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EUROMED JUSTICE III PROJECT

COMPONENT II: RESOLUTION OF CROSS-BORDER FAMILY CONFLICTS

1st Training Seminar: “Resolution of cross-border family conflicts: international, EU and national legislation”

Rome (IT), 22-24 October 2013

FINAL CONCLUSIONS

The 1st training seminar on the component “Resolution of cross-border family conflicts” of the EuroMed Justice III Project of the European Commission, funded by the European Union, was held on 22-24 October 2013 in Rome (IT).

The participants were members of the delegations of the following Mediterranean Partners: Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestine and Tunisia. The speakers came from Germany, Italy and Jordan. In addition, among the speakers there was also one representative of the External Relations Team in the Civil Justice Policy Unit, Directorate General Justice, European Commission, and one representative of the Hague Conference on Private International Law.

The training seminar was opened by Ms Simona Ranalli, Programme Manager, DG Development and Cooperation - EuropeAid, European Commission; Ms Maria Luisa Fichera, Project Manager CORMS, Ministry of Foreign Affairs, DG Development and Cooperation, and National Focal Point for the EuroMed Justice III Project in Italy; and Mr Salcedo Velasco, Team Leader of the EuroMed Justice III Project, who welcomed the participants. The seminar was also closed by Simona Ranalli, Maria Luisa Fichera and Andrés Salcedo.

The background, the context and the structure of the training seminar, including the overall approach and the main topics suggested for discussion, were introduced by the Project Leader and the Course Manager of the Project Team, Mr José María Fernández Villalobos, implementing the EuroMed Justice III Project.

Then the participants took the floor to introduce themselves and to present the current situation concerning the topics to be discussed during the seminar and on the legislative policy in the ENPI SPC concerning the ratification of international conventions in this field.

Furthermore, six presentations were made during the seminar: “The work developed during the first phase of the project related to resolution of cross-border family conflicts, with special reference to the “Handbook on good practices concerning the resolution of cross-border family conflicts, with a special focus on cross-border disputes concerning parental responsibility”; “Overview of current legislation in place. Special reference to the work developed by the Hague Conference in the field of cross-border family conflict litigation. International legislative initiatives in the pipeline”; “General presentation on the Networks operating in the field of cross-border family conflicts”; “Procedures related to cross-border family conflicts in EU Law”; “Domestic and gender violence, and their influence in cross-border family conflicts. Criminal, civil and family law; procedural impacts and problems: the EU experience”; “The best interest of the child: The different approaches to the content of the best interest (education, security, contact with parents, ambiance, etc) and their evaluation. International approach”.

During these presentations, the speakers analysed the different approaches related to the topics being considered, especially from a practical point of view, as well as the legal international framework. Lastly, during the seminar a practical case and a workshop were carried out.

Considering the objectives of this training seminar and taking into account the debate and discussions held during the seminar, the participants had the opportunity:

- To examine over a period of three days, and from an international angle, the different topics on the agenda.
- To keep abreast of the current situation and future developments in each Mediterranean Partner regarding the topics covered by this seminar and to have a fruitful debate on the state of play in this field in the MEDA area, whilst presenting their respective experience and legal framework.
- To further strengthen cooperation between Euro-Mediterranean Partners in the field of justice.
- To explore the means to further promote an exchange of knowledge, experience and best practices.
- To get a better insight into the current international framework related to resolution of cross-border family conflicts.
- To discuss on the main problems to be faced on this topic and future perspectives in this field.
- To have an in-depth discussion on and a practical approach to the work developed by the Hague Conference in the field of cross-border family conflicts litigation.
- To discuss the composition, role and work developed by the networks operating in the field of cross-border family conflicts.
- To analyse from a theoretical and practical point of view the procedures related to cross-border family conflicts in EU Law.
- To have an in-depth discussion and a practical approach on the influence of domestic and gender violence in cross-border family conflicts with special reference to the criminal, civil, family law and their procedural impacts and problems according to the EU experience.
- To receive the suggested reading documentation list related to the topics examined as support to facilitate the discussion and debate during the training seminar.

Participants are grateful to Italy, host country, to the Directorate-General Development and Cooperation – EuropeAid, European Commission, and to the Project Team for organising this training seminar.

The participants present during the reading of this document approve the conclusions of this seminar.

Rome, 24 October 2013