

HOW EUROPEAN IS EUROPEAN PRIVATE INTERNATIONAL LAW?

HOW EUROPEAN IS EUROPEAN
PRIVATE INTERNATIONAL LAW?

Sources, Court Practice,
Academic Discourse

Edited by

Jan VON HEIN

Eva-Maria KIENINGER

Giesela RÜHL



INTERSENTIA

Intersentia Ltd
8 Wellington Street | Cambridge
CB1 1HW | United Kingdom
Tel.: +44 1223 736 170
Email: mail@intersentia.co.uk
www.intersentia.com | www.intersentia.co.uk

Distribution for the UK and Ireland:
NBN International
Airport Business Centre, 10 Thornbury Road
Plymouth, PL6 7PP
United Kingdom
Tel.: +44 1752 202 301 | Fax: +44 1752 202 331
Email: orders@nbninternational.com

Distribution for Europe and all other countries:
Intersentia Publishing nv
Groenstraat 31
2640 Mortsel
Belgium
Tel.: +32 3 680 15 50 | Fax: +32 3 658 71 21
Email: mail@intersentia.be

Distribution for the USA and Canada:
Independent Publishers Group
Order Department
814 North Franklin Street
Chicago, IL 60610
USA
Tel.: +1 800 888 4741 (toll free) | Fax: +1 312 337 5985
Email: orders@ipgbook.com

How European is European Private International Law? Sources, Court Practice,
Academic Discourse

© The editors and contributors severally 2019

The editors and contributors have asserted the right under the Copyright, Designs and Patents Act 1988, to be identified as authors of this work.

No part of this book may be reproduced, stored in a retrieval system, or transmitted, in any form, or by any means, without prior written permission from Intersentia, or as expressly permitted by law or under the terms agreed with the appropriate reprographic rights organisation. Enquiries concerning reproduction which may not be covered by the above should be addressed to Intersentia at the address above.

Artwork on cover: theendup – Alamy Stock Photo

ISBN 978-1-78068-698-1
D/2019/7849/96
NUR 822

British Library Cataloguing in Publication Data. A catalogue record for this book is available from the British Library.

PREFACE

The question that forms the title of this book – ‘How European is European Private International Law?’ – may, at first impression, strike the reader who is unfamiliar with the subject as strange: isn’t it already clear from the adjective ‘European’ associated with the noun ‘Private International Law’ that this legal field is precisely what it purports to be, i.e. ‘European’ in nature? In reality, creating a truly ‘European’ Private International Law is a more complicated endeavour, though. In fact, current Private International Law as it is applied by EU Member State courts is characterised by a multitude of legal sources, ranging from EU regulations to international conventions and domestic conflicts rules. Even where genuinely unionised conflicts rules do exist, the question arises as to whether these rules are actually applied in a uniform way because national procedural laws and domestic court systems diverge considerably. Last but not least, the Europeanisation of Private International Law poses intricate challenges for academic research and legal education, in particular with regard to domestic academic styles, traditions and career patterns, as well as the contents of the curricula taught at law faculties across Europe.

The contributions collected in this book address those issues from various angles. As editors, we wish to thank our authors for providing us with their insights and ideas.

Yet, there are more people to whom thanks are due. This publication grew out of a conference under the same title that was financed by the Deutsche Forschungsgemeinschaft (DFG) and held in March 2018 in the Harnack-House of the Max-Planck-Society (MPG) in Berlin, Germany. The editors wish to thank both the DFG for its generous support and the MPG for its hospitality. After Eva-Maria Kieninger had made a proposal for such an event, which was then discussed and fine-tuned with Giesela Rühl and Jan von Hein, the organisation of this conference was mainly carried out at Giesela Rühl’s chair in Jena. The editors wish to thank Regina Franzl, Georg Höxter, Nicolas Koerrenz, and Corinna Hofmann from the University of Jena for their support in organising the conference. During the conference, further help was provided by our assistants Berthold Blatecki-Burgert, Pauline Köstner, and Alexander Holzer (all from Jena), Anna Bizer, Sinah Mosbach, and Lea-Ariane Rudolph (all from Freiburg), and Marlene Kellendorfer (Würzburg). In addition, thanks are due to Jan Varenkamp (TU Ilmenau) for creating the conference website.

The contributions were prepared for publication at Jan von Hein's chair in Freiburg, with the help of Christel Hiesel, Anna Bizer, Nicole Grohmann, Sinah Mosbach, and Lea-Ariane Rudolph. To all those involved in the project, we express our sincere gratitude.

Finally, special thanks go to Ann-Christin Maak-Scherpe at Intersentia, who did not only accept this book for publication, but who steered us patiently and diligently through the entire editorial process.

Jan von Hein, Freiburg,
Eva-Maria Kieninger, Würzburg,
Giesela Rühl, Jena
March 2019

CONTENTS

<i>Preface</i>	v
<i>List of Cases, European Legal Sources and Materials</i>	xiii
<i>List of Contributors</i>	xxv

Introduction

Jan VON HEIN, Eva-Maria KIENINGER and Giesela RÜHL	1
1. Background and Aim	1
2. Organisation and Findings	5
3. Conclusion and Outlook	14

PART I. EUROPEANNESS OF LEGAL SOURCES

The Relationship between EU Legislation and International Instruments in the Field of Private International Law

Pietro FRANZINA	19
1. Putting EU Legislation into Context	20
2. A Relationship of Subordination, Interplay and Confrontation	26
3. The Increasingly Important External Dimension of EU Private International Law	44
4. How European is EU Private International Law?	49

Regulations and Conventions: A Comment on the Sources of European Union Private International Law

Jürgen BASEDOW	53
1. A Survey of the Sources	53
2. Conflicts Legislation through Regulations or Conventions?	54
3. Enhanced Cooperation – A Third Best?	55
4. The Relationship between Conventions and Regulations in the Courts	57
5. European Union Conflicts Regulations and Uniform Law Conventions	58
6. The Jurisdiction of the Court of Justice	59

Interaction between EU Regulations and Member State Codification of Private International Law: From Patchwork to Network

Johan MEEUSEN	61
1. Introduction	62
2. The Framework of this Chapter	67
3. Facilitators for a Smooth Interaction between EU Regulations and Member State Codification	71
4. Obstacles to a Smooth Interaction between EU Regulations and Member State Codification	76
5. The Member States' Contribution to the Smooth Interaction between EU Regulations and National Codification	90
6. The EU's Contribution to the Smooth Interaction between EU Regulations and Member State Codification	104
7. Requirements for a Transparent, Effective and Harmonious Network of Private International Law	106

A View from the Trenches on EU and Member State Private International Law

Jan VON HEIN	111
1. Introduction	112
2. The Absence of a 'General Part' of EU Private International Law	114
3. Personal Status, Family Law and Successions	121
4. Commercial Law	130
5. Conclusion	135

PART II. EUROPEANNESS OF COURT PRACTICE

The Application of European Private International Law and the Ascertainment of Foreign Law

Marta REQUEJO ISIDRO	139
1. Introduction	140
2. The Top-Down Approach: The EU Legislator	140
3. The Top-Down Approach: Case-Law	148
4. Spontaneous Incorporation of the European Factor by the Member States?	155
5. The Scholars' Views	158
6. Assessment	161

When Should EU Private International Law Require that Foreign Law be Applied?	
Paul BEAUMONT	177
1. Introduction	177
2. The Universal Application of EU Private International Law Instruments on Applicable Law.	178
3. The High Costs of Making and Maintaining Reliable Public Databases	178
4. Parties Should Decide Whether Foreign Law is Relevant and Whether to Pay the Costs of Proving It	179
5. Failure to Tackle the Issue at the Global Level in the Hague Conference.	181
6. Case Study on the Complexities of Proving Foreign Law: <i>Wall v. Mutuelle de Poitiers Assurances</i>	183
 The Application of European Private International Law by National Judges: Challenges and Shortcomings	
Agnieszka FRĄCKOWIAK-ADAMSKA	185
1. Introduction	185
2. Knowledge of European Private International Law	186
3. Knowledge of EU Principles Governing Relations between EU and National Law	193
4. National Judges as Guardians of Fundamental Rights.	195
5. National Judges as Guardians of the Rule of Law.	197
6. Conclusions	202
 The Application of European Private International Law by National Judges: Making the Job Easier	
Michael HELLNER	205
1. Lack of Training and Textbooks	205
2. Private International Law is Complicated	208
3. Some Suggestions for Improvements	211
 A Common Discourse in European Private International Law?	
A View from the Court System	
Xandra KRAMER	215
1. Introduction	215
2. Why a European Court Practice? A Means to an End.	217

3. The Dialogue between National Courts and the Court of Justice	221
4. Judicial Infrastructures and Private International Law	225
5. Private International Law and Emerging International Commercial Courts	230
6. European Idealism and Challenges	233

National Court Systems and Uniform Application of European Private International Law

Pedro A. DE MIGUEL ASENSIO	235
1. Structure of National Court Systems and Judicial Cooperation in Civil Matters	235
2. Demand for Special Courts: General Perspectives.	237
3. Cross-Border Cases as a Subject Area for Specialised Courts?	239
4. Flexible Means of Achieving Concentration.	243
5. National Courts and their Dialogue with the Court of Justice.	245
6. Other Factors Influencing Uniformity.	247
7. Judicial Training, Access to Information and Adaptation of the Judicial Infrastructure	248
8. Conclusions	251

PART III. EUROPEANNESS OF ACADEMIC DISCOURSE

National Styles of Academic Discourse and their Impact on European Private International Law: A View from France

Sabine CORNELOUP.	255
1. Introduction	255
2. The Impact of National Academic Styles on the Discourse	261
3. The Impact of European Private International Law on National Styles	268

National Styles of Academic Discourse and their Impact on European Private International Law: A Portuguese Perspective

Dário MOURA VICENTE	273
1. The Problem Defined	273
2. A Policy Issue: The Need for a European Private International Law	274
3. The Notion of ‘Academic Discourse’	275
4. ‘National Styles’ of Academic Discourse in Europe.	276

5. The Impact of National Styles of Academic Discourse on European Private International Law.	280
6. Conclusion.	284

**Political Private International Law: How European are Overriding
Mandatory Provisions and Public Policy Exceptions?**

Marc-Philippe WELLER and Alix SCHULZ.	285
1. Introduction	286
2. Implicit Ways to Enforce Political Interests.	287
3. Explicit Ways to Enforce Political Interests.	289
4. Public Policy (<i>Ordre Public</i>)	290
5. Overriding Mandatory Provisions	296
6. Conclusions	303

**Public Policy and Overriding Mandatory Rules as Mirrors
of the EU System of Thought and Integration: On the ‘Europeanness’
of Exceptions and Oddities**

Stéphanie FRANCO	305
1. Introduction	305
2. The ‘Odd’ Part of Private International Law and the Reasons for its Traditional Limitation.	308
3. A New Rationale for Limiting the Use of Public Policy: The <i>Diageo Brand</i> Case	310
4. Foreign Overriding Mandatory Rules as a Test Case for Integration.	316
5. ‘Exit and Voice’ in European Private International Law	329
6. Conclusion.	331

**Private International Law in Legal Education in Europe and Selected
Other Countries**

Thomas KADNER GRAZIANO.	333
1. Introduction	334
2. Private International Law in Law School Curricula.	335
3. On-the-Job Training: The Course Programme Offered by the European Law Academy	345
4. Potential Consequences of these Findings and Available Options	346
5. How to Teach Private International Law? A Proposal.	348
6. An Illustration of the Proposal	350

7. And if there were a Coherent and Comprehensive EU Private International Law Regulation?	353
8. Proposals	354
Should European Teachers Focus on European Private International Law?	
Gilles CUNIBERTI	355
1. Introduction	355
2. The Difference between Primary and Continuing Legal Education	356
3. Continuing Legal Education and European Private International Law	357
4. Primary Legal Education and European Private International Law	358
<i>Index</i>	363

LIST OF CASES, EUROPEAN LEGAL SOURCES AND MATERIALS

EUROPEAN UNION CASES

Case 10/61, <i>Commission v. Italy</i> , ECLI:EU:C:1962:2	57
Case 6/64, <i>Flaminio Costa v. E.N.E.L.</i> , ECLI:EU:C:1964:66	90
Case 22/70, <i>Commission v. Council</i> , ECLI:EU:C:1971:32	58
Cases 21/72 to 24/72, <i>International Fruit Company NV and Others</i> <i>v. Produktschap voor Groenten en Fruit</i> , ECLI:EU:C:1972:115	23
Case 130/73, <i>Magdalena Vandeweghe and Others v. Berufsgenossenschaft für</i> <i>die chemische Industrie</i> , ECLI:EU:C:1973:131	31
Case 181/73, <i>R. & V. Haegeman v. Belgian State</i> , ECLI:EU:C:1974:41	21
Case 12/76, <i>Industrie Tessili Italiana Como</i> , ECLI:EU:C:1976:133	193
Case 29/76, <i>LTU Lufttransportunternehmen GmbH und Co. KG v. Eurocontrol</i> , ECLI:EU:C:1976:137	194, 283
Case 50/76, <i>Amsterdam Bulb Bv and Produktschap Voor Siergewassen</i> , ECLI:EU:C:1977:13	91
Case 106/77, <i>Amministrazione delle Finanze dello Stato v. Simmenthal SpA</i> , ECLI:EU:C:1978:49	93
Case 120/78, <i>Rewe-Zentral AG v. Bundesmonopolverwaltung für Branntwein</i> , ECLI:EU:C:1979:42	324
Case 159/78, <i>Commission of the European Communities v. Italian Republic</i> , ECLI:EU:C:1979:243	92
Case 814/79, <i>Netherlands State v. Reinhold Rüffer</i> , ECLI:EU:C:1980:291	194
Case 199/82, <i>Amministrazione delle Finanze dello Stato v. SPA San Giorgio</i> , ECLI:EU:C:1983:318	151
Case 288/82, <i>Ferdinand M.J.J. Duijnste v. Lodewijk Goderbauer</i> , ECLI:EU:C:1983:326	195
Case 145/86, <i>Horst Ludwig Martin Hoffman v. Adelheid Krieg</i> , ECLI:EU:C:1988:61	172
Case 109/88, <i>Handels- og Kontorfunktionærernes Forbund i Danmark v. Dansk</i> <i>Arbejdsgiverforening, acting on behalf of Danfoss A/S</i> , ECLI:EU:C:1989:383	151
Cases C-297/88 and C-197/89, <i>Massam Dzodzi v. Belgian State</i> , ECLI:EU:C:1990:360	84
Case C-406/92, <i>The owners of the cargo lately laden on board the ship ‘Tatry’</i> <i>v. The owners of the ship ‘Maciej Rataj’</i> , ECLI:EU:C:1994:400	172
Case C-312/93, <i>Peterbroeck, Van Campenhout & Cie SCS v. Belgian State</i> , ECLI:EU:C:1995:437	150
Cases C-430/93 and C-431/93, <i>Jeroen van Schijndel v. Stichting Pensioenfonds voor</i> <i>Fysiotherapeuten and Johannes Nicolaas Cornelis van Veen v. Stichting</i> <i>Pensioenfonds voor Fysiotherapeuten</i> , ECLI:EU:C:1995:441	149–150, 213
Case C-473/93, <i>Commission v. Luxembourg</i> , ECLI:EU:C:1996:263	57

Case C-78/95, <i>Hendrikman & Feyen v. Magenta Druck & Verlag GmbH</i> , ECLI:EU:C:1996:380	311
Cases C-369/96 and C-376/96, <i>Jean-Claude Arblade and Arblade & Fils SARL and Bernard Leloup, Serge Leloup and Sofrage SARL</i> , ECLI:EU:C:1999:575	296
Case C-343/96, <i>Dilexport Srl v. Amministrazione delle Finanze dello Stato</i> , ECLI:EU:C:1999:59	151
Case C-346/93, <i>Kleinwort Benson Ltd v. City of Glasgow District Council</i> , ECLI:EU:C:1995:85	84
Case C-126/97, <i>Eco Swiss China Time Ltd v. Benetton International NV</i> , ECLI:EU:C:1999:269	60, 150
Case C-7/98, <i>Dieter Krombach v. André Bamberski</i> , ECLI:EU:C:2000:164	295, 311
Case C-38/98, <i>Régie nationale des usines Renault SA v. Maxicar SpA and Orazio Formento</i> , ECLI:EU:C:2000:225	295, 311
Case C-170/98, <i>Commission of the European Communities v. Kingdom of Belgium</i> , ECLI:EU:C:1999:411	28
Cases C-240/98 to C-244/98, <i>Oceano Grupo v. Rocio Murciano Quintero et al.</i> , ECLI:EU:C:2000:346	150
Case C-381/98, <i>Ingmar GB Ltd v. Eaton Leonard Technologies Inc.</i> , ECLI:EU:C:2000:605	13, 299
Case C-453/99, <i>Courage Ltd v. Bernard Crehan and Bernard Crehan v. Courage Ltd et al.</i> , ECLI:EU:C:2001:465	237
Case C-208/00, <i>Überseering BV v. Nordic Construction Company Baumanagement GmbH</i> , ECLI:EU:C:2002:632	222
Case C-253/00, <i>Antonio Muñoz y Cia SA, Superior Fruiticola SA and Frumar Ltd, Redbridge Produce Marketing Ltd</i> , ECLI:EU:C:2002:497	91
Case C-327/00, <i>Santex SpA v. Unità Socio Sanitaria Locale n. 42 di Pavia</i> , ECLI:EU:C:2003:109	150
Case C-473/00, <i>Cofidis SA v. Jean-Louis Fredout</i> , ECLI:EU:C:2002:705	150
Case C-167/01, <i>Kamer van Koophandel en Fabrieken voor Amsterdam v. Inspire Art Ltd</i> , ECLI:EU:C:2003:512	222
Case C-439/01, <i>Libor Cipra and Vlastimil Kvasnicka v. Bezirkshauptmannschaft Mistelbach</i> , ECLI:EU:C:2003:31	25
Case C-148/02, <i>Carlos Garcia Avello v. Belgian State</i> , ECLI:EU:C:2003:539	222
Case C-159/02, <i>Gregory Paul Turner v. Felix Fareed Ismail Grovit, Harada Ltd and Changepoint SA</i> , ECLI:EU:C:2004:228	195, 224
Case C-281/02, <i>Andrew Owusu v. N. B. Jackson, trading as “Villa Holidays Bal-Inn Villas” and Others</i> , ECLI:EU:C:2005:120	47, 227
Opinion 1/03 of 7.02.2006, ECLI:EU:C:2006:81	45, 47, 104
Case C-70/03, <i>Commission of the European Communities v. Kingdom of Spain</i> , ECLI:EU:C:2004:505	91
Cases C-295/04 to C-298/04, <i>Vincenzo Manfredi v. Lloyd Adriatico Assicurazioni SpA and Antonio Cannito v. Fondiaria Sai SpA and Nicolò Tricarico and Pasqualina Murgolo v. Assitalia SpA</i> , ECLI:EU:C:2006:461	237
Opinion of AG Maduro in Case C-343/04, <i>Land Oberösterreich v. ČEZ a.s.</i> , ECLI:EU:C:2006:13	325
Case C-344/04, <i>The Queen, ex parte IATA v. Department of Transportation</i> , ECLI:EU:C:2006:10	57, 59
Case C-526/04, <i>Laboratoires Boiron SA v. Union de recouvrement des cotisations de sécurité sociale et d’allocations familiales (Urssaf) de Lyon</i> , ECLI:EU:C:2006:528	151

Case C-168/05, <i>Elisa María Mostaza Claro v. Centro Móvil Milenium SL</i> , ECLI:EU:C:2006:675	150
Case C-335/05, <i>Řízení Letového Provozu ČR v. Bundesamt für Finanzen</i> , ECLI:EU:C:2007:321	57
Case C-429/05, <i>Max Rampion and Marie-Jeanne Rampion v. Franfinance SA et al.</i> , ECLI:EU:C:2007:575	150
Case C-210/06, <i>Cartesio Okató és Szolgáltató bt</i> , ECLI:EU:C:2008:723	222
Case C-308/06, <i>The Queen, on the application of International Association of Independent Tanker Owners (Intertanko) and Others v. Secretary of State for Transport</i> , ECLI:EU:C:2008:312	23
Case C-353/06, <i>Stefan Grunkin and Dorothee Regina Paul</i> , ECLI:EU:C:2008:559	77–79, 222, 295
Case C-185/07, <i>Allianz SpA and Generali Assicurazioni Generali SpA v. West Tankers Inc</i> , ECLI:EU:C:2009:69	195, 224
Case C-188/07, <i>Commune de Mesquer v. Total France SA and Total International Ltd.</i> , ECLI:EU:C:2008:359	26
Case C-246/07, <i>European Commission v. Kingdom of Sweden</i> , ECLI:EU:C:2010:203	35
Case C-420/07, <i>Meletis Apostolides v. David Charles Orams and Linda Elizabeth Orams</i> , ECLI:EU:C:2009:271	295
Opinion of AG Maduro in Case C-115/08, <i>Land Oberösterreich v. ČEZ a.s.</i> , ECLI:EU:C:2009:242	325
Case C-168/08, <i>Laszlo Hadadi (Hadady) v. Csilla Marta Mesko, épouse Hadadi (Hadady)</i> , ECLI:EU:C:2009:474	116, 267
Case C-195/08 PPU, <i>Rinau</i> , ECLI:EU:C:2008:406	195
Case C-301/08, <i>Irène Bogiatzi, married name Ventouras v. Deutscher Luftpool and Others</i> , ECLI:EU:C:2009:649	23, 26
Case C-533/08, <i>TNT Express Nederland BV v. AXA Versicherung AG</i> , ECLI:EU:C:2010:243	24, 34, 58, 60, 195
Case C-278/09, <i>Olivier Martinez, Robert Martinez v. MGN Ltd</i> , ECLI:EU:C:2009:725	246
Case C-283/09, <i>Artur Weryński v. Mediatel 4B spółka z o.o.</i> , ECLI:EU:C:2011:85	38
Cases C-509/09 and C-161/10, <i>eDate Advertising GmbH and Others v. X and Olivier Martinez, Robert Martinez v. MGN Limited</i> , ECLI:EU:C:2011:685	132, 245
Case C-29/10, <i>Koelzsch v. État du Grand-Duché de Luxembourg</i> , ECLI:EU:C:2011:151	315
Case C-366/10, <i>Air Transport Association of America and Others v. Secretary of State for Energy and Climate Change</i> , ECLI:EU:C:2011:864	23
Case C-491/10 PPU, <i>Joseba Andoni Aguirre Zarraga v. Simone Pelz</i> , ECLI:EU:C:2010:828	195
Case C-619/10, <i>Trade Agency Ltd v. Seramico Investments Ltd</i> , ECLI:EU:C:2012:531	197, 295
Case C-116/11, <i>Bank Handlowy w Warszawie SA et al. v. Christianapol sp. z o.o.</i> , ECLI:EU:C:2012:739	324
Case C-170/11, <i>Lippens v. Kortekaas</i> , ECLI:EU:C:2012:540	357
Case C-325/11, <i>Alder v. Orłowska</i> , ECLI:EU:C:2012:824	196
Case C-332/11, <i>ProRail BV v. Xpedys NV</i> , ECLI:EU:C:2013:87	357
Case C-537/11, <i>Mattia Manzi and Compagnia Naviera Orchestra v. Capitaneria di Porto di Genova</i> , ECLI:EU:C:2014:19	31

Opinion of AG Szpunar in Case C-64/12, <i>Anton Schlecker v. Melitta Josefa Boedeker</i> , ECLI:EU:C:2013:241	152
Case C-131/12, <i>Google Spain SL et al. v. Agencia Española de Protección de Datos (AEPD) et al.</i> , ECLI:EU:C:2014:317	307
Case C-184/12, <i>United Antwerp Maritime Agencies (Unamar) NV v. Navigation Maritime Bulgare</i> , ECLI:EU:C:2013:663	13, 154, 299
Case C-285/12, <i>Aboubacar Diakité v. Commissaire général aux réfugiés et aux apatrides</i> , ECLI:EU:C:2013:500	57
Cases C-400/12 and C-408/13, <i>Sanders v. Verhaegen and Huber v. Huber</i> , ECLI:EU:C:2014:2461	202
Case C-413/12, <i>Asociación de Consumidores Independientes de Castilla y León v. Anuntis Segundamano España SL</i> , ECLI:EU:C:2013:800	237
Case C-452/12, <i>Nipponkoa Insurance Co. (Europe) Ltd. v. Inter-Zuid Transport BV</i> , ECLI:EU:C:2013:858	34–35
Opinion 1/13 of 14.10.2014, ECLI:EU:C:2014:2303	45
Opinion 2/13 of 18.12.2014, ECLI:EU:C:2014:2454	316
Case C-112/13, <i>A v. B</i> , ECLI:EU:C:2014:2195	197
Case C-157/13, <i>Nickel & Goeldner Spedition GmbH v. 'Kintra' UAB</i> , ECLI:EU:C:2014:2145	35
Case C-226/13, <i>Stefan Fahrenbrock and Others v. Hellenic Republic</i> , ECLI:EU:C:2014:2424	321
Case C-375/13, <i>Harald Kolassa v. Barclays Bank plc</i> , ECLI:EU:C:2015:37	195
Cases C-400/13 and C-408/13, <i>Sophia Marie Nicole Sanders v. David Verhaegen and Barbara Huber v. Manfred Huber</i> , ECLI:EU:C:2014:2461	239, 242
Case C-536/13, <i>Gazprom</i> , ECLI:EU:C:2015:316	198
Case C-649/13, <i>Comité d'entreprise de Nortel Networks and others v. Cosme Rogeau liquidator of Nortel Networks SA and Cosme Rogeau liquidator of Nortel Networks SA v. Alan Robert Bloom and Others</i> , ECLI:EU:C:2015:384	193
Case C-681/13, <i>Diageo Brands BV v. Simiramida</i> , ECLI:EU:C:2015:471	13, 225, 310
Case C-4/14, <i>Christophe Bohez v. Ingrid Wiertz</i> , ECLI:EU:C:2015:563	191, 196
Case C-94/14, <i>Flight Refund Ltd v. Deutsche Lufthansa AG</i> , ECLI:EU:C:2016:148	195
Case C-184/14, <i>A v. B</i> , ECLI:EU:C:2015:479	193, 196
Case C-241/14, <i>Roman Bukovansky v. Finanzamt Lörrach</i> , ECLI:EU:C:2015:766	35
Case C-310/14, <i>Nike European Operations Netherlands BV v. Sportland Oy</i> , ECLI:EU:C:2015:690	152–153
Case C 404/14, <i>Matoušková</i> , ECLI:EU:C:2015:653	193
Case C-438/14, <i>Nabiel Peter Bogendorff von Wolffersdorff v. Standesamt der Stadt Karlsruhe and Zentraler Juristischer Dienst der Stadt Karlsruhe</i> , ECLI:EU:C:2016:401	116
Case C-600/14, <i>Federal Republic of Germany v. Council of the European Union</i> , ECLI:EU:C:2017:935	23
Case C-70/15, <i>Lebek v. Domino</i> , ECLI:EU:C:2016:524	196–197
Case C-135/15, <i>Hellenic Republic v. Grigorios Nikiforidis</i> , ECLI:EU:C:2016:774	13, 119, 154, 180, 316, 322
Opinion of AG Szpunar in Case C-135/15, <i>Hellenic Republic v. Grigorios Nikiforidis</i> , ECLI:EU:C:2016:281	316
Case C-191/15, <i>Verein für Konsumenteninformation v. Amazon EU Sàrl</i> , ECLI:EU:C:2016:612	152

Case C-230/15, <i>Brite Strike Technologies Inc. v. Brite Strike Technologies SA</i> , ECLI:EU:C:2016:560	28, 34–35
Case C-268/15, <i>Fernand Ullens de Schooten v. Belgian State</i> , ECLI:EU:C:2016:874	84
Case C-281/15, <i>Soha Sahyouni v. Raja Mamisch</i> , ECLI:EU:C:2016:343	300–301
Case C-294/15, <i>Edyta Mikołajczyk v. Marie Louise Czarnecka, Stefan Czarnecki</i> , ECLI:EU:C:2016:772	193
Cases C 404/15 and C 659/15, <i>Pál Aranyosi and Robert Căldăraru v.</i> <i>Generalstaatsanwaltschaft Bremen and PPU, Căldăraru</i> , ECLI:EU:C:2016:198	201
Case C-428/15, <i>Child and Family Agency v. J.D.</i> , ECLI:EU:C:2016:819	143
Case C-484/15, <i>Ibrica Zulfikarpašić v. Slaven Gajer</i> , ECLI:EU:C:2017:199	201
Opinion of AG Bot in Case C 484/15, <i>Ibrica Zulfikarpašić v. Slaven Gajer</i> , ECLI:EU:C:2016:654	192
Case C-541/15, <i>Mircea Florian Freitag</i> , ECLI:EU:C:2017:432	55
Case C-551/15, <i>Pula Parking d.o.o. v. Sven Klaus Tederahn</i> , ECLI:EU:C:2017:193	201
Case C-54/16, <i>Vinyls Italia SpA v. Mediterranea di Navigazione SpA</i> , ECLI:EU:C:2017:433	153
Case C-64/16 <i>Associação Sindical dos Juízes Portugueses v. Tribunal de Contas</i> , ECLI:EU:C:2018:117	200
Case C-106/16, <i>Polbud v. Wykonawstwo sp. z o.o.</i> , ECLI:EU:C:2017:804	55
Case C-194/16, <i>Bolagsupplysningen OÜ, Ilsjan v. Svensk Handel AB</i> , ECLI:EU:C:2017:766	132
Case C-218/16, <i>Aleksandra Kubicka</i> , ECLI:EU:C:2017:755	128
Case C-372/16, <i>Soha Sahyouni v. Raja Mamisch</i> , ECLI:EU:C:2017:988	7, 127, 302
Case C-452/16 PPU, <i>Poltorak</i> , ECLI:EU:C:2016:784	201
Case C-477/16 PPU, <i>Kovalkovas</i> , ECLI:EU:C:2016:861	201
Case C-673/16, <i>Relu Adrian Coman and Others v. Inspectoratul General</i> <i>pentru Imigrări and Ministerul Afacerilor Interne</i> , ECLI:EU:C:2018:385	222, 328
Case C-83/17, <i>KP v. LO</i> , ECLI:EU:C:2018:408	21
Case C-111/17 PPU, <i>OL v. PQ</i> , ECLI:EU:C:2017:436	38
Opinion of AG Bot in Case C-308/17, <i>Hellenic Republic v. Leo Kuhn</i> , ECLI:EU:C:2018:528	321
Case C-416/17, <i>Commission v. France</i> , ECLI:EU:C:2018:811	315
Case C-694/17, <i>Pillar Securitisation Sàrl v. Hildur Arnadottir</i> , ECLI: EU:C:2019:345	22
Case C-216/18 PPU, <i>LM</i> , ECLI:EU:C:2018:586	198, 200, 331
Case C-619/18, <i>European Commission v. Republic of Poland</i> , ECLI:EU:C:2019:531	197
Order of the Vice-President of the Court of 19 October 2018 in Case C-619/18, <i>European Commission v. Republic of Poland</i> , ECLI:EU:C:2018:852	197

EUROPEAN COURT OF HUMAN RIGHTS

<i>Karalyos and Huber v. Hungary and Greece</i> , 06.04.2004, no. 75116/01	168
<i>Bosphorus Hava Yollari Turizm Ve Ticaret Anonim Şirketi v. Ireland</i> , 30.06.2005, no. 45036/98	313
<i>Arlewin v. Sweden</i> , 01.03.2016, no. 22302/10	266

DOMESTIC CASES

FRANCE

Cass. civ., 22 juin 1955, *Caraslanis*, *Rev. crit. DIP* 1955, 723 361

GERMANY

BAG 25.02.2015, *RIW* 2015, 313 119
 BAG 26.04.2017, ECLI:DE:BAG:2017:260417.U.5AZR962.13.0 322
 BGH 21.12.1960, *BGHZ* 34, 169 118
 BGH 22.06.1972, *BGHZ* 59, 82 118–119
 BGH 08.02.1984, *NJW* 1984, 1746 119
 BGH 07.04.1993, *NJW* 1993, 2305 120–121
 BGH 28.09.1994, *NJW* 1995, 58 128
 BGH 06.03.1995, *NJW* 1995, 2097 120–121
 BGH 21.09.1995, *NJW* 1996, 54 120
 BGH 15.07.2008, *BGHZ* 177, 237 121
 BGH 08.05.2012, *NJW* 2012, 2197 132, 291
 BGH 19.02.2014, *NJW* 2014, 1383 117
 BGH 24.02.2015, *NJW* 2015, 2328 118–119
 BGH 20.04.2016, *NJW* 2016, 2322 125
 BGH 20.07.2016, *NJW-RR* 2016, 1473 123
 BGH 08.09.2016, *NZG* 2016, 1187 120
 BGH 14.11.2018, *NZFam* 2019, 65 125
 BGH 09.01.2019, *NJOZ* 2019, 361 15
 BVerfG 30.06.2009, 2 BvE 2/08, *Bundesgesetzblatt I* 2009, 2127 267
 OLG Frankfurt/Main 25.09.2018, *NJW* 2018, 3591 119
 OLG Oldenburg 18.04.2018, *NZFam* 2018, 609 125

SPAIN

Spanish Constitutional Court, 17.01.2000, no. 10/2000 163

THE NETHERLANDS

Hoge Raad der Nederlanden 08.07.2016, *Diageo Brand v. Simiramida*,
 ECLI:NL:HR:2016:1431 314

UNITED KINGDOM

Re Maldonado [deceased], State of Spain v. Treasury Solicitor
 [1954] 2 WLR 64, [1953] 2 All ER 1579 128

<i>Wall v. Mutuelle de Poitiers Assurances</i> [2014] EWCA Civ 138	183
<i>Banco Santander Totta SA v. Companhia Cassis de Ferro de Lisboa SA</i> [2016] EWCA Civ 1267	180
<i>Dexia Crediop SpA v. Comune Di Prato</i> [2017] EWCA Civ 428	180

UNITED STATES

<i>Durfee v. Duke</i> 375 U.S. 106 (1963)	359
---	-----

EUROPEAN LEGAL SOURCES AND MATERIALS

Consolidated Version of the 1968 Brussels Convention on jurisdiction and the enforcement of judgments in civil and commercial matters [1972] OJ L 299/32	34, 42–43, 45–46, 164, 274, 310
Consolidated Version of the 1980 Convention on the law applicable to contractual obligations [1998] OJ C 27/34	113
Council Directive 86/653/EEC of 18 December 1986 on the coordination of the laws of the Member States relating to self-employed commercial agents [1986] OJ L 382/17	299–300
Treaty on European Union, together with the complete text of the Treaty establishing the European Community [1992] OJ C 224/1	29
Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 on the posting of workers in the provision of services [1997] OJ L 18/1	53
Council Regulation (EC) 1346/2000 of 29 May 2000 on insolvency proceedings, [2000] OJ L 160/1	2, 187
Council Regulation (EC) 1347/2000 of 29 May 2000 on jurisdiction and the recognition and enforcement of judgments in matrimonial matters and in matters of parental responsibility for children of both spouses [2000] OJ L 160/19	187
Council Regulation (EC) 1348/2000 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters [2000] OJ L 160/37	2, 186
Council Regulation (EC) 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters [2001] OJ L 12/1	66, 187, 311
Council Decision 2001/539/EC of 5 April 2001 on the conclusion by the European Community of the Convention for the Unification of Certain Rules for International Carriage by Air (the Montreal Convention) [2001] OJ L 194/38	57
Council Regulation (EC) 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters [2001] OJ L 174/1	2, 98, 186, 358
Council Decision 2001/470/EC of 28 May 2001 establishing a European Judicial Network in civil and commercial matters [2001] OJ L 174/25	145–148, 250

Council Regulation (EC) 2157/2001 of 8 October 2001 on the Statute for a European company (SE) [2001] OJ L 294/01	133
Council Regulation (EC) 6/2002 of 12 December 2001 on Community Designs [2002] OJ L 3/1	238
Council of State Advice 29.210/2, Parl. Reports (Senate), 2001–2002, 2–1225/1, 242–48	65
Council Decision 2002/762/EC of 19 September 2002 authorising the Member States, in the interest of the Community, to sign, ratify or accede to the International Convention on civil liability for bunker oil pollution damage, 2001 (the Bunkers Convention) [2002] OJ L 256/7	31
Council Decision 2003/93/EC of 19 December 2002 authorising the Member States, in the interest of the Community, to sign the 1996 Hague convention on jurisdiction, applicable law, recognition, enforcement and cooperation in respect of parental responsibility and measures for the protection of children [2003] OJ L 48/1	25, 59
Council Directive 2002/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes [2002] OJ L 26/41	53, 186
Proposal for a Regulation of the European Parliament and the Council on the law applicable to non-contractual obligations (“Rome II”), 22.07.2003, COM(2003) 427 final	78, 117
Council Regulation (EC) 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000 [2003] OJ L 338/1	38, 41, 45, 66, 116, 143, 148, 165, 187, 211, 220
Directive (EC) 2004/25 of the European Parliament and of the Council of 21 April 2004 on takeover bids [2004] OJ L 142/12	133
Regulation (EC) 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims [2004] OJ L 143/15	2, 146, 187
Resolution of the European Parliament of 6 July 2005 concerning Regulation (EC) ... /2005 of the European Parliament and of the Council on the law applicable to non-contractual obligations (‘Rome II’), EP-PE_TC1-COD(2003)0168	141
Council Decision 2005/794/EC of 20 September 2005 on the signing, on behalf of the Community, of the Agreement between the European Community and the Kingdom of Denmark on the service of judicial and extrajudicial documents in civil or commercial matters [2005] OJ L 300/55	3
Proposal for a Council Regulation on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations, 15.12.2005, COM(2005) 649 final	78
Proposal for a Regulation of the European Parliament and the Council on the law applicable to contractual obligations (‘Rome I’), 15.12.2005 COM(2005) 650 final	283
Communication from the Commission to the European Parliament and the Council on Judicial Training in the European Union, 29.06.2006, COM(2006) 356 final	249

Regulation (EC) 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure [2006] OJ L 399/1.....	2, 187, 222, 357
Resolution of the European Parliament of 14 December 2006 [2006] OJ C 317 E/904.....	42
Regulation (EC) 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure, [2007] OJ L 199/1.....	1, 187, 222, 357
Regulation (EC) 864/2007 of the European Parliament and of the Council of 11 July 2007 on the law applicable to non-contractual obligations (Rome II) [2007] OJ L 199/40.....	2, 32, 58, 63–64, 117, 132, 140, 187, 217, 222, 281–282, 357
Council Decision 2007/712/EC of 15 October 2007 on the signing, on behalf of the Community, of the Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters [2007] OJ L 339/1.....	21
Convention of 30 October 2007 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters [2007] OJ L 339/3.....	209
Council Decision 2007/856/EC of 8 November 2007 concerning the accession of the Republic of Bulgaria and of Romania to the Convention on the Law applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980 [2007] OJ L 347/1.....	92
Regulation (EC) 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation (EC) 1348/2000 [2007] OJ L 324/79.....	2, 186
Consolidated Version of the Treaty on the European Union [2008] OJ C 115/13.....	22
Consolidated Version of the Treaty on the Functioning of the European Union [2008] OJ C 115/47.....	20
Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters [2008] OJ L 136/3.....	187
Council Decision 2008/431/EC of 5 June 2008 authorising certain Member States to ratify, or accede to, in the interest of the European Community, the 1996 Hague Convention on jurisdiction, applicable law, recognition, enforcement and cooperation in respect of parental responsibility and measures for the protection of children and authorising certain Member States to make a declaration on the application of the relevant internal rules of Community law [2008] OJ L 151/36.....	25
Regulation (EC) 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I) [2008] OJ L 177/6.....	1, 29, 58, 64, 117, 140, 187, 222, 281–282, 291, 357
Directive 2008/95/EC of the European Parliament and of the Council of 22 October 2008 to approximate the laws of the Member States relating to trade marks [2008] OJ L 299/25.....	310

Council Regulation (EC) 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations [2009] OJ L 7/1	33, 64, 146, 183, 187, 209, 220, 242
Communication from the Commission to the European Parliament and the Council, An area of freedom, security and justice serving the citizen, 10.06.2009, COM (2009) 262 final	143
Resolution of the European Parliament of 7 September 2010, P7_TC1-COD(2010)0110.	43
Council's decision 2009/941/EC of 30 November 2009 on the conclusion by the European Community of the Hague Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations [2009] OJ L 331/17.	37
Information Note of 5 December 2009 on references from national courts for a preliminary ruling [2009] OJ C 297/1	245
Stockholm Programme – An open and secure Europe serving and protecting citizens [2010] OJ C 115/1	44
Council Regulation (EU) 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation (Rome III) [2010] OJ L 343/10.	2, 30, 56, 58, 63, 115, 143–144, 165, 172, 187, 222, 289, 291
Council Decision 2011/220/EU of 31 March 2011 on the signing, on behalf of the European Union, of the Hague Convention of 23.11.2007 on the international recovery of child support and other forms of family maintenance [2011] OJ L 93/9	21
Council Decision 2013/103/EU of 16 June 2011 on the signing and conclusion of the Agreement between the European Union and the Intergovernmental Organisation for International Carriage by Rail on the Accession of the European Union to the Convention concerning International Carriage by Rail (COTIF) of 09.05.1980, as amended by the Vilnius Protocol of 03.06.1999 [2013] OJ L 51/1.	54
Regulation (EU) 650/2012 of the European Parliament and of the Council of 4 July 2012 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the creation of a European Certificate of Succession [2012] OJ L 201/107	2, 47, 56, 58, 64, 115, 144, 147–148, 165, 172, 187, 211, 289, 291, 360
Consolidated Version of the Treaty on the Functioning of the European Union [2012] OJ C 326/47	274
Regulation (EU) 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast) [2012] OJ L 351/1.	2, 26, 28, 32, 60, 131, 143, 164, 187, 211, 357
Agreement on a Unified Patent Court [2013] OJ C 175/1	238
Regulation (EU) 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters [2013] OJ L 181/4.	187

Regulation (EU) 1382/2013 of the European Parliament and of the Council of 17 December 2013 establishing a Justice Programme for the period 2014 to 2020 Text with EEA relevance [2013] OJ L 354/73.	166, 249
EU Justice Agenda for 2020 – Strengthening Trust, Mobility and Growth within the Union, 11.03.2014, COM(2014) 144 final	233
Communication from the Commission to the European Parliament and the Council a new EU Framework to strengthen the Rule of Law, 11.03.2014, COM(2014) 158 final	200
Regulation (EU) 655/2014 of the European Parliament and of the Council of 15 May 2014 establishing a European Account Preservation Order procedure to facilitate cross-border debt recovery in civil and commercial matters [2014] OJ L 189/59.	187
Council Regulation (EU) 692/2014 of 23 June 2014 concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol [2014] OJ L 183/9.	300
Council Regulation (EU) 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine [2014] OJ L 229/1.	300
Agreement between the EU and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters [2014] OJ L 240/1.	3
Council Decision 2014/887/EU of 4 December 2014 on the approval, on behalf of the European Union, of the Hague Convention of 30.06.2005 on Choice of Court Agreements [2014] OJ L 353/5.	53
Council Conclusions 'Training of legal practitioners: an essential tool to consolidate the EU acquis' [2014] OJ C 443/ 7	249
Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (recast) [2015] OJ L141/19.	2, 29, 66, 141, 147, 187, 223
Regulation (EU) 2015/2421 of the European Parliament and of the Council of 16 December 2015 amending Regulation (EC) No 861/2007 establishing a European Small Claims Procedure and Regulation (EC) No 1896/2006 creating a European order for payment procedure [2015] OJ L 341/1.	2, 222
Regulation (EU) 2016/679 of the European Parliament and the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, repealing Directive 95/46/EC (General Data Protection Regulation) [2016] OJ L 119/1.	307
Council Regulation (EU) 2016/1103 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes [2016] OJ L 183/1.	2, 30, 56, 58, 63, 115, 144, 147–148, 172, 187, 211
Council Regulation (EU) 2016/1104 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of the property consequences of registered partnerships [2016] OJ L 183/30.	2, 56, 63, 115, 144, 147–148, 165, 172, 187, 211

Proposal for a Council Regulation jurisdiction, the recognition and enforcement of decisions in matrimonial matters and the matters of parental responsibility, and on international child abduction (recast), 30.06.2016, COM(2016) 411 final . . .	241
Regulation (EU) 2016/1191 of the European Parliament and the Council of 6 July 2016 on promoting the free movement of citizens by simplifying the requirements for presenting certain public documents in the European Union and amending Regulation (EU) 1024/2012 [2016] OJ L 200/1	51–52
Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark (codification) [2017] OJ L 154/1	238
Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law [2017] OJ L 169/46	133
Resolution of the European Parliament of 4 July 2017 with recommendations to the Commission on common minimum standards of civil procedure in the European Union [2018] OJ L 334/39	236
Proposal for a Council Decision on the determination of a clear risk of a serious breach by the Republic of Poland on the rule of law, 21.12.2017, COM(2017) 835 final	197
Proposal for a Regulation of the European Parliament and the Council on the law applicable to the third-party effects of the assignment of claims, 12.03.2018, COM(2018) 96 final	44
Directive (EU) 2018/957 of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services [2018] OJ L 173/16	53

LIST OF CONTRIBUTORS

JÜRGEN BASEDOW is director emeritus of the Max Planck Institute for Comparative and International Private Law (Hamburg, Germany) and member of the Institut de Droit international.

PAUL BEAUMONT is professor of Private International Law at the University of Stirling, Scotland (UK).

SABINE CORNELOUP is the director of the Centre de recherche de droit international privé et du commerce international at the University Paris II, Panthéon-Assas (France), and professor of Private Law.

GILLES CUNIBERTI is professor of Comparative Law and Private International Law at the University of Luxembourg.

AGNIESZKA FRĄCKOWIAK-ADAMSKA is assistant professor of European and International Law at the University of Wrocław (Poland).

STÉPHANIE FRANCO is professor of Private International and European Law at the University of Louvain (Belgium) and holds a chair for European Law.

PIETRO FRANZINA is professor of International Law at the University of Ferrara (Italy).

JAN VON HEIN is professor of German, Comparative and Private International Law at the University of Freiburg (Germany) and serves as a director of the Institute for Comparative and Private International Law, Department III.

MICHAEL HELLNER is professor of Private International Law at Stockholm University (Sweden).

EVA-MARIA KIENINGER is professor of Law at the University of Würzburg (Germany) and holds a chair for German and European Private Law as well as Private International Law.

THOMAS KADNER GRAZIANO is professor of Law and director of the Department of Private International Law and of the Program on Transnational Law at the University of Geneva (Switzerland).

XANDRA KRAMER is professor of Private Law at the Erasmus University in Rotterdam and professor of Private International Law at Utrecht University (The Netherlands).

JOHAN MEEUSEN is honorary vice-rector and professor of European Union Law and Private International Law at the University of Antwerp (Belgium).

PEDRO A. DE MIGUEL ASENSIO is professor of Private International Law at the Complutense University of Madrid (Spain).

DÁRIO MOURA VICENTE is professor of Comparative Law and Private International law at the University of Lisbon (Portugal).

MARTA REQUEJO ISIDRO is a senior research fellow at the Max Planck Institute for Procedural Law in Luxembourg.

GIESELA RÜHL is professor of Private Law, Procedural Law, Private International Law, European Private Law and Comparative Law at the University of Jena (Germany).

ALIX SCHULZ is an MJur candidate at the University of Oxford and a research assistant at the Institute for Comparative Law, Conflict of Laws and International Business Law at Heidelberg University (Germany) (Chair of Prof. Dr. Marc-Philippe Weller).

MARC-PHILIPPE WELLER is professor of Law and director at the Institute for Comparative Law, Conflict of Laws and International Business Law at Heidelberg University (Germany).