

**European Commission,
DG Justice, Freedom and Security**

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TITLE VI OF THE TEU

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- ⌘ Instruments published in 2009**
- ◆ instruments published in 2008**
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- all instruments until 31.12.2001**

XI. JUDICIAL COOPERATION IN CIVIL MATTERS**A. Conventions to which accession is obligatory***a) Indicative list of conventions and instruments to which the new Member States must accede in accordance with the Act of Accession*

- Brussels Convention of 27 September 1968 on jurisdiction and the enforcement of judgments in civil and commercial matters (consolidated version OJ C 27 of 26 January 1998, p. 34);
- Luxembourg Protocol of 3 June 1971 on the interpretation by the Court of Justice of the Convention of 27 September 1968 (OJ C 27 of 26 January 1998, p. 1);
 - Convention on the Accession of the Hellenic Republic to the Brussels Convention (OJ L 388 of 31 December 1982, p. 1);
 - Convention on the Accession of the Kingdom of Spain and the Portuguese Republic to the Brussels Convention (OJ L 285 of 3 October 1989, p. 1);
 - Convention on the Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the Brussels Convention (OJ C 15 of 15 January of 1997, p. 1);
- Rome Convention of 19 June 1980 on the Law applicable to Contractual Obligations (OJ C 27 of 26 November 1998, p. 34);
- 1st Protocol to the Convention on the Law applicable to Contractual Obligations on Interpretation by the Court of Justice of 19 December 1988 (OJ C 334 of 30 December 2005, p. 1);
- 2nd Protocol to the Convention on the Law applicable to Contractual Obligations conferring the Court of Justice powers to interpret the 1980 Convention of 19 December 1988 (OJ C 334 of 30 December 2005, p. 1);
 - Luxembourg Convention of 10 of April 1984 on the Accession of the Hellenic Republic to the Rome Convention of 1980 (OJ L 146 of 31 May 1984, p. 1);
 - Funchal Convention of 18 May 1992 on the Accession of the Kingdom of Spain and the Portuguese Republic to the Rome Convention of 1980 (OJ L 333 of 18 November 1992, p. 1);
 - Convention of 29 November 1996 on the Accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the Rome Convention of 1980 (OJ C 15 of 15 January 1997, p. 10);
 - Convention on the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the Convention on the law applicable to contractual obligations opened for signature in Rome on 19 June 1980, and to the First and Second Protocols on its interpretation by the Court of Justice of the European Communities (OJ C 169 of 8 July 2005, p. 1)⁷⁴;
- ❖ Council Decision 2007/856/EC of 8 November 2007 concerning the accession of Bulgaria and Romania to the Convention on the Law applicable to Contractual Obligations, opened for signature in Rome on 19 June 1980 No 2007/856/EC (OJ L 347 of 29 December 2007, p. 1);
- Convention on Jurisdiction and the Recognition and Enforcement of Judgements in Civil and Commercial matters⁷⁵ - Protocol 1 on certain questions of jurisdiction, procedure and enforcement – Protocol 2 on the uniform interpretation of the Convention and on the Standing Committee. (OJ L 339 of 21 December 2007, p. 3);
 - ⌘ Procès-verbal of rectification to the Convention on Jurisdiction and the Recognition and Enforcement of Judgements in Civil and Commercial matters, signed at Lugano on 30 October 2007 (OJ L 147 of 10 June 2009, p. 44);
- ⌘ Council Decision 2009/430/EC of 27 November 2008 concerning the conclusion of the Convention on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters (OJ L 147 of 10 June 2009, p. 1);

⁷⁴ This Convention shall enter into force between Member States which have ratified it.

⁷⁵ Council Decision of 6 July 2007 on Signature by the Community of the Convention; the new Convention signed in Lugano on 30 October 2007.

- ⌘ Convention on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters (OJ L 147 of 10 June 2009, p. 5);
- ⌘ Council Decision 2009/397/EC of 26 February 2009 on the signing on behalf of the European community of the Convention on Choice of Court Agreements (OJ L 133 of 29 May 2009, p. 1);
- ⌘ Regulation (EC) No 662/2009 of the European Parliament and of the Council of 13 July 2009 establishing a procedure for the negotiation and the conclusion of agreements between Member States and third countries in particular matters concerning the law applicable to contractual and non-contractual obligations (OJ L 200 of 31 July 2009, p. 25);
- ⌘ Council Regulation (EC) No 664/2009 of 7 July 2009 establishing a procedure for the negotiation and conclusion of agreements between Member States and third countries concerning jurisdiction, recognition and enforcement of judgements and decisions in matrimonial matters, matters of parental responsibility and matters relating to maintenance obligations, and the law applicable to matters relating to maintenance obligations (OJ L 200 of 31 July 2009, p. 46).

b) Indicative list of agreements, conventions and protocols to which the new Member States must accede⁷⁶

- The Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction.

B. Joint Actions, Joint Positions (Maastricht Treaty);

Instruments adopted under the TEC

- Joint Action of 22 November 1996 adopted by the Council on the basis of Articles J.3 and K.3 of the Treaty on European Union concerning measures protecting against the effects of the extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom (OJ L 309 of 29 November 1996, p. 7);
- Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings (OJ L 160 of 30 June 2000, p. 1);
 - Council Regulation (EC) No 603/2005 of 12 April 2005 amending the lists of insolvency proceedings, winding-up proceedings and liquidators in Annexes A, B and C to Regulation (EC) No 1346/2000 on insolvency proceedings (OJ L 100 of 20 April 2005, p. 1);
 - Council Regulation (EC) No 694/2006 of 27 April 2006 amending the lists of insolvency proceedings, winding-up proceedings and liquidators in Annexes A, B and C to Regulation (EC) No 1346/2000 on insolvency proceedings, (OJ L 121 of 6 May 2006, p. 1);
 - ❖ Council Regulation (EC) No 681/2007 of 13 June 2007 amending the lists of insolvency proceedings, winding-up proceedings and liquidators in Annexes A, B and C to Regulation (EC) No 1346/2000 on insolvency proceedings (OJ L 159 of 20 June 2007, p. 1);
- Council Regulation (EC) No 2201/2003 of 27 November 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 (OJ L 338 of 23 December 2003, p. 1);
- ▶ Council Regulation (EC) No 2116/2004 of 2 December 2004 amending 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, as regards treaties with the Holy See (OJ L 367 of 14 December 2004, p. 1);
 - Information relating to courts and redress procedures pursuant to Article 68 of Council Regulation (EC) No 2201/2003 of 27 November 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 (OJ C 40 of 17 February 2005, p. 2);

⁷⁶ This list contains the Conventions for which the obligation to accede is not explicit, but results from the binding force of secondary legislation, from Council Conclusions or from Article 10 EC.

- ❖ Regulation EC No 1393/2007 of the European Parliament and of the Council of 13 November 2007 on the service in the Member States of judicial and extrajudicial documents in civil or commercial matters (service of documents), and repealing Council Regulation No 1348/2000 (OJ L 324 of 10 December 2007, p. 79);
- Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 12 of 16 January 2001, p. 1. Corrigendum published in OJ L 307 of 24 November 2001, p. 28);
 - o Commission Regulation (EC) No 1496/2002 of 21 August 2002 amending Annex I (the rules of jurisdiction referred to in Article 3(2) and Article 4(2) and Annex II (the list of competent courts and authorities) to Council Regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters (OJ L 225 of 22 August 2002, p. 13)⁷⁷;
 - ▶ Commission Regulation (EC) No 1937/2004 of 9 November 2004 amending Annexes I, II, III and IV to Council Regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 334 of 10 November 2004, p. 3);
 - ▶ Commission Regulation (EC) No 2245/2004 of 27 December 2004 amending Annexes I, II, III and IV to Council Regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 381 of 28 December 2004, p. 10);
 - ⌘ Commission Regulation (EC) No 280/2009 of 6 April 2009 amending Annexes I, II, III and IV to Council Regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 93 of 7 April 2009, p. 13);
- Council Decision 2001/470/EC of 28 May 2001 establishing a European Judicial Network in civil and commercial matters (OJ L 174 of 27 June 2001, p. 25);
 - ⌘ Decision No 568/2009/EC of the European Parliament and of the Council of 18 June 2009 amending Council Decision 2001/470/EC, establishing a European Judicial Network in civil and commercial matters (OJ L 168 of 30 June 2009, p. 35);
- Council Regulation (EC) No 1206/2001 of 28 May 2001 on cooperation between the courts of the Member States in the taking of evidence in civil or commercial matters (OJ L 174 of 27 June 2001, p. 1);
- o Council Regulation (EC) NO 743/2002 of 25 April 2002 establishing a general Community framework of activities to facilitate the implementation of judicial cooperation in civil matters (OJ L 115 of 1 May 2002, p. 1);
- Council Decision 2003/93/EC of 19 December 2002 authorising the Member States, in the interest of the Community, to sign the 1996 Hague Convention on jurisdiction, applicable law, recognition, enforcement and cooperation in respect of parental responsibility and measures for the protection of children (OJ L 48 of 21 February 2003, p. 1);
- ◆ Council Decision 2008/431/EC of 5 June 2008 authorising certain Member States to ratify, or accede to, in the interest of the European Community, the 1996 Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children and authorising certain Member States to make a declaration on the application of the relevant internal rules of Community law (OJ L 151 of 11 June 2008, p. 36);
 - ◆ Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children (OJ L 151 of 11 June 2008, p. 39);
- Council Directive 2003/8/EC of 27 January 2003 to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes (OJ L 26 of 31 January 2003, p. 41);
 - ▶ Commission Decision 2004/844/EC of 9 November 2004 establishing a form for legal aid applications under Council Directive 2003/8/EC to improve access to justice in cross-border disputes by establishing minimum common rules relating to legal aid for such disputes (OJ L 365 of 10 December 2004, p. 27);
 - Commission Decision 2005/630/EC of 26 August 2005 establishing a form for the transmission of legal aid applications under Council Directive 2003/8/EC (OJ L 225 of 31 August 2005, p. 23);
 - ▶ Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims (OJ L 261 of 6 August 2004, p. 15);

⁷⁷ The Statement of the Council and the Commission on Articles 15 and 73 of the Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters is also to be taken into account.

- Commission Decision 2006/337/EC of 19 April 2006 establishing standard forms for the transmission of applications and decisions pursuant to Council Directive 2004/80/EC relating to compensation to crime victims (OJ L 125 of 12 May 2006, p. 25);
- ▶ Regulation (EC) No 805/2004 of the European Parliament and of the Council of 21 April 2004 creating a European Enforcement Order for uncontested claims (OJ L 143 of 30 April 2004, p. 15);
 - Commission Regulation (EC) No 1869/2005 of 16 November 2005 replacing the Annexes to Regulation (EC) N° 805/2004 of the European Parliament and of the Council creating a European Enforcement Order for uncontested claims (OJ L 300 of 17 November 2005, p. 6);
- Council Decision 2006/325/EC of 27 April 2006 concerning the conclusion of the Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters (OJ L 120 of 5 May 2006, p. 22);
 - ❖ Information concerning the date of entry into force of the Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters (OJ L 94 of 4 April 2007, p. 70)⁷⁸;
- Council Decision 2006/326/EC of 27 April 2006 concerning the conclusion of the Agreement between the European Community and the Kingdom of Denmark on the service of judicial and extrajudicial documents in civil and commercial matters (OJ L 120 of 5 May 2006, p. 23);
 - ❖ Information concerning the date of entry into force of the Agreement between the European Community and the Kingdom of Denmark on the service of judicial and extrajudicial documents in civil and commercial matters (OJ L 94 of 4 April 2007, p. 70)⁷⁹;
- ⌘ Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters (OJ L 149 of 12 June 2009, p. 80);
- Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure (OJ L 399 of 30 December 2006, p. 1);
- ❖ Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure (OJ L 199 of 31 July 2007, p. 1);
- ❖ Regulation (EC) No 864/2007 of the European Parliament and of the Council of 11 July 2007 on the law applicable to non-contractual obligations (Rome II) (OJ L 199 of 31 July 2007, p. 40);
- ◆ Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters (OJ L 136 of 24 May 2008, p. 3);
- ❖ Decision No 1149/2007/EC of the European Parliament and of the Council of 11 July 2007 establishing for the period 2007-2013 the Specific Programme Civil Justice as part of the General Programme Fundamental Rights and Justice (OJ L 257 of 3 October 2007, p. 16);
- ◆ Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I) (OJ L 177 of 4 July 2008, p. 6);
 - ⌘ Commission Decision 2009/26/EC of 22 December 2008 on the request from the United Kingdom to accept Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations (Rome I) (OJ L 10 of 15 January 2009, p. 22)⁸⁰;
- ⌘ Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations (OJ L 7 of 10 January 2009, p. 1);
 - ⌘ Commission Decision 2009/451/EC of 8 June 2009 on the intention of the United Kingdom to accept Council Regulation (EC) No 4/2009 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations (OJ L 149 of 12 June 2009, p. 73)⁸¹.

⁷⁸ Entry into force on 1 July 2007.

⁷⁹ Entry into force on 1 July 2007.

⁸⁰ Notified under document number C(2008) 8554.

⁸¹ Notified under document number C(2009) 4427.

C. Other European Union Instruments and documents

- Programme of measures for implementation of the principle of mutual recognition of decisions in civil and commercial matters (OJ C 12 of 15 January 2001, p. 1);
 - ▶ Communication of the European Commission launching a European Day of Civil Justice (C(2003)1553 of 8 May 2003);
- Group of experts on the property consequences of marriage and other forms of union and on succession and wills in the European Union ("PRM-III/IV") (OJ C 51 of 1 March 2006, p. 3).

D. Other Conventions

- 2006/719/EC: Council Decision of 5 October 2006 on the accession of the Community to the Hague Conference on Private International Law (OJ L 297 of 26 October 2006, p. 1).