



Project funded by the
European Union

EUROMED JUSTICE II PROJECT



WORKING GROUP II RESOLUTION OF CROSS-BORDER FAMILY CONFLICTS

1st Training Seminar

“INTERNATIONAL JUDICIAL CO-OPERATION IN THE FIELD OF CROSS-BORDER FAMILY CONFLICTS: SPECIAL REFERENCE TO PROBLEMS INVOLVED IN SERVING ABROAD DECISIONS MADE IN CROSS-BORDER FAMILY CONFLICTS”

Lisbon (PT), 15-16-17 December 2009

Lead firm: EIPA-ECR, C/ Girona 20, ES-08010 Barcelona
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AGENDA

Monday 14 December 2009

19.30 - 21.00 Dinner for the representatives of the Mediterranean Partner countries.

Tuesday 15 December 2009

08.45 - 09.00 **Registration of participants**

09.00 - 09.30 **Welcome speeches**

Margarida MARQUES, Head of Office of the European Commission Representation in Portugal, Lisbon (PT)

Andrés SALCEDO VELASCO, Judge, Team Leader of the EuroMed Justice II Project, Barcelona (ES)

09.30 - 09.45 Presentation of the EuroMed Justice II Project. Main topics suggested for discussion, the working programme and the methodology to be followed during the meeting.

José María FERNÁNDEZ VILLALOBOS, Judge, Course Manager of the EuroMed Justice II Project, Barcelona (ES)

9.45 - 10.30 **Tour de table. Self-Presentation of participants and presentation of the situation in the Mediterranean partner countries.**

Khaled ABOUALI, Coordinator of the EuroMed Justice II Project, Senior Lecturer, EIPA-ECR, Barcelona (ES)

Each delegation will have **some 10 minutes** to present itself and to give a presentation on the current situation about the topics covered by this seminar in its own country.

10.30 - 11.00 Coffee break

11.00 - 13.00 **1st Presentation on “The European Union and Council of Europe framework: present and future”**

Speaker: *Carla BOTELHO*, Senior Lecturer, Expert on Judicial Cooperation in civil matters, European Centre for Judges and Lawyers, EIPA-Luxembourg, Luxembourg (LU)

13.00 - 14.30 Lunch

14.30 - 16.00 **2nd Presentation on “The Hague Conference: Special Reference to the Malta Conferences: International approach”**

Speaker: *Juliane HIRSCH*, Legal Officer, The Hague Conference on Private International Law, The Hague (NL)

Debate

16.00 - 16.30 Coffee break

16.30 - 18.00 **“The Hague Conference: Special Reference to the Malta Conferences: International approach”**

Speaker: *Juliane HIRSCH*

Discussion on a practical case

End of the day

Wednesday 16 December 2009

09.30 - 11.00 **3rd Presentation on “Conflicts of Law and Jurisdiction”.**

Speaker: *Malek GHAZOUANI*, Magistrate, Researcher at the Centre of Legal and Judicial Studies, attached to the Service of the General Coordinator of Human Rights at the Ministry of Justice and Human Rights, Tunis (TU)

Debate

11.00 - 11.30 Break

11.30 - 13.00 **“Conflicts of Law and Jurisdiction”.**

Speaker: *Malek GHAZOUANI*

Discussion on a practical case

13.00 - 14.15 Lunch

14.15 - 17.00 **Practical activity**

Carla BOTELHO

End of the day

Thursday 17 December 2009

9.30 - 11.00 **4th Presentation on “The role of the focal point/central authority in solving the main difficulties on this topic”**

Speaker: *Joaquim HORTALA I VALLVE*, State Attorney in Spain, Ministry of Justice, Madrid (ES)

Debate

11.00 - 11.30 Coffee break

11.30 - 13.00 **“The role of the focal point/central authority in solving the main difficulties on this topic”**

Speaker: *Joaquim HORTALA I VALLVE*

Discussion on a practical case

13.00 - 14.30 Lunch

14.30 - 15.30 **“Tour de table”. Presentation of new developments in each country**

Each delegation will have **some 10 minutes** to present future developments planned in its country in the field addressed.

Khaled ABOUALI

15.30 - 16.00 Break

16.00 - 16.45 **Plenary session, debate, conclusions**

José María FERNÁNDEZ VILLALOBOS

16.45 - 17.00 Closure of the seminar

Andrés SALCEDO VELASCO

End of the training seminar

GENERAL INTRODUCTION

The project

The European Commission launched a regional project in the field of justice in the Euro-Mediterranean area, EuroMed Justice II (January 2008 – January 2011) with a budget of € 5 million. This project is implemented by a consortium led by the European Institute of Public Administration (EIPA) and composed of the International and Ibero-American Foundation of Administration and Public Policies (FIIAPP) and of the Spanish General Council of the Judiciary (CGPJ).

The European Centre for the Regions (ECR), the Antenna of the European Institute of Public Administration (EIPA) in Barcelona, is the Programme Management Unit for the EuroMed Justice II Project.

The beneficiaries of this project are: the People's Democratic Republic of Algeria, the Arab Republic of Egypt, Israel, the Hashemite Kingdom of Jordan, the Republic of Lebanon, the Kingdom of Morocco, the Palestinian Authority, the Syrian Arab Republic and the Republic of Tunisia.

This project has a total duration of 36 months, between January 2008 and January 2011, with 12 Working groups meetings (already done in 2008-2009), 18 training sessions and 10 study visits to be developed during this period. The project is structured around three different components: Access to justice and legal aid; Resolution of cross-border family conflicts; and Criminal and prison law.

The training seminar

This seminar takes place under the second main component of the project "Resolution of Cross-Border Family Conflicts". Most experts consider that training is the core issue in any process of change affecting well functioning institutions and good governance. A complete training, balanced and plural, is a prerequisite if the Judiciary wants to be respected and worthy of respect. For this reason, this second part of the EuroMed Justice II project will play a relevant role through the training activities in order to contribute to the strengthening of the Euro-Mediterranean justice area. The title of this seminar "International judicial co-operation in the field of cross-border family conflicts: special reference to problems involved in serving abroad decisions made in cross-border family conflicts" was agreed during the Working Group meetings held on this component. More particularly, this session is focused on the importance of judicial international co-operation in order to solve the main problems involved in serving abroad judicial decisions with special reference to the cross-border family conflicts. In this respect, the different subtopics will enable us to carry out an in-depth analysis on several relevant aspects which are directly linked with the main topic under discussion. We are going to share the international experts' opinion and the participants' approach on these topics from their own perspective, experience and respective competences. Through an in-depth and detailed discussion, we will know the current situation related to the topics addressed, among others: The European Union

and Council of Europe framework: present and future; The Hague Conference: Special reference to the Malta Conferences, Conflicts of law and jurisdiction or the role of the focal point/central authority in solving the main difficulties on this topic. Thanks to this seminar, we will get to know the different features in the region and we will learn each other through the different experiences and views of the participants.

Working Method

Participants should be aware that they are the main players in the training seminar as they will be able to share their respective experience and views related to the topics under review. We expect the experts participating in this seminar to have an in-depth knowledge of the topics under discussion and to be able to provide us with a detailed vision of the current situation in their respective countries. We also expect them to have previously prepared themselves for the discussion in order to achieve the most fruitful results. In this context and to ensure a good preparation, the Project Team will provide the participants, at least two weeks before the date of the seminar, with the agenda, the documents and a list of the relevant documents on the topics addressed. These documents will also be made available on the EuroMed Justice II project website for the participants to download them and will be handed over to the participants in a folder on the occasion of the training seminar.

Moreover we would like to stress that the methodology of the training sessions does not rely on a traditional methodology based on *ex cathedra* classes; rather, the idea is to put a strong emphasis on interactive presentations allowing for a transfer of knowledge and experience. We should not forget that although it is the expert who will determine the framework of the presentation, the objective of the training seminars is not just a transfer of knowledge, but rather to give the participants the possibility of sharing their experience and viewpoints on the issues being addressed. This methodology will then enable them to take advantage from the experience of the other colleagues and, in our opinion, the working atmosphere should facilitate relationships between the participants. In this respect and in order to trigger the debate, practical cases or workshops will be introduced in the different training seminars depending of the topics being discussed.

The quality of the various sessions will be assessed by means of evaluation forms distributed to the participants at the end of the seminar. After each training seminar, its results will be evaluated by the participants, including the knowledge and skills gained and the subjective perception participants have both about the contents and the trainers. It is very important from the very beginning to know the opinion of the participants because we are aware that although we are doing our best to guarantee the quality of each activity, the participants' viewpoints will help us to perceive some details that can be improved for the next sessions.

Experts

Four (4) experts from each Mediterranean partner country are expected to attend each training seminar.

The experts should have the appropriate profile, a comprehensive knowledge and vision, and a sound experience in this field. They should also be willing to make an effective contribution to the training seminar. Bearing in mind that a “Tour de table” is scheduled both on the first and last day of the seminar, a short presentation prepared ahead of the seminar by each delegation will be required. The quality of the experts proposed is the main guarantee that our joint efforts during the seminars will result in a good analysis and diagnosis of the situation in the fields addressed, and in an exchange of useful, reliable and accurate information.

Documentation

A list of the basic documentation will be provided by the Project Team at least two weeks ahead of the seminar:

- Relevant international documentation on the topic produced by the European Union, the Council of Europe, the United Nations, etc.
- Other documents, possibly those provided by the participants of the Mediterranean partner countries.
- Reading documents.

These documents will be sent to the participants ahead of the meeting together with the list of basic documentation; they will also be handed over to the participants at the training seminar.

Working languages

English, French and Arabic, with simultaneous interpretation during the whole seminar.

Venue and accommodation



MEDA Participants will be staying at the:

Hotéis Real - Lisboa
Rua Tomás Ribeiro, 115
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where the seminar is also taking place