

JUS289-2-A / International Civil Procedure

Required reading:

- Paul Beaumont; Peter McEleavy, *Anton's Private International Law*, 3rd edition, Edinburgh (UK) 2011, W. Green, ISBN 978-0414013452, pp. 69-87, 127-135, 359-367

Available through Oria (Library)

- Trevor C. Hartley, *International Commercial Litigation*, 2nd edition, Cambridge (UK) 2015, Cambridge University Press, ISBN 978-1107479562, pp. 11-17, 21-31, 163-173, 319-321, 477-478

Available in the Literature Kiosk

- Ulrich Magnus; Peter Mankowski (eds.), *Brussels I Regulation*, 2nd edition, Munich (Germany) 2012, Sellier, ISBN: 978-3866531420, pp. 4-46, 76-82, 332-333, 365-369, 436-455, 609-620, 730-736

Available in the Literature Kiosk

Ulrich Magnus/Peter Mankowski (eds.), *Brussels II bis Regulation*, Munich (Germany) 2012, Sellier, ISBN 978-3866539044, pp. 5-21, 41-49

Available in the Literature Kiosk

- David McClean; Verónica Ruiz Abou-Nigm, *Morris: The Conflict of Laws*, originally by J.H.C. Morris, 8th edition, London (UK) 2012, Sweet & Maxwell, ISBN 978-0414023024, pp. 86-92, 103-105, 159-168

Available in the Literature Kiosk

- Paul Beaumont, *International Family Law in Europe - the Maintenance Project, the Hague Conference and the EC: A Triumph of Reverse Subsidiarity*, *RabelsZ*, Vol. 73 (2009), No. 3, pp. 509-546

Available in the Literature Kiosk

- Anatol Dutta, *The europeanisation of international succession law*, in: Katharina Boele-Woelki; Joanna Miles; Jens Scherpe (eds.), *The future of family property in Europe*, Cambridge (UK) 2011, Intersentia, ISBN 978-9400000544, pp. 341-367

Available in the Literature Kiosk

- Michael Bogdan, *Concise introduction to EU Private International Law*, 2nd ed, (2012) pp 43-53 and 58-62

Available in the Literature Kiosk

- Articles 5, 6 22

Brussel/Lugano:

<http://curia.europa.eu/common/recdoc/convention/en/index.htm>

Lugano Convention:

https://www.bj.admin.ch//bj/de/home/wirtschaft/internationales_privatrecht/luque2007.html

Total number of pages required reading: 277 pages

Additional Reading:

A. Laws

I. International Conventions and EU Regulations

1. International Treaties

All available online here: <http://legal.un.org>

- Vienna Convention on diplomatic relations of 18.4.1961 (N +, D +)
- Vienna Convention on consular relations of 24.4.1963 (N +, D +)
- UN Convention on the jurisdictional immunities of states and their property of 2.12.2004 (N -, D -)

2. Hague Conference on Private International Law

All available online here: <https://www.hcch.net/en/instruments/conventions>

a) Civil and Commercial Matters

- Convention No. 2 on civil procedure of 1.3.1954 (N +, D +)
- Convention No. 14 on the service abroad of judicial and extrajudicial documents in civil or commercial matters of 15.11.1965 (N +, D +)
- Convention No. 20 on the taking of evidence abroad in civil or commercial matters of 18.3.1970 (N +, D +)
- Convention No. 37 on choice of court agreements of 30.6.2005 (N -, D -)

b) Maintenance

- Convention No. 9 concerning the recognition and enforcement of decisions relating to maintenance obligations towards children of 15.4.1958 (N +, D +)
- Convention No. 23 on the recognition and enforcement of decisions relating to maintenance obligations of 2.10.1973 (N +, D +)

- Convention No. 38 on the international recovery of child support and other forms of family maintenance of 23.11.2007 (N +, EU/D +)

c) Protection of Minors and Incapable Adults

- Convention No. 10 concerning the powers of authorities and the law applicable in respect of the protection of infants of 5.10.1961 (N -, D +)
- Convention No. 34 on jurisdiction, applicable law, recognition, enforcement and co-operation in respect of parental responsibility and measures for the protection of children of 19.10.1996 (N -, D +)
- Convention No. 35 on the international protection of adults of 13.1.2000 (N -, D +)

3. European Civil Procedure (European Union and European Economic Area)

All available online here: <http://eur-lex.europa.eu/>

a) EEA

- Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters of 30.10.2007 (Lugano Convention), OJ 2007 L 339/3
- Pocar, Explanatory Report, OJ 2009 C 319/1

b) European Union

- Council Regulation (EC) No 1215/2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters of 12.12.2012 (Brussels I bis), OJ 2012 L 351/1
- Council Regulation (EC) No 1206/2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters of 28.5.2001 (Evidence Regulation), OJ 2001 L 174/1
- Council Regulation (EC) No 2201/2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000 of 27.11.2003 (Brussels II bis), OJ 2003 L 338/1
- Regulation (EC) No 1393/2007 of the European Parliament and of the Council 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 of 13.11.2007 (Service Regulation), OJ 2007 L 324/79
- Council Regulation (EC) No 4/2009 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations of 18.12.2008 (Maintenance Regulation), OJ 2009 L 7/1
- Regulation (EU) No 650/2012 of the European Parliament and of the Council 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 of 4.7.2012 (Succession Regulation), OJ 2012 L 201/107

II. National Laws

Germany

All available online here (in English): www.gesetze-im-internet.de/Teilliste_translations.html

- German Constitution: Grundgesetz – GG (Basic Law)
- Gerichtsverfassungsgesetz – GVG (Courts Constitution Act)
- Zivilprozessordnung – ZPO (Code of Civil Procedure)

B. Cases

1. Court of Justice of the European Communities (ECJ)

All available online here: curia.europa.eu

- C-150/80 – Elefanten Schuh GmbH / Jacqmain, 24.6.1981 (“Elefanten Schuh”), Reference for a preliminary ruling by the Hof van Cassatie – Belgium
- C-145/86 – Hoffmann / Krieg, 4.2.1988 (“Hoffmann”), Reference for a preliminary ruling by the Hoge Raad – Netherlands
- C-391/95 – Van Uden Maritime / Kommanditgesellschaft in Firma Deco-Line and Another, 17.11.1998 (“van Uden”), Reference for a preliminary ruling by the Hoge Raad – Netherlands
- C-159/97 – Trasporti Castelletti Spedizioni Internazionali SpA / Hugo Trumpy SpA, 16.3.1999 (“Castelletti”), Reference for a preliminary ruling by the Corte suprema di cassazione – Italy
- C-99/96 – Hans-Hermann Mietz / Intership Yachting Sneek BV, 27.4.1999 (“Mietz”), Reference for a preliminary ruling by the Bundesgerichtshof – Germany
- C-7/98 – Dieter Krombach / André Bamberski, 28.3.2000 (“Krombach”), Reference for a preliminary ruling by the Bundesgerichtshof – Germany
- C-412/98 – Group Josi Reinsurance Company SA / Universal General Insurance Company, 13.7.2000 (“Group Josi”), Reference for a preliminary ruling by the Cour d'appel de Versailles – France
- C-80/00 – Italian Leather SpA / WECO Polstermöbel GmbH & Co., 6.6.2002 (“Italian Leather”), Reference for a preliminary ruling by the Bundesgerichtshof – Germany
- C-281/02 – Andrew Owusu / N. B. Jackson, 1.3.2005 (“Owusu”), Reference for a preliminary ruling by the Court of Appeal (England and Wales), Civil Division – United Kingdom
- C-523/07 – A., 29.1.2009 („A”), Reference for a preliminary ruling by the Korkein hallinto-oikeus – Finland

- C-420/07 – Meletis Apostolides / David Charles Orams & Linda Elizabeth Orams, 28.4.2009 ("Apostolides"), Reference for a preliminary ruling by the Court of Appeal (England & Wales) (Civil Division) – United Kingdom
- C-111/09 – ČPP Vienna Insurance Group / Michal Bilas, 20.5.2010 ("Bilas"), Reference for a preliminary ruling by the Okresní soud v Chebu – Czech Republic
- C-139/10 – Prism Investments BV / Jaap Anne van der Meer, 16.6.2011 ("Prism Investments"), Reference for a preliminary ruling by the Hoge Raad der Nederlanden – Netherlands
- C-157/12 – Salzgitter Mannesmann Handel GmbH / SC Laminorul SA, 26.9.2013, ("Salzgitter"), Reference for a preliminary ruling by the Bundesgerichtshof – Germany

2. Supreme Court of Canada

Available online here: <http://www.canlii.org/en/ca/scc/index.html>

- Chevron Corp. v. Yaiguaje, 4.9.2015, 2015 SCC 42 (CanLII)

C. Articles

- Ilaria Queirolo, *Choice of Court Agreements in the New Brussels I bis Regulation: A Critical Appraisal*, in: Andrea Bonomi, Petar Šarčević, Gian Paolo Romano, Paul Volken (eds.), Yearbook of Private International Law (Yb.P.I.L.), Vol. 15 (2013/2014), Munich (Germany) 2014, Sellier, ISBN 978-3866536081, pp. 113-142
- Dorothee Schramm, *Enforcement and the Abolition of Exequatur under the 2012 Brussels I Regulation*, in: Andrea Bonomi, Petar Šarčević, Gian Paolo Romano, Paul Volken (eds.), Yearbook of Private International Law (Yb.P.I.L.), Vol. 15 (2013/2014), Munich (Germany) 2014, Sellier, ISBN 978-3866536081, pp. 143-174
- William Duncan, *The Hague Convention of 23 November 2007 on the international recovery of child support and other forms of family maintenance*, in: Andrea Bonomi; Gian Paolo Romano (eds.), Yearbook of Private International Law (Yb.P.I.L.), Vol. 10 (2008), Munich (Germany) 2009, Sellier, ISBN 978-3866538566, pp. 313-331
- Burkhard Hess, *The Brussels I Regulation: recent Case Law of the Court of Justice and the Commission's Proposed Recast*, Common Market Law Review (CMLRev.), Vol. 49 (2012), No. 3, pp. 1075-1112
- Max Planck Institute for Comparative and International Private Law, *Comments on the European Commission's Proposal for a Regulation of the European Parliament and of the Council on jurisdiction, applicable law, recognition and enforcement of decisions and authentic instruments in matters of succession and the creation of a European Certificate of Succession*, RabelsZ, Vol. 74 (2010), No. 3, pp. 522-720

- Peter Arnt Nielsen, *The New Brussels I Regulation*, Common Market Law Review (CMLRev.), Vol. 50 (2013), No. 2, pp. 503-528
- Tena Ratković/Dora Zgrabljčićrotar, *Choice-of-Court Agreements under the Brussels I Regulation (Recast)*, Journal of Private International Law (J. Priv. Int. L.), Vol. 9 (2013), No. 2, pp. 245-268
- Johannes Weber, *Universal Jurisdiction and Third states in the Reform of the Brussels I Regulation*, RabelsZ, Vol. 75 (2011), No. 3, pp. 619-644
- Ulrich Magnus; Peter Mankowski (eds.), *Brussels I Regulation*, 2nd edition, Munich (Germany) 2012, Sellier, ISBN: 978-3866531420, pp. 88-128, 229-240, 294-314 and 413-424

Internet resources:

EU law in general: <http://eur-lex.europa.eu/>