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**CONCLUSIONS AND RECOMMENDATIONS OF THE 11TH REGIONAL
SCIENTIFIC PRIVATE INTERNATIONAL LAW CONFERENCE:
“PRIVATE INTERNATIONAL LAW IN THE JURISPRUDENCE OF
EUROPEAN COURTS – FAMILY AT FOCUS“, HELD IN OSIJEK (CROATIA),
11–12 JUNE 2014**

1. Annual Regional Private International Law conference was held in Osijek, Croatia. Participants gathered on 10th of June, whereas working agenda followed on 11th and 12th June 2014. Conference was jointly organized and coo-financed by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) within the framework of the Open Regional Fund for Southeast Europe (ORF) – Legal Reform, South East European Law School Network and the Faculty of Law at the “Josip Juraj Strossmayer“ University of Osijek.
2. It was the 11th meeting of academics: professors and assistants working on respective private international law departments of Faculties of Law in the South East European Region. So far, each meeting was attended by distinguished European experts outside the SEE region. Deep appreciation goes to founder of the idea: prof. Mirko Živković, Faculty of Law in Niš, as well as dr. Christa Jessel Holst, Max-Planck Institute for Comparative and International Private Law in Hamburg.
3. Osijek regional meeting came in the sequence of previous regional PIL meetings, dating back to 2003 Serbia (Niš), 2004 Slovenia (Maribor), 2005 Serbia (Beograd), 2006 Croatia (Zagreb), 2007 Bosnia and Herzegovina (Banja Luka), 2008 Montenegro (Podgorica), 2009 Serbia (Novi Sad), 2010 Croatia (Rijeka), 2011 Macedonia (Skopje), 2012 Serbia (Niš).
4. Year after year participants have discussed various interesting topics! It has been a true challenge for academic organizers, Department of Private International Law, held by prof. Vjekoslav Puljko and ass. prof. Mirela Župan, to set up the agenda for discussions in Osijek! In the course of a two-day conference organizers planned to dedicate attention to aspects of the following topic: 1. general problems of application of personal status and family PIL by the courts, particularly national jurisdictions, 2. personal status and family PIL issues raised in cases brought before the European Court of Human Rights, 3. personal status and family PIL issues raised in cases brought before the Court of European Union. Organizers distributed a call and invited participants to submit topics on normative solutions and their application from perspective of EU *acquis*, the Hague Conventions on Private International Law and National Systems of Private International Law in the Region. Organizers announced preparation of national reports on application of the Hague Child Abduction Convention. Round ta-

ble with national reports was within conference agenda. Appreciation in questioner preparation goes to Mr. Philippe Lorite and Ms. Maja Grof, from Permanent Bureau of the Hague Conference on Private International Law.

5. Having received all of the topic proposals, organizers set up the conference agenda containing 4 parts with 8 sessions. With one exception, all of the planned topics were presented at conference.

Part 1 of the Conference titled *EU Private International Family Law* dealt with various topics pertaining to EU *acquis* and case law in the area of cross border family relations. Conference was opened by plenary speech *European and International Family Law – past – present – future* presented by prof. Paul Beaumont, University of Aberdeen, UK. Conference proceeded with *Dilemmas in application of EU family PIL in most recent EU Member States* presented by dr. Christa Jessel-Holst from the Max-Planck Institute for Comparative and International Private Law, Hamburg, Germany. Topic on *Application of Brussels II bis in front of Hungarian Courts* was presented by dr. Lilla Kiray, Faculty of Law of University of Pecs, Hungary. Session ended with topic on *Relocation of parent and a child? within EU and worldwide* by ass. prof. Ines Međić, Faculty of Law of University of Split, Croatia.

Part 2 of the Conference titled *Hague Conference and International Family Law – Child Abduction at Focus* overwhelmed various themes inherent to HCCH unification process. Plenary opening of this session was the presentation of Mr. Philippe Lortie, First Secretary of the Hague Conference on Private International Law, Netherlands, speaking on *Family matters from the prism of the Hague Conference*. Session proceeded by *The 2007 Maintenance Convention – „if anyone does not provide for his relatives (...), he has denied the faith“* presented by prof. Csongor István Nagy, University of Szeged, Hungary. Final topic combined HCCH and EU approach to child abduction, where Tena Hoško from the Faculty of Law University of Zagreb spoke on *International child abduction: before and after the European legislation*.

First working day of the conference ended with round table on *Application of Hague Child Abduction Convention in SEE region: national reports*. National reports were presented by prof. Anita Duraković, Faculty of Law of University of Mostar, Bosnia and Herzegovina and prof. Zlatan Meškić, Faculty of Law of Zenica (Bosnia); ass. prof. Suzana Kraljić and Katja Drnovšek, Faculty of Law University of Maribor (Slovenia); Sanja Marijanović, Faculty of Law University of Niš (Serbia); prof. Maja Kostić Mandić, Faculty of Law University of Podgorica (Montenegro); Ilija Rumenov, Faculty of Law „Justinijan Prvi“ Skopje (Macedonia); and ass. prof. Mirela Župan, J. J. Strossmayer University of Osijek and Tena Hoško, Faculty of Law University of Zagreb (Croatia).

12th June 2014, second conference day, continued with Part 3: *Human Rights Considerations, Status and Family Cross Border Issues*. Opening plenary speech entitled: *The Hague Child Abduction Convention and the Case-Law of the European Court of Human Rights* was held by prof. Nina Vajić, judge at European Court of Human Rights in period 1998–2012. ECHR centred topics followed with *Personal status and family PIL issues raised in cases brought before the European Court of Human Rights* presented by prof. Vesna Lazić, Asser Institute The Hague, Netherlands and *Hague Child Abduction: the case of X v. Latvia approached* by ass. prof. Ivana Kunda, Faculty of Law University of Rijeka, Croatia.

Session 6 was centred on status issues. *The International Jurisdiction of the Turkish Courts and the Applicable Law Regarding the Legal Actions Concerning the Personal Status of Turkish Nationals* was presented by prof. Zeynep Derya Tarman, Koc University Law School, Istanbul, Tur-

key. Prof. Davor Babić, Faculty of Law University of Zagreb, Croatia held the final speech of this session on *Recognition of foreign marriage*, opening a vivid discussion on same-sex marriage recognition.

Lunch break was followed by Part 4 of the Conference: *Comparative Family Private International Law*. Topics discussed in this session tackled upon various dilemmas on most appropriate connecting factors for personal and family matters. Concrete topics dealt with *Habitual residence versus nationality – In search of the European personal connecting factor in family matters*, presented by prof. Anatol Dutta, University of Regensburg, Germany; *Connecting Factors, Party Autonomy and Renvoi in family matters in the Macedonian and in the EU Private International Law*, presented by prof. Toni Deskoski and mr.sc. Vangel Dokovski, Faculty of Law „Iustinianus Primus“, Skopje, Macedonia; presentation *Children in the Turkish international family law* by prof. Ceyda Süra, Kadir Has University, Istanbul, Turkey, ended this session.

Last session of the conference contained three topics pertaining to comparative private international law. *Family matters – jurisdiction of domestic courts* was presented by prof. Marija Krvavac and ass. prof. Jelena Belović, Faculty of Law University of Kosovska Mitrovica, Kosovo; *Application of the family PIL in Bulgaria*, presented by prof. Boriana Musseva, Faculty of Law, Sofia, Bulgaria and *Albanian private international law applicable to family matters*, by ass. prof. Aida Gugu and Eniana Qarri, Martin Barleti University, Tiranë, Albania.

Each of the sessions ended with vivid discussion on presented topics.

6. Participants discussed the future work of the SEE PIL group. It has been declared that priority interest is with:
 - maintaining the network tightly within SEE region Law Faculties, with possibility for all of the countries of wider region to participate;
 - undertaking efforts to create a separate web site for regional PIL meetings;
 - encourage more regional meetings (one is to take place in Pristina at spring 2015);
 - undertake joint efforts to improve practical usage of PIL norms throughout the region: foster education of practitioners in the region
 - undertake efforts to submit a project proposal *Drafting a Model law on implementation of international child abduction regime in the SEE region*
 - if possible, encourage governments to join the HIJN to enhance direct judicial communication
 - Each participant is invited to submit a paper either presented at the conference or relating to topics discussed, to be published in conference proceedings. Book publication (e-book and paperback) is expected before next meeting takes place.
 - Funding of the next meeting is by either GIZ and host university or available source. 12th PIL Conference would take place in autumn 2015 in Zenica (Bosnia and Herzegovina).

Osijek, 12th June 2014

On behalf of organizers
Ass. professor Mirela Župan