

Conference

Cross-border parental responsibility

Bucharest, 06 - 07 May 2025

Organized by  **EIPA** | European
Institute of
Public
Administration

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For the improved implementation of EU law and the use of information and communication technology (ICT) systems in the fields of EU judicial cooperation through interprofessional training

Venue: Grand Hotel Bucharest | 4 Nicolae Balcescu Blvd, 010051 Bucharest 1

PROGRAMME

Objectives: The 'Brussels II' regime has a long history and provides the rules on jurisdiction, recognition and enforcement of matrimonial matters, matters of parental responsibility, and international child abduction for EU Member States. In 2016, the EU Commission published its Proposal for recasting what was then Council Regulation No 2201/2003 ('Brussels II-bis'); the ensuing negotiations resulted in the recast Council Regulation No 2019/1111 ('Brussels II-ter'), which came into force in August 2022. The Brussels II-ter Regulation is the key EU instrument for dealing with cross-border issues involving recognition of divorce, custody and access disputes over children, international abduction and the placement of children from one Member State to another.

The most significant changes brought about by the Regulation concern children. One key goal of the Regulation is, in fact, to enhance the protection of their fundamental rights, as enshrined in the UN Convention on the Rights of the Child (UNCRC), the European Convention on Human Rights (ECHR) and the Charter of Fundamental Rights of the European Union. Specifically, Article 24 of the Charter creates a link between children's rights – as protected by universal and regional systems – and the EU legal order.

Against this background, this conference will deliver in-depth insights on the topics related to EU cross border parental responsibility matters. The panel discussions will be carried out by leading experts tackling central issues of the Brussels II-ter Regulation. In this vein, the discussions will evolve around how to ensure and protect the best interest and the rights of the child (including the right to be given a "genuine and effective opportunity to be heard" established at Articles 21 and 26 of the Regulation), and how to accommodate procedural safeguards in procedures determining parental responsibility, including institutional placement and care. Recent case law of the Court of Justice of the European Union and the European Court of Human Rights are made part of the curricula.



Prof. Nadia Rusinova is Attorney-at-law, Qualified Mediator for Bulgaria and the Netherlands at the International Mediation Institute and Lecturer in International/European private law at The Hague University, International and European Law Department, nrusinova@hhs.nl

Prof. Ester Di Napoli holds a Phd in Private International Law from the University of Padua. She is a partner at JMU Law firm and since 2019 she is the director of the editorial committee of the Aldricus portal for civil judicial cooperation. Furthermore, she is Adjunct Professor of European Private International Law at the Lumsa University in Rome and is the author of a number of publications in Private International Law Issues dnpstr@unife.it

Roxana Catea is a Counsel in the Dispute Resolution practice area. Prior to joining Stratulat Albulescu Attorneys at Law (SAA), Roxana worked for more than 7 years at Tuca Zbarcea & Asociatii, as well as for 3 years at one of the leading Big 4 associated law desks in Romania. She has over 11 years' experience in a wide range of litigation but her particular areas of expertise are in the commercial field including corporate litigation, insurance and bankruptcy litigation, insolvency and restructuring litigation, contract disputes, foreign judgement enforcement proceedings, professional and product liability and last, but not least, labour disputes, roxana.catea@yahoo.com

EIPA Luxembourg - European Centre for Judges and Lawyers

Dr. Cristina M. Mariottini is Lecturer at EIPA Luxembourg in charge of training and consultancy for the judiciary and other legal professionals as well as officials from the national administrations and EU institutions in relation to European Union's Area of Freedom Security and Justice, mostly judicial cooperation in the European Union, c.mariottini@eipa.eu

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TUESDAY 06 May 2025

- 08.30 Registration/Login of participants
- 09.00 **Welcome of participants and introduction to the programme**
Cristina M. Mariottini
- 09.15 **Introduction to the Brussels II-ter Regulation on Parental Responsibility: A Tale of Continuity and Innovations**
Cristina M. Mariottini
- 10.00 **Q&A**
- 10.15 Coffee Break
- 10.45 **Habitual Residence of a Child: A (Not So) Clear-Cut Notion?**
Cristina M. Mariottini
- 11.30 **Q&A**
- 11.45 Break



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- 12.00 **Party Autonomy in Parental Responsibility Matters: A Significant Make-Over**
Ester Di Napoli
- 12.45 **Q&A**
- 13.00 Lunch (Restaurant of the hotel)
- 14.30 **Transfer of Jurisdiction and the Child's Best Interests**
Nadia Rusinova
- 15.15 **Q&A**
- 15.30 Coffee Break
- 16.00 **The Right of the Child to be Heard: A Meaningful or Formalist Approach?**
Roxana Catea
- 16.45 **Q&A**
- 17.00 End of Day 1

WEDNESDAY 07 May 2025

- 09.00 **Recognition and Enforcement of Decisions on Parental Responsibility: Mutual Trust and Limitations**
Nadia Rusinova
- 10.00 **Q&A**
- 10.15 Coffee Break
- 10.45 **Promoting Cooperation between Central Authorities**
Ester Di Napoli
- 11.45 **Q&A**
- 12.00 **Evaluation**
- 12.30 **END OF CONFERENCE**

