session 1:** Triangle of cooperation between courts – ECtHR, CJEU and national courts.
>
> **Session 2:** Managing migration in Europe – between economic feasibility and protection of human rights.
>
> **Session 3:** Market integration through law: reforming legal foundations for a stable EU market.
>
> **Session 4:** Effective enforcement of data protection law in Europe.
>
> **Session 5:** EU Consumer protection – the current challenges.

Session 6: From transnational principles to European rules of civil procedure.

Session 7: Common EU standards on rights of suspects, the accused and victims in criminal proceedings.

Session 8: Integration of environmental protection into EU policies.

Session 9: Democracy and rule of law in Central and Southeastern Europe.

CELCOS is co-financed by the **EU Commission – Erasmus programme – Jean Monnet Project**. Further information is available at the Conference homepage. A detailed description of the sessions may be found here.

Domej on International Execution and the Implementation of Liability

Our co-editor *Tanja Domej* from University of Zurich has authored a monograph entitled "Internationale Zwangsvollstreckung und Haftungsverwirklichung am Beispiel der Forderungspfändung" (International Execution and the Implementation of Liability). The volume has been published by Mohr Siebeck. It is written in German.

The official abstract reads as follows:

> *Tanja Domej retraces the debates over the relevancy and meaning of the principle of territoriality for the cross-border attachment of debts from a comparative perspective. On the basis of an interest analysis, she presents perspectives for an appropriate approach to dealing with issues of cross-border attachment of incorporeal assets.*

More information is available on the publisher's website.

French conference on the "UNCITRAL Contribution to International Trade Law"

Written by Eloïse Glucksmann

The Center for Private International Law and International Trade Law (CRDI) of the University Panthéon-Assas is pleased to invite you to a conference on the "UNCITRAL Contribution to International Trade Law" that will take place in the faculty premises at 92, rue d'Assas 75005 Paris, conference room no 315, on April 12, 2016. **Speeches will be in French.**

Please register by contacting **laurence.tacquard@u-paris2.fr.** This conference is also accountable for the lawyers' continuing training (formation continue des avocats) of the French National Council of the Bars (Conseil national des barreaux).

This event is organized with the collaboration of the Department for Private International Relations Studies (SERPI-IRJS) of the Sorbonne Law School and the Foundation for Continental Law

Program:

Morning

8:45 – **Registration**

9:00 – **Opening remarks**

Marie Goré, Professor at the University Panthéon-Assas Paris II, Director of the

Center for Private International Law and International Trade Law (CRDI)

Géraud Sajust de Bergues d'Escalup, Deputy Director for Legal Affairs of Foreign Affairs

Renaud Sorieul, Director of the International Trade Law Division of the United Nations Office of Legal Affairs

Chairman: *Sylvain Bollée*, Professor at the Sorbonne Law School (University Paris 1), Co-director of the Department for Private International Relations Studies (SERPI-IRJS)

9:20 – **The UNCITRAL methods**
Vincent Heuzé, Professor at the Sorbonne Law School (University Paris 1)

The UNCITRAL model, its influence on OHADA law
Dorothé Cossi Sossa, permanent secretary

10:30 – **International Sale of Goods: how to maintain or reinforce the UNCITRAL promotion of practices' unification?**
Claude Witz, Professor at the University of Saarland (Germany), Co-director of the Legal Center Franco-German

11:00 – **Break**

11:15 – **International Commercial Arbitration**
Daniel Cohen, Professor at the University Panthéon-Assas Paris II

11:45 – **UNCITRAL and the aspiration to diffuse Security Interests model standards**
Jean-François Riffard, Lawyer, Associate-Professor at the University of Auvergne (Clermont 1)

12:30 – **Lunch break**

Afternoon

Chairman: *Pascal de Vareilles-Sommières*, Professor at the Sorbonne Law School (University Paris 1)

2:00 – **Insolvency of corporate groups**

Reinhard Dammann, partner at Clifford Chance Europe LLP

2:30 – **The sole ownership**
Antoine Gaudemet, Professor at the University Panthéon-Assas Paris II

3:00 – **The Rotterdam Rules: how to convince?**
Philippe Delebecque, Professor at the Sorbonne Law School (University Paris 1)

3:30 – **Break**

3:45 – **The UNCITRAL contribution to the development of public-private partnerships' safeguarding**
Stéphane Braconnier, Professor at the University Panthéon-Assas Paris II

4:15 – **The UNCITRAL contribution to electronic trade development**
Thibault Douville, Associate-Professor at the Caen Normandie

4:45 – **Summary**
Rafael Illescas Ortiz, Professor of Commercial Law, Universidad Carlos III of Madrid, former president of the UNCITRAL

The event will be followed by a **cocktail**.

The law of contracts and the creation of a Digital Single Market in Europe – A series of seminars in Ferrara

The Department of Law of the University of Ferrara hosts a series of seminars, organised by Alberto De Franceschi, under the title *New Features of European Contract Law – Towards a Digital Single Market*.

The seminars, in English, will run from 9 March to 25 May 2015 2016.

Speakers include Michael Lehmann (Ludwig Maximilian Univ. of Munich and Max Planck Institute for Innovation and Competition), Christian Twigg-Flesner (Univ. of Hull), Rodrigo Momberg Uribe (Univ. of Oxford), Herbert Zech (Univ. of Basel), Fryderyk Zoll (Univ. of Kraków and Univ. of Osnabrück), Geraint Howells (City Univ. of Hong Kong), Reiner Schulze (Univ. of Münster), Peter Kindler (Ludwig Maximilian Univ. of Munich), Martin Gebauer (Univ. of Tübingen) and Jorge Morais Carvalho (Univ. Nova of Lisbon).

Two seminars are specifically concerned with private international law issues: on 13 May 2016, Peter Kindler will talk about *The law applicable to contracts in the Digital Single Market*, while, on 18 May 2016, Martin Gebauer will speak of *Contracts concluded by electronic means in cross-border transactions*.

The complete programme may be downloaded here.

Attendance is free. For more information: *alberto.defranceschi@unife.it*.

Online Dispute Resolution Platform launched

Readers of our blog will recall that the European legislature, in 2013, adopted the Regulation on Online Dispute Resolution (ODR-Regulation) in consumer matters (alongside the Directive on Alternative Dispute Resolution) (see our previous post). We are therefore happy to report that the interactive website, the so-called ODR-platform, envisaged by the ODR-Regulation has finally been launched on 15 February 2016.
The platform is accessible here in all EU languages. It serves as a single point of entry for consumers and professionals seeking to settle a dispute out of court. It is available for disputes that arise from online contracts between consumers and professionals living in the EU.

International Seminar on Private International Law 2016 (Program)

The programme of the 2016 edition of the International Seminar on Private International Law organized by Prof. Fernández Rozas and Prof. de Miguel Asensio, to be held in Madrid on 14-15 April 2016, has been released and is available **here**.

Venue:

Salón de Grados de la Facultad de Derecho de la Universidad Complutense, Avda. Complutense, Ciudad Universitaria, Madrid.

Main speakers:

Jürgen Basedow (Max Planck Institute for Comparative and International Private Law, Hamburg) – Consistency in EU Private International Law

Cristina González Beilfuss (Universidad de Barcelona, Spain) – On the recent reforms of Spanish international civil procedure law.

Christian Heinze (Leibniz University Hanover, Germany) – Competition law damages claims and jurisdiction agreements.

Roberto Baratta (University of Macerata, Italy) – Fundamental Rights and Family Private International Law

Thalia Kruger (Antwerp University, Belgium) – The Hague, Strasbourg, Luxembourg and the Bosporus. The best interests of abducted children?

Pietro Franzina (University of Ferrara, Italy) – Do we need a EU legislative measure on the international protection of adults?

Mauro Rubino-Sammartano (Corte Europea de Arbitraje) – Arbitration and Public Policy.

Sebastien Manciaux (Université de Bourgogne, France)- La oferta de arbitraje en arbitraje de inversión: especificidades y dificultades planteadas por esta modalidad de arbitraje.

Emmanuel Guinchard (University of Northumbria, UK) – La transposition en Europe de la directive 2013/11/UE relative au règlement extrajudiciaire des litiges de consommation. L'exemple de la France et du Royaume-Uni.

Bertrand Ancel (Université Paris II)

Additional information on the seminar is available **here**.

Márton on Violations of Personality Rights through the Internet

Edina Márton has authored a book on "Violations of Personality Rights through the Internet: Jurisdictional Issues under European Law". The book has been published by Nomos in cooperation with Hart Publishing.

The official abstract reads as follows:

> *This book considers jurisdictional issues on violations of personality rights through the Internet under the so-called 'Brussels-Lugano Regime' and centres on the special rule of jurisdiction in matters relating to tort, delict, or quasi-delict. It notes the governing objectives and underlying principles of this special rule; analyses its interpretation through the judgments of the ECJ, especially Bier, Shevill, and eDate and Martinez; and explores views expressed in legal theory and national judicial practice regarding its application for localising online violations of personality rights.*
>
> *The book aims to examine how the eDate and Martinez-approaches advance administrability, predictability, and litigational justice and to assess whether they are suitable jurisdictional bases in Europe, where common legal norms, interests, and values increasingly integrate and connect persons. It concludes that they are not and recommends their possible reform.*

Further information is available on the publisher’s website.

Article: Marriage for All and International Public Policy

Professor Victoria Camarero Suarez published an article on marriage for all and international public policy in the **Revista General de Derecho Canónico y Eclesiástico del Estado (no. 40/2016),** a Spanish Journal on the Law of Church and State.

Here is the English abstract:

In this work, in the first place, some general considerations are carried out, in relation with same-sex marriages and their roots in comparative systems as far as the legal practice is concerned. After this brief outline, we offer a presentation of the Decision of the French Cour de Cassation dated 28 January 2015, following the development of its historical iter and the foundations on which it is based upon. Within the stage that we may define as a comment, our research makes a evaluation of such as those foundations and, above all, of the interplay between international public policy and Fundamental Rights. In the same way we make detailed comparisons with the Spanish legal practice within the terms specially defined by DGRN. We put an end to our study through suggestive reflections with a view to throwing some light on the issue concerning the performance criteria of the French High Court and the need to reach full Human Rights, avoiding to the extent possible the emergence of unnecessary conflicts with regard to the subject of coexistence among the different legal systems.

Commentary on Succession Regulation Bonomi and Wautelet

A second edition of the commentary of the Succession Regulation written by Andrea Bonomi and Patrick Wautelet has just been published. As with the first edition, the book is conceived as a commentary, article by article, of the Regulation. Written in French it provides in more than 1.000 pages a comprehensive analysis of the Regulation taking into account the vast literature already published on the Regulation, as well as various measures adopted by Member States in order to facilitate the practical operation of the Regulation.

More information available here.

Committee on Legal Affairs II: Possible legislative basis for instrument on public documents

Written by Edina Márton

On 1 February 2016, the Committee on Legal Affairs of the European Parliament delivered an "Opinion on the legal basis of the proposal for a Regulation of the European Parliament and of the Council on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the European Union and amending Regulation (EU) No 1024/2012 (COM(2013)0228 – C7-0111/2013 – 2013/0119(COD))". As is clear from the

opinion, the initial proposal was based on “dual legal basis” [i.e., Articles 114(1) and 21(2) TFEU]. After the removal of the former provision, the need for the assessment of the latter provision arose. Thus, the Chair, Mr Pavel Svoboda, assesses whether “the new single legal basis” of the proposal is valid and appropriate.

The opinion is available here.