Volume on German Case Law on Private International Law

The Max Planck Institute for Comparative and Private International Law has released the latest volume of its annual series on German case law in matters of private International law ("Die deutsche Rechtsprechung auf dem Gebiet des Internationalen Privatrechts"). Published by Mohr Siebeck it contains all private international law cases decided by German courts in 2012.

More information is available here.

Symeonides' Codifying Choice of Law Around the World

For those readers that did not know yet, early this summer 'Codifying Choice of Law Around the World' (OUP, 2014) authored by Symeon Symeonides, was published. One can only agree with Lawrence Collins in the foreword to this book that it is 'a truly monumental contribution to the study of codification in the conflict of laws'.

The blurb reads:

> ***Codifying Choice of Law Around the World*** *chronicles, documents, and celebrates the extraordinary, massive country-by-country codification of Private International Law (PrIL) or Conflict of Laws that has taken place in the last 50 years from 1962-2012. During this period, the world has witnessed the adoption of nearly 200 PrIL codifications, EU Regulations, and international conventions—-more than in all preceding years since the inception of PrIL. This book provides a horizontal comparison and discussion of these codifications and conventions, firstly by comparing the way they resolve tort and contract conflicts, and then by comparing the answers of these codifications to the*

fundamental philosophical and methodological dilemmas of PrIL. In the process, this book re-examines and dispels certain widely held assumptions about choice of law, and the art and science of codification in general.

More information is available here.

Volume on Private International Law in Mainland China, Taiwan and Europe

Jürgen Basedow and Knut B. Pißler, both from the Max Planck Institute for Comparative and International Private Law in Hamburg, have edited a book on "Private International Law in Mainland China, Taiwan and Europe". The book has been published by Mohr Siebeck.

The official abstract reads as follows:

Over the last decades, private international law has become the target of intense codification efforts. Inspired by the stimulating initiatives taken by some European countries, by the Brussels Convention and the Rome Convention, numerous countries in other regions of the world started to enact comprehensive legislation in the field. Among them are Taiwan and mainland China. Both adopted statutes on private international law in 2010. In light of the rising significance of the mutual economic and societal relations between the jurisdictions involved and of the legal innovations laid down in the new instruments, the Max Planck Institute for Comparative and International Private Law convened scholars to present the conflict rules adopted in Europe, in mainland China and in Taiwan across a whole range of private law subjects. This book collects the papers of the conference and presents them to the public, together with English translations of the acts of Taiwan and mainland China.

Survey of contents:

Part 1: Jurisdiction, Choice of Law, and the Recognition of Foreign Judgments in Recent *Legislation Jin Huang: New Perspectives on Private International Law in the People's Republic of China – Rong-Chwan Chen: Jurisdiction, Choice of Law and the Recognition of Foreign Judgments in Taiwan – Stefania Bariatti: Jurisdiction, Choice of Law and the Recognition of Foreign Judgments in Recent EU Legislation*

Part 2: Selected Problems of General Provisions

Weizuo Chen: Selected Problems of General Provisions in Private International Law: The PRC Perspective – Rong-Chwan Chen: General Provisions in the Taiwanese Private International Law Enactment 2010 – Jürgen Basedow: The Application of Foreign Law – Comparative Remarks on the Practical Side of Private International Law

Part 3: Property Law

Huanfang Du : The Choice of Law for Property Rights in Mainland China: Progress and Imperfection – Yao-Ming Hsu: Property Law in Taiwan- Louis d'Avout: Property Law in Europe

Part 4: Contractual Obligations

Qisheng He: Recent Developments of New Chinese Private International Law With Regard to Contracts – David J.?W. Wang: The Revision of Taiwan's Choice-of-law Rules in Contracts – Pedro A. De Miguel Asensio: The Law Applicable to Contractual Obligations. The Rome I Regulation in Comparative Perspective

Part 5: Non-Contractual Obligations Guoyong Zou: The Latest Developments in China's *Conflicts Law for Non-contractual Obligations – En-Wei Lin: New Private International Law Legislation in Taiwan: Negotiorum Gestio, Unjust Enrichment and Tort – Peter Arnt Nielsen: Non-Contractual Obligations in the European Union: The Rome II Regulation*

Part 6: Personal Status (Family Law/Succession Law)

Yujun Guo: Personal Status in Chinese Private International Law Reform – Hua-Kai Tsai: Recent Developments in Taiwan's Private International Law on Family Matters – Katharina Boele-Woelki: International Private Law in China and Europe:A Comparison of Conflict-of-law Rules Regarding Family and Succession Law

Part 7: Company Law
Tao Du: The New Chinese Conflict-of-law Rules for Legal Persons: Is the Middle Way Feasible? – Wang-Ruu Tseng: Private International Law in Taiwan – Company Law – Marc-Philippe Weller: Companies in Private International Law – A European and German Perspective

Part 8: International Arbitration
Song Lu: China – A Developing Country in the Field of International Arbitration – Carlos Esplugues Mota: International Commercial Arbitration in the EU and the PRC: A Tale of Two Continents or 28+3 Legal Systems

Further information ist available here.

Is an International Arbitral Tribunal the Answer to International Human Rights Litigation?

I just was alerted to a proposal that was put forward to create an International Arbitral Tribunal on business and human rights. The authors of the proposal are Claes Cronstedt, Robert C Thompson, Rachel Chambers, Adrienne Margolis, David Rönnegard and Katherine Tyler, all (save for Ms Margolis, a journalist, and Dr Rönnegard, a philosopher and economist) one-time or current private practice lawyers with a background and/or practice in human rights and CSR.

The initiative seeks to respond, in part, to the US Supreme Court's decisions in *Kiobel v Royal Dutch Petroleum* and *Daimler AG v Bauman*. In short, it is now difficult to plead international human rights violations against corporations in U.S. courts. As I discuss in a forthcoming article, foreign courts may move in to fill the gap. This proposal raises another question: Are international tribunals

the right forum for such cases?

Kühn on Imbalance in Joint and Several Debt in Private International Law

Anna-Lisa Kühn has authored a book on the imbalance in joint and several debt in private international law ("Die gestörte Gesamtschuld im Internationalen Privatrecht. Am Beispiel einer Spaltung des Mehrpersonenverhältnisses zwischen deutschem und englischem Recht"). The book is written in German and has been published by Mohr Siebeck.

The abstract reads as follows:

> *Anna-Lisa Kühn analyzes a situation in which a creditor has a claim against several debtors whose obligations are governed by different legal systems and who would be liable for the same claim could one of them not rely on an exemption from liability, the impact of which is assessed differently by the legal systems involved. She shows how this should be treated under the Rome I and Rome II Regulations.*

More information is available here.

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23 and 24 October: Conference on the recast Brussels I Regulation in Graz

On 23 and 24 October 2014 Bettina Nunner-Krautgasser and Thomas Garber, both from the University of Graz, will host a conference on the recast Brussels I Regulation ("Die neue EuGVVO – Verbesserung des Rechtsschutzes im Europäischen Binnenmarkt?"). The conference will take place in Graz (Austria). The conference language will be German. More information is available on the conference website.

The programme reads as follows:

Thursday, 23 Oktober 2014

- 14:00 Welcome notice
- 14:30 Vom Heidelberger-Report zum Kommissionsvorschlag, *Robert Fucik* (Vienna)
- 15:00 Der Anwendungsbereich der neuen EuGVVO, *Bartosz Sujecki (*Utrecht)
- 15:30 Die neue EuGVVO und die Schiedsgerichtsbarkeit, *Petra Hietanen-Kunwald, Riikka Koulu & Santtu Turunen* (Helsinki)
- 16:00 Discussion
- 16:30 Break
- 17:00 Änderungen im Bereich der internationalen Zuständigkeit, *Jan von Hein* (Freiburg im Breisgau)
- 17:20 Änderungen in Versicherungs-, Verbraucher- und Arbeitssachen, *Ale Gali* (Ljubljana)
- 17:40 Gerichtsstandsvereinbarungen, *Bettina Nunner-Krautgasser* (Graz)
- 18:00 Discussion

Friday, 24 Oktober 2014

- 10:00 Rechtshängigkeit, *Alan Uzelac* (Zagreb)

- 10:30 Einstweiliger Rechtsschutz, *Vesna Rijavec & Sascha Verovnik* (Marburg/Graz)
- 11:00 Discussion
- 11:30 Anerkennung und Vollstreckung, *Matthias Neumayr* (Salzburg/Wien)
- 12:15 Discussion
- 12:45 Break
- 13:45 Änderungen durch die Schaffung eines Einheitlichen Patentgerichts und des Benelux-Gerichtshofs, *Bartosz Sujecki* (Utrecht)
- 14:15 Die neue EuGVVO und der Rest der Welt, *Gottfried Musger* (Wien)
- 14:45 Discussion

Invitation to Tender: Economic Study to Cross-Border Trade in the Insurance Sector

The European Commission has published an invitation to tender relating to an economic study on the impact of differences in insurance contract law on cross-border trade in the insurance sector. Deadline for submissions is 28 October 2014. More information is available here and here.

Yearbook of Private International Law, 2013-2014

In line with its predecessors, Volume XV (2013/2014) of the Yearbook of Private International Law offers a comprehensive insight into the contemporary **trends**

of private international law in terms of both theoretical thinking and **practical achievements**. The volume includes two contributions from prominent scholars on freedom of movement of public documents and records within the EU, a whole section on **Brussels Ibis Regulation**, a dozen national reports on **recognition and enforcement of foreign judgments** outside the EU from Turkey to Australia, from Russian Federation to Egypt, from South Korea to Commonwealth Africa as well as an overview of the new codification in Albania. Two essays on internal conflict of laws and on the challenges posed by cross-border coordination in insolvency matters complete this valuable collection.

To see the table of contents click here.

New Issue of Revue Hellénique de Droit International

The new issue of Revue Hellénique de Droit International 2/2013 [Vol. 66] was published earlier this month.

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Invitation to Tender: Study on the Service of Documents

The European Commission has published an invitation to tender relating to a study on the service of documents. The study shall analyze the Member States' relevant provisions and practices and minimum standards. Deadline for

submissions is 30 October 2014. More information is available here and here.