

Background material - User's pack

To be provided electronically

1. General information

1.	Final version of the workshop programme
2.	List of trainers
3.	List of participants
4.	Immediate evaluation form

2. E-learning course

[E-learning course on cross-border divorce and maintenance](#)

(http://www.era-comm.eu/e-learning/family_law_module_1/)

3. Trainers' contributions

Notes, outlines, PowerPoint presentations and written texts provided by the trainers

4. Legislation

	Primary legislation
1.	Articles 7, 9, 21, 24, 33 of the Charter of Fundamental Rights of the European Union
2.	Article 2, 3, 6, 20 of the Treaty on European Union (TEU)
3.	Articles 26, 45, 67, 81, 267, 326-334 of the Treaty on the Functioning of the European Union (consolidated version)
4.	Article 8 of the European Convention on Human Rights
	Secondary legislation
5.	Council Regulation (EC) No 1347/2000 of 29 May 2000 on jurisdiction and the recognition and the enforcement of judgments in matrimonial matters and in matters of parental responsibility for children of both spouses

6.	<u>Council Regulation (EC) No 1348/2000 of 29 May 2000 on the service in the member states of judicial and extrajudicial documents in civil or commercial matters</u>
7.	<u>Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters</u>
8.	<u>Council Regulation (EC) No 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</u>
9.	<u>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</u>
10.	<u>Council Regulation (EC) No 2201/2003 of 27 November 2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matter of parental responsibility, repealing Regulation (EC) No 1347/2000 (Brussels II bis)</u>
11.	<u>Information relating to courts and redress procedures pursuant to Article 68 of Council Regulation (EC) No 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 – consolidated version</u>
12.	<u>Certificate referred to in Article 39 of Council Regulation No 2201/2003 of 27 November 2003 concerning judgments in matrimonial matters</u>
13.	<u>Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims</u>
14.	<u>Practice Guide for the application of the new Brussels II Regulation, European Commission, updated version, October 2005</u>
15.	<u>Regulation (EC) No 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) No 1348/2000</u>
16.	<u>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</u>
17.	<u>Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations</u>
18.	<u>Information communicated by member states in accordance with Article 71 of Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in</u>

	matters relating to maintenance obligations (consolidated version)
19.	Council Regulation (EU) No 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation (Rome III)
	Proposed legislation
20.	Proposal for a Council Regulation on jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes, Brussels 16.3.2011, COM(2011) 126 final
21.	Proposal for a Council Regulation on jurisdiction, applicable law and the recognition and enforcement of decisions regarding the property consequences of registered partnerships, Brussels 16.3.2011, COM(2011) 127 final
	Documents from the European Commission
22.	Agreement of 19 October 2005 between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters
23.	Commission Decision of 8 June 2009 on the intention of the United Kingdom to accept Council Regulation (EC) No 4/2009 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations
	Council Decisions
24.	Council Decision of 28 May 2001 establishing a European Judicial Network in civil and commercial matters
25.	Council Decision 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 Obligation
26.	Council Decision of 12 July 2010 authorising enhanced cooperation in the area of law applicable to divorce and legal separation
27.	Council Decision of 31 March 2011 on the signing, on behalf of the European Union, of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance

5. International Conventions

1.	Hague Convention of 12 June 1902 relating to the settlement of the conflict of the laws concerning marriage <i>(document available only in French language)</i>
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2.	<u>UN Convention on the recovery abroad of maintenance, done at New York on of 20 June 1956</u>
3.	<u>Hague Convention of 24 October 1956 - Convention on the law applicable to maintenance obligations towards children</u>
4.	<u>Convention on the service abroad of judicial and extrajudicial documents in civil and commercial matters, Convention on the service abroad of judicial and extrajudicial documents in civil and commercial matters, 15 November 1965, Hague Conference on Private International Law</u>
5.	<u>Brussels Convention of 27 September 1968 – Convention on jurisdiction and the enforcement of judgments in civil and commercial matters</u>
6.	<u>Hague Convention of 2 October 1973 - Convention on the recognition and enforcement of decisions relating to maintenance obligations</u>
7.	<u>Hague Convention of 2 October 1973 - Convention on the law applicable to maintenance obligations</u>
8.	<u>Hague Convention of 14 March 1978 - Convention on the law applicable to matrimonial property regimes</u>
9.	<u>Convention on jurisdiction and the enforcement of judgments in civil and commercial matters - Done at Lugano on 16 September 1988</u>
10.	<u>Lugano Convention of 30 October 2007 - Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters - Protocol 1 on certain questions of jurisdiction, procedure and enforcement</u>
11.	<u>Hague Convention of 23 November 2007 on the international recovery of child support and other forms of family maintenance</u>
12.	<u>Hague Protocol of 23 November 2007 on the law applicable to maintenance obligations</u>

6. ECJ case law

1.	<u>Judgement of the Court Case of 27 February 1997, Case C-220/95, <i>Antonius van den Boogaard and Paula Laumen</i></u>
2.	<u>Judgment of the Court of 29 November 2007, Case C-68/07, <i>Kerstin Sundelind Lopez v Miguel Enrique Lopez Lizazo</i></u>
3.	<u>Judgment of the Court of 2 April 2009, Case C-523/07, reference for a preliminary ruling under Articles 68 EC and 234 EC from the Korkein hallinto-oikeus (Finland), in the proceedings brought by A</u>
4.	<u>Judgement of the Court of 16 July 2009, Case C-168/08, reference for a preliminary ruling from the Cour de cassation (France), <i>Laszlo Hadadi (Hadady)</i></u>

	v Csilla Marta Mesko, married name Hadadi (Hadady)
5.	Judgement of the Court of 9 November 2010, Case C-296/10, Bianca Purrucker v Guillermo Vallés Pérez
6.	Judgement of the Court of 22 December 2010, Case C-497/10 PPU, Barbara Mercredi v Richard Chaffe

7. Other documents

1.	Explanatory Report on the Convention, drawn up on the basis of Article K.3 of the Treaty on European Union, on Jurisdiction and the Recognition and Enforcement of Judgments in Matrimonial Matters (approved by the Council on 28 May 1998) prepared by Dr Alegría Borrás Professor of Private International Law University of Barcelona
2.	Explanatory Report on the 2007 Hague Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations, prepared by Andrea Bonomi, October 2009
3.	Notes for the guidance of Counsel Notes for the guidance of Counsel in written and oral proceedings before the Court of Justice of the European Communities <i>(most relevant for workshops addressed to legal practitioners)</i>
4.	Information note Information note on references from national courts for a preliminary ruling <i>(most relevant for workshops addressed to members of the judiciary)</i>

8. Useful links

1.	Consilium register website
2.	Curia website
3.	DEC.NAT, National decisions database of the Association of the Councils of State and Supreme Administrative Jurisdictions of the European Union i.n.p.a.
4.	European Commission, Civil Justice website
5.	European E-justice portal
6.	E-justice portal – Divorce
7.	E-justice portal - Legal aid
8.	E-justice portal – Maintenance claims
9.	E-justice portal – Mediation

10.	E-Justice portal – Member state law
11.	E-Justice portal – Service of documents
12.	Eur-lex website
13.	European Judicial Atlas in civil and commercial matters
14.	European Judicial Atlas in civil and commercial matters – Matrimonial matters and matters of parental responsibility
15.	European Judicial Atlas in civil and commercial matters – Maintenance obligations
16.	European Judicial Network in civil and commercial matters
17.	European Judicial Network in civil and commercial matters - Applicable Law
18.	European Judicial Network in civil and commercial matters - Divorce
19.	European Judicial Network in civil and commercial matters - Maintenance claims- General information
20.	Hague Conference on Private International Law website
21.	Jurisdiction Recognition Enforcement Database
22.	N-Lex Database
23.	Oeil website
24.	Pre-lex website

9. National sections

1.	National section of Austria, developed by Sabine Längle
2.	National section of Belgium, developed by Hakim Boularbah
3.	National section of Bulgaria, developed by Bilyana Gyaurova-Wegertseder
4.	National section of Cyprus, developed by George A. Serghides
5.	National section of the Czech Republic, developed by Zuzana Fišerova
6.	National section of Estonia, developed by Liis Arrak
7.	National section of Finland, developed by Markku Helin
8.	National section of France, developed by Beatrice Weiss-Gout,

	Isabelle Rein- Lescastereyres, Laurie Dimitrov, Marie-Laure Niboyet, Alexandre Boiche, Charlotte Butrille-Cardew and Veronique Chauveau
9.	National section of Germany, developed by Ulrike Janzen
10.	National section of Greece, developed by Dimitra Papadopoulou – Klamari, Chrysafo Tsouka and Nikos Davrados
11.	National section of Hungary, developed by Orsolya Szeibert
12.	National section of Ireland, developed by Elaine O'Callaghan
13.	National section of Italy, developed by Maria Giuliana Civinini
14.	National section of Latvia, developed by Irena Kucina
15.	National section of Lithuania, developed by Ruta Bucinskaitė
16.	National section of Luxembourg, developed by Jean-Claude Wiwinius
17.	National section of Malta, developed by Lorraine Schembri Orland
18.	National section of the Netherlands, developed by Katharina Boele-Woelki
19.	National section of Poland, developed by Jacek Golaczynski
20.	National section of Portugal, developed by Carlos Manuel Gonçalves de Melo Marinho
21.	National section of Romania, developed by Simona Bacsin
22.	National section of Slovakia, developed by Katarina Mikulova
23.	National section of Slovenia, developed by Bojana Jovin Hrastnik
24.	National section of Spain, developed by Carmen Azcárraga Monzonis
25.	National section of Sweden, developed by Michael Hellner
26.	National section of the United Kingdom: part on England and Wales, developed by Eugenia Caracciolo di Torella
27.	National section of the United Kingdom: part on Scotland, developed by Janeen Carruthers

10. General bibliography

Compiled general bibliography
(on the basis of the information contained in the national sections)