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INTERPARLIAMENTARY COMMITTEE MEETING

EUROPEAN PARLIAMENT - NATIONAL PARLIAMENTS

Committee on Legal Affairs

Policy Department C - Citizens' Rights and Constitutional Affairs

with the support of the Directorate for relations with national Parliaments

WORKSHOP ON CIVIL JUSTICE

"How to facilitate the life of European families and citizens?"

**Tuesday, 30 November 2010
09:30 - 13:00 and 15:00 - 18:30**

**Brussels
Building PHS, Hemicycle**

Draft Programme

**09:30 - 10:00
OPENING**

09:30 - 09:40

Welcome and opening remarks

- Klaus-Heiner Lehne, Chairman of the Committee on Legal Affairs
- Diana Wallis, Vice-President of the European Parliament

09:40 - 09:50

The results achieved by the Belgian Presidency of the European Union in the areas of family law, law of succession, parental responsibility and civil status (to be confirmed)

- Melchior Wathelet, Secretary of State for the Budget, Immigration and Asylum, Family Policy and Belgian Federal Cultural Institutions

09:50 - 10:00

Actions planned by the European Commission in the areas of family law, law of succession, parental responsibility and civil status

- Viviane Reding, Vice-President of the European Commission

10:00 - 11:40
SESSION I
FAMILY LAW: LATEST DEVELOPMENTS AND THE WAY FORWARD

- 10:00 - 10:15** **Opening remarks**
- Tadeusz Zwiefka, Member of the Committee on Legal Affairs
- 10:15 - 10:25** **Proposal for enhanced cooperation in the area of cross-border divorce (Rome III): application of foreign law and the clause of public policy**
- Katharina Boele-Woelki, Professor of Private International Law, Comparative Law and Family Law, University of Utrecht
- 10:25 - 10:35** **Matrimonial property regimes and patrimonial aspects of other forms of union (Proposal for Rome IV Regulation)**
- Sjef van Erp, Chairman of the Private Law Department, University of Maastricht
- 10:35 - 10:45** **The optional Franco-German matrimonial property regime**
- Eva Becker, Lawyer, Junggeburth & Becker, Berlin
- 10:45 - 11: 05** **Mutual recognition of same-sex marriage, of civil partnerships of same-sex and opposite sex couples: current situation in the Member States. Need for EU action?**
- Béatrice Weiss-Gout, Chair of the Committee on Family and Succession Law, The Council of Bars and Law Societies of Europe
 - Charles Hyde QC, Barrister, Member QEB Chambers, London
- 11:05 - 11:15** **Family mediation: the current state of family mediation in Europe**
- Maria da Conceição Oliveira, Lawyer and Mediator, Council of Europe expert, Chair of the Portuguese Institute of Mediation and Arbitration, Portugal
- 11:15 - 11:40** **Debate with Members of National Parliaments and closing remarks by a Member of a National Parliament**

11:40 - 13:00
SESSION II
CROSS-BORDER SUCCESSIONS

- 11:40 - 11:50** **Opening remarks**
- Kurt Lechner, Member of the Committee on Legal Affairs
- 11:50 - 12:00** **Proposal for a Regulation on Succession and Wills: the case of notary acts**
- Paolo Pasqualis, notary, Italy
- 12:00 - 12:10** **The issue of the applicable law and the protection of family members**
- Pascal Chassaing, notary, France
- 12:10 - 12:20** **Content and effects of the European Certificate of Succession**
- Lenka Leszay, notary, Czech Republic
- 12:20 - 13:00** **Debate with National Parliaments and closing remarks by a Member of a National Parliament**

13:00 - 15:00
LUNCH: (INVITATION ONLY)

15:00 - 17:00
SESSION III
PARENTAL RESPONSIBILITY AND THE PROTECTION OF CHILDREN

- 15:00 - 15:10** **Opening remarks**
- Alexandra Thein, Member of the Committee on Legal Affairs (to be confirmed)
- 15:10 - 15:20** **The state of play of the application of Brussels II bis Regulation, in particular the cross-border enforcement of decisions concerning children**
- Presentation of the Study on "The parental responsibility, child custody and visitation rights in cross-border separations", Swiss Institute of Comparative Law, Lausanne
- 15:20 - 15:30** **Cross-border exercise of access rights**

- Gabriela Thoma-Twaroch, President of the District Court, Vienna

15:30 - 15:50

Illegal removal of children: the Hague Convention and Brussels II bis Regulation

- William Duncan, Deputy Secretary General, Hague Conference on Private International Law
- Christina Blacklaws, Lawyer, Law Society of England and Wales

15:50 - 16:00

The protection of children rights in the proceedings: hearing of the child

- Mia Reich Sjögren, Lawyer, Member of the Swedish Bar Association

16:00 - 16:10

Recognition of parental responsibility: biological parenthood v. legal parenthood, i.e. mutual recognition of surrogacy agreements: What is the current situation in the Member States? Any need for EU action?

- Velina Todorova, Associate Professor, University of Plovdiv, Sofia

16:10 - 16:20

Mutual recognition of international adoption: What is the current situation in the Member States? Any need for EU action (Creation of a common adoption certificate)? Need for European adoption policy?

- Presentation of the Study on "International Adoption in the European Union", Istituto degli Innocenti, Florence

16:20 - 17:00

Debate with National Parliaments and closing remarks by a Member of a National Parliament

<p>17:00 - 18:20 SESSION IV CIVIL STATUS</p>

17:00 - 17:10

Opening remarks

- Luigi Berlinguer, Vice-Chair of the Committee on Legal Affairs

17:10 - 17:20

Recognition and registration of civil status documents in cross-border cases: current situation in the Member States and initiatives at EU level

- Paul Lagarde, Professor of law, University of Paris I

17:20 - 17:30

The abolition of the legalisation formalities of civil status documents, registration of names and the pilot project on electronic transmission of civil status documents: the works of the International Commission on Civil Status

- Chantal Nast, Director, The International Commission on Civil Status

17:30 - 17:40

European Commission's Green paper on Civil Status

- Salla Saastamoinen, Unit Judicial co-operation in civil matters, Directorate A Civil Justice, Directorate-General Justice, European Commission

17:40 - 18:20

Debate with National Parliaments and closing remarks by a Member of a National Parliament

18:20 - 18:30
CONCLUSIONS