Table of contents

Seri	es Edit	ors' Preface	V
Pref	cace		vii
Tab	le of El	J Cases (Chronological)	xlix
Tab	le of El	J Cases (Alphabetical)	lv
Tab	le of Le	egislation	lxi
The	Deve	lopment of EU Private International Law: Instruments,	
AAA		ciples, Rules	1
1.	Соор	eration in the Field of Justice and Home Affairs Under the Treaty of	
	_	tricht	1
2.	The A	rea of Freedom, Security and Justice in the Treaty of Amsterdam	3
3.		al Cooperation on Civil Matters in the Treaty of Lisbon	5
4.	The T	ype of Acts to be Adopted on the Basis of Article 81 TFEU	6
5.	The P	rocedure for the Adoption of Acts Based upon Article 81 TFEU	7
6.	The J	udicial Control over Acts Based upon Article 81 TFEU	8
7.		osition of Certain Member States and Enhanced Cooperations	10
8.	The S	cope of Judicial Cooperation on Civil Matters: Actions Already	
	Perfo	rmed and Plans for the Future	12
	8.1.	The Vienna Action Plan of 1998	13
	8.2.	The Conclusions of the European Council at Tampere (1999)	14
	8.3.	The Draft Programme of 2000	16
	8.4.	The Hague Programme of 2004	19
	8.5.	The Stockholm Programme of 2009	20
9.	The R	Relationship of Article 65 EC and Article 81 TFEU with other	
	Provi	sions of the Treaty	22
	9.1.	The Relationship with Article 293 EC	22
	9.2.	The Relationship with Article 114 TFEU (Formerly Article 95 EC)	23
10.	The C	Conflict-of-Law Rules Set Out in Acts Based upon Other Provisions of the	
	TFEU	J	25
11.	The 'C	Cross-Border Implications' of Judicial Cooperation in Civil Matters	29
12.	The E	xternal Dimension of EU Activities in the Field of Private	
	Interi	national Law: The Relationships with Third Countries	31
	12.1.	The ECJ Case-Law on External Powers	31
	12.2.	The Vienna Action Plan of 1998	32
	12.3.	The Hague Programme and the ECJ Opinion Concerning the Lugano	
		Convention	35
	12.4.	The New Procedures for the Negotiation and Conclusion of Agreements	
		between the Member States and Third Countries	37
	12.5.	The Extent of EU External Powers in case of Treaties on	
		Conflicts-of-Laws and on Judicial Assistance	38
	12.6.	The Accession to the Hague Conference on Private International	
		Law and Declarations of Competence	40

13.		
- 1	Law and EU Law	41
14.	Mutual Recognition, Conflict-of-Law Method and the Country-of-Origin	43
15	Principle Preliminary Considerations on the Function of EU Conflicts-of-Laws Rules,	43
	the Connecting Factors and the Relationship with Principles of EU Law	46
16.	Preliminary Remarks on the Solutions Adopted by the EU Conflicts Rules on Certain General Issues of Private International Law	51
	16.1 Characterisation	51
	16.2. Public Policy	54
	16.3. Provisions Which Cannot Be Derogated from by Agreement and	
	Overriding Mandatory Provisions	56
17.	Towards a EU System of Private International Law?	57
	CASES AND MATERIALS	
	General Provisions on Judicial Cooperation in Civil Matters	63
Gen	ieral provisions	62
		63
A.1.		0.5
A.2.	Treaty on the Functioning of the European Union: Articles 67, 68, 81, 114, 326-334	65
A.3.	Protocols to the Treaty on the European Union and to the Treaty on the Functioning of the European Union	70
	Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice: Article 1-6, 8	70
	Protocol (No 22) on the position of Denmark: Articles 1-3, 7-8, Annex	72
A.4.	Declarations annexed to the Final Act of the Intergovernmental Conference	76
	which adopted the Treaty of Lisbon, signed on 13 December 2007	70
	Declaration on non-participation by a Member State in a measure based on Title V of Part Three of the Treaty on the Functioning of the European	
	Union (No 26)	76
	Declaration concerning the Protocol on the position of Denmark (No 48)	76
		70
	Declaration by Ireland on Article 3 of the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice (No 56)	76
B.	Action Plan of the Council and the Commission on how best to implement the provisions of the Treaty of Amsterdam on an area of freedom, security and justice – Vienna Action Plan: Points 1-7, 9-11, 15-16, 19-20, 22-23, 39-41	77
C.	Presidency Conclusions, Tampere European Council, 15-16 October 1999:	
	Points 1-9, 28-39, 59-62	82

D.	Draft Programme of measures for implementation of the principle of mutual recognition of decisions in civil and commercial matters	8
E.	The Hague Programme: strengthening freedom, security and justice in the European Union	9
F.	The Stockholm Programme – An open and secure Europe serving and protecting the citizens, adopted by the European Council on 10-11	
	December 2009: Parts 1-3, 7	10
The e	external dimension	11
A.1.	Treaty on the Functioning of the European Union: Articles 2(1)-(2), 2(6), 3(2), 4(2)(j), 218, 351	11
A.2.	Protocols to the Treaty on the European Union and to the Treaty on the Functioning of the European Union	11
	Protocol (No 25) on the exercise of shared competence	11
A.3.	Declarations annexed to the Final Act of the Intergovernmental Conference which adopted the Treaty of Lisbon, signed on 13 December	
	2007	11
	Declaration in relation to the delimitation of competences (No 18)	11
	Declaration on Article 218 of the Treaty on the Functioning of the European Union concerning the negotiation and conclusion of international agreements by Member States relating to the area of freedom, security and justice (No 36)	11
B.1.	Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency	
	proceedings: Article 44.3 (Chapter V, A.1).	11
B.2.	Declaration by the Council (Chapter V, A.2)	11
C.1.	Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters: Articles 71-72 (Chapter IV, General provisions, A.1).	1 1
C.2.	Statements made at the meeting of the Council (JHA) of 14 December	11
U.Z.	2000	12
	Statement 1(a) (Chapter IV, General provisions, A.2)	12
C.3.	Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Chapter IV, General	
	provisions, A.4)	12
C.4	Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Chapter IV, General provisions, A.5)	12
C.5.	Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Chapter IV, General	
	provisions, B.4)	12

D.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: Articles 60-63 (Chapter XI, Matrimonial	
	matters, A.1)	120
D.2.	Statements and declarations made at the meeting of the Council (JHA) of 29 May 2000 (Chapter XI, Matrimonial matters, A.3)	121
		121
	 Statement by the Council 	
	 Statement by the Council Statement by the Commission on Article 16 	121
	3. Statement by the Commission on Article 16	121
	4. Declaration by the United Kingdom	121
	5. Statement by the United Kingdom	121
	6. Declaration by the United Kingdom	121
E.	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: Article 22 (Chapter IV, General provisions, C)	121
F.	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): Article 28 (Chapter VII, General provisions, A.1)	121
G.	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): Articles 25-26 (Chapter VI, General provisions, A.1)	121
H.	The Hague Programme: strengthening freedom, security and justice in the European Union: Points 3.4.13.4.5 (Chapter I, General provisions, E)	121
I.	Council of the European Union, Aspects of Judicial Cooperation in Civil Matters in the Framework of the Strategy for the External Dimension of JHA: Global Freedom, Security and Justice	122
J.1.	Council Decision of 5 October 2006 on the accession of the Community to the Hague Conference on Private International Law	126
J.2.	Declaration of competence of the European Community specifying the matters in respect of which competence has been transferred to it by its Member States	127
T 2		12/
J.3.	Declaration by the Community on certain matters concerning the Hague Conference on Private International law	129
J.4.	Statute of the Hague Conference on Private International Law	130
J.5.	European Parliament Resolution on the involvement of the European Parliament in the work of the Hague Conference following the accession	
	of the Community	131

K.	Regulation (EC) No 662/2009 of the European Parliament and of the Council of 13 July 2009 establishing a procedure for the negotiation and conclusion of agreements between Member States and third countries on particular matters concerning the law applicable to contractual and non-contractual obligations	132
L.	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 judgments 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	139
M.	The Stockholm Programme – An open and secure Europe serving and protecting the citizens, adopted by the European Council on 10-11 December 2009: Part 7 (Chapter I, General provisions, F)	140
N.1.	Proposal for a Council Decision on the Conclusion by the European Community of the Agreement on the Accession of the European	1 1
	Community to the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980, as amended by the Vilnius Protocol of 3 June 1999	14
NT O		14
N.2.	Agreement on the accession of the European Community to the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980, as amended by the Vilnius Protocol of 3 June 1999	14'
N.3.	Declaration by the European Community concerning the exercise of competence	149
N.4.	Declaration by the European Community in accordance with Article 42 of COTIF	152
N.5.	Internal Arrangements between the Council, the Member States and the Commission for the participation of the Community and its Member States in meetings held under the Convention concerning International	
	Carriage by Rail 1999	152
O.	ECJ case-law	15:
	ECJ, judgment 31 March 1971, case 22/70, EART	15:
	ECJ, judgment 14 July 1976, cases 3, 4 and 6/76, Kramer	150
	ECJ, opinion No 1/76 of 26 April 1977, Draft Agreement on a European laying-up fund for inland waterway vessels	150
	ECJ, opinion No 2/92 of 24 March 1994, Third Revised Decision of the OECD on national treatment	15'
	ECJ, opinion No 2/91 of 19 March 1993, ILO Convention	15'
	ECJ, judgment 5 November 2002, case C-467/98, Commission v Denmark	158
	ECJ, judgment 19 March 2002, case C-13/00, Commission v Ireland	159
	ECI, opinion No 1/03 of 7 February 2006, Lugano Convention	160

	ECJ, judgment 30 May 2006, case C-459/023, Commission v Ireland	167
	ECJ, judgment 22 October 2009, case C-301/08, Bogiatzi	169
II	Fundamental Rights, Public Policy and Overriding Mandatory	
	Provisions	171
Fun	idamental rights	171
A.1	Treaty on the European Union: Article 6	171
A.2	Treaty on the Functioning of the European Union: Articles 8, 18, 28, 30, 34-36, 45, 49, 52, 54, 56-58, 62-65, 101-103, 157	171
B.	Joint Declaration by the European Parliament, the Council and the Commission	177
C.	Declaration against racism and xenophobia	177
D.	Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin	178
E.	Charter of Fundamental Rights of the European Union	184
F.	The Hague Programme: strengthening freedom, security and justice in the European Union (Chapter I, General provisions, E)	193
G.	The Stockholm Programme – An open and secure Europe serving and protecting the citizens, adopted by the European Council on 10-11 December 2009: Parts 1.1, 2.1, 2.3.1, 7.2 (Chapter I, General provisions, F)	193
H.	ECJ case-law regarding the Charter and EU private international law provisions	193
	CJ, judgment 5 October 2010, case C-400/10 PPU, McB	193
Prir	nciple of non-discrimination on grounds of nationality	195
A.	Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market: Articles 3(2),	
	16-18(1), 18(3), 20	195
B.	ECJ case-law	198
	ECJ, judgment 12 February 1974, case 152/73, Sotgiu	198
	ECJ, judgment 2 February 1989, case 186/87, Cowan	198
	ECJ, judgment 30 April 1996, case C-214/94, Boukhalfa	200
	ECJ, judgment 2 October 1997, case C-122/96, Saldanha	201
	ECJ, judgment 10 June 1999, case C-430/97, <i>Johannes</i> (Chapter XI, Matrimonial matters, B.3)	203
	ECJ, judgment 30 June 2005, case C-28/04, <i>Tod's</i>	203
	ECJ, judgment 25 July 1991, case C-221/89, Factortame II	204

Princ	ciple of equal treatment of men and women	205
A.	Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security (Omissis)	205
B.	Council Directive 86/613/EEC of 11 December 1986 on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a	
	self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood (Omissis)	205
C.	Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC amended by the Council Directive 97/75/EC of 15 December 1997 (Omissis)	205
D.	Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (Omissis)	205
E.	Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in	
F.	matters of employment and occupation (recast) (Omissis) Council Regulation (EU) N 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation: Recitals 16, 24-25, 30, Article 10 (Chapter XI, Matrimonial	206
G.	matters, B.2) ECJ case-law	206 206
U.	EC) case-law ECJ, judgment 8 April 1976, case 43/75, Defrenne	206
	ECJ, judgment 7 May 1990, case C-262/88, Barber ECJ, judgment. 7 January 2004, case C-117/01, K.B.	208208208
Due	process	210
Α.	ECJ case-law	210
	ECJ, judgment 28 March 2000, case C-7/98, Krombach	210
	ECJ, judgment 2 April 2009, case C-394/07, Gambazzi	212
	ic policy, provisions which cannot be derogated from by agreement and riding mandatory provisions of EU law	214
A.1.	Council Regulation (EC) No 2271/96 of 22 November 1996 protecting against the effects of the extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom:	
	Recitals [1-5]; Articles 1, 4-6, 11	214

A.2.	Joint Action of 22 November 1996 No 96/668/CFSP 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	216
B.	Council Regulation (EC) No 2238/2003 of 15 December 2003 protecting against the effects of the application of the United States Anti-Dumping Act of 1916, and actions based thereon or resulting therefrom	217
C.	Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles 81 and 82 of the Treaty: Article 16(1)	219
D.	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): Article 14(3) (Chapter VII, A.1)	219
E.	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): Article 3(4) (Chapter VI, General provisions, A.1)	219
F.	ECJ case-law	220
	ECJ, judgment 1 June 1999, case C-126/97, Eco Swiss	220
	ECJ, judgment 13 July 2006, joined cases C-295/04 to C-298/04, Manfredi	220
	ECJ, judgment 14 December 2000, case C- 344/98, Masterfoods	221
	ECJ, judgment 26 October 2006, case C-168/05, Mostaza Claro	221
	ECJ, judgment 6 October 2009, case C-40/08 Asturcom Telecomunicaciones	221
	ECJ, judgment 11 May 2000, case C-38/98, Renault	222
	ECJ, judgment 9 November 2000, case C-381/98, Ingmar	222
Publi	c policy of Member States	224
A.	Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings: Article 26 (Chapter V, A.1)	224
B.	Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters: Articles 34-35, 57 (Chapter IV, General provisions, A.1)	224
C.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: Articles 22(a), 23(a), 24 (Chapter XI, Matrimonial matters, A.1)	224
C.2.	Proposal for a Council Regulation amending Regulation (EC) No 2201/2003 as regards jurisdiction and introducing rules concerning applicable law in matrimonial matters: Article 1(7) (Chapter XI, Matrimonial matters, A.6)	225
D.	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): Recital 32, Article 26 (Chapter VII, A.1)	225

E.	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): Article 21 (Chapter VI, General provisions, A.1)	225
F.	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: Article 24(a) (Chapter XI, Maintenance obligations, A.1)	225
G.	Council Regulation (EU) N 1259/2010 of 20 December 2010 implementing	
J ,	enhanced cooperation in the area of the law applicable to divorce and legal separation: Recitals 24-25, Article 12 (Chapter XI, Matrimonial matters, B.2)	225
H.	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: Recital 24, Articles 27, 30, 34-35	
	(Chapter XII, A)	225
I.	ECJ case-law	226
	ECJ, judgment 27 October 1977, case 30/77, Bouchereau	226
	ECJ, judgment 14 October 2004, case C-36/02, Omega	226
	ECJ, judgment 23 November 1999, joined cases C-369/96 to C-376/96, Arblade	226
	ECJ, judgment 6 October 2009, case C-40/08 <i>Asturcom Telecomunicaciones</i> (this Chapter, Public policy of the EU, F)	227
	Citizenship of the Union, Citizenship of the Member States and Dual Nationality	229
Citiz	zenship of the Union	229
A.1.	Treaty on the European Union: Article 9	229
A.2.	Treaty on the Functioning of the European Union: Articles 20-25	229
B.	The Hague Programme: strengthening freedom, security and justice in the European Union: Point III(1)(1) (Chapter I, General provisions, E)	231
C.	The Stockholm Programme – An open and secure Europe serving and protecting the citizens, adopted by the European Council on 10-11 December 2009: Parts 1 and 2 (Chapter I, General provisions, F)	231
D.	Charter of Fundamental Rights of the European Union: Articles 39-46 (Chapter II, Fundamental rights, E)	231
E.	ECJ case-law	231
	ECJ, judgment 20 September 2001, case C-184/99, Grzelczyk	231
	ECJ, judgment 17 September 2002, case C-413/99, Baumbast	232
	ECJ, judgment 11 July 2002, case C-224/98, D'Hoop	233
	ECJ, judgment 23 March 2004, case C-138/02, Collins	233
	ECJ, judgment 29 April 2004, case C-224/02, Pusa	234

Citiz	enship of the Member States, dual nationality and European Union law	234
A.	ECJ case-law	234
	ECJ, judgment 7 July 1992, case C-369/90, Micheletti	235
	ECJ, judgment 20 February 2001, case C-192/99, Kaur	235
	ECJ, judgment 19 October 2004, case C-200/02, Chen	236
	ECJ, judgment 20 February 1975, case 21/74, Airola	237
	ECJ, judgment 20 February 1975, case 37/74, Van den Broeck	238
	ECJ, judgment 14 December 1979, case 257/78, Devred, née Kenny-Levick	238
	ECJ, judgment 12 May 1998, case C-336/96, Gilly	239
	ECJ, judgment 7 July 1992, case C-369/90, Micheletti	239
	ECJ, judgment 2 October 2003, case C-148/02, Garcia Avello	240
	ECJ, judgment 16 July 2009, case C-168/08, Hadadi	241
	ECJ, judgment 2 October 1997, case C-122/96, Saldanha	244
	CJ, judgment 2 March 2010, case C-135/08, Rottmann	245
IV	Jurisdiction, Recognition and Enforcement of Judgments in Civil	
	and Commercial Matters	247
Gene	eral provisions	247
A.1.	Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial	
	matters	247
A.2.	Statements made at the meeting of the Council (JHA) of 14 December 2000	280
	1. Joint Council and Commission statements	280
	a) Statement on Articles 71 and 72 and on the negotiations	
	within the framework of the Hague Conference on Private International Law	280
	b) Statement on Articles 15 and 73	281
	2. Joint statement by the Grand Duchy of Luxembourg and the	
	Commission	282
	3. Statement by the United Kingdom	282
A.3.	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 judgments in civil and commercial matters	2.83
A.4.	Agreement between the European Community and the Kingdom of Denmark	400
л.4.	on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters	284
A.5.	Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and	
	commercial matters	291

A.6.	Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings: Recital 7, Article 25 (Chapter V, A.1)	292
A.7.	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: Recitals 9, 11 (Chapter XI, Matrimonial	
	matters, A.1)	292
A.8.	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: Recitals 9-10, 15-16, 26, Articles 3-43, 68, 75 (Chapter XI, Maintenance obligations, A.1)	292
A.9.	Council Regulation (EC) No 2271/96 of 22 November 1996 protecting against the effects of the extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom: Article 6 (Chapter II, Public policy of the EU, A.1)	292
A.10.	Commission decision on general implementing provisions concerning persons to be treated as dependent children (Article 2(4) of Annex VII to the Staff Regulations): Article 3 (Chapter XI, Maintenance obligations, D)	292
A.11.	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: Recitals 4, 11-16, 25-26, Articles 3-15, 29-35	
	(Chapter XII, A)	293
A.12.	Proposal for a regulation of the European Parliament and of the Council on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (recast)	293
A.13.	ECJ case-law regarding Regulation (EC) No 44/2001	319
B.1.	Council Decision 2009/430/EC of 27 November 2008 concerning the conclusion of the Convention on jurisdiction and the recognition and	
T) 0	enforcement of judgments in civil and commercial matters	370
	Declaration by the European Community	372
B.3.	Declaration by the European Community in accordance with Article II(2) of Protocol 1 to the Convention	372
B.4.	Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters	373
B.5.	Statements made at the meeting of the Council (LSA) of 24 September 1996: Statement 2(a) (Chapter VI, Employment and agency, B.2)	380
B.6.	ECJ case-law regarding the Lugano Convention	380
	ECJ, opinion 7 February 2006, n. 1/03: Points 134-173 (Chapter I, The external dimension, O)	380
	ECJ, judgment 2 April 2009, case C-394/07, <i>Gambazzi</i> (Chapter II, Due process, A)	380

C.	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	381
D.	Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment	202
	procedure	392
E.	Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure	404
F.	Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence	414
G.	Council Regulation (EC) No 2238/2003 of 15 December 2003 protecting against the effects of the application of the United States Anti-Dumping Act of 1916, and actions based thereon or resulting therefrom: Recitals 1-9, Article 1 (Chapter II, Public policy of the EU, B)	421
H.	Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties: Article 1(b)	421
I.	Directive 2000/35/EC of the European Parliament and of the Council of 29 June 2000 on combating late payment in commercial transactions: Articles 4(1), 5	422
L.	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	422
M.	Green paper on improving the efficiency of the enforcement of judgments in the European Union: the attachment of bank accounts: Points 1.1, 3.5, 5.1, 5.4	429
N.1.	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	431
N.2.	Convention on choice of court agreements	432
	Declaration by the European Community in accordance with Article 30 of the	442
	Convention on Choice of Court Agreements	442
O.	Convention on the international recovery of child support and other forms of family maintenance: Articles 1-3, 18-34, 36-37 (Chapter XI, Maintenance	
	obligations, H.2)	442
Empl	oyment	443
Α.	Directive 96/71/EC of the European Parliament and of the Council of 16	
	December 1996 concerning the posting of workers in the framework of the provision of services: Article 6 (Chapter VI, Employment and agency, B.1)	443
Consi	umers	443
Α.	Regulation (EC) No 2006/2004 of the European Parliament and of the	
	Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (the	

	Regulation on consumer protection cooperation): Recitals 2-3, Article 2(2)-2(6)	443
B.	Directive 2009/22/EC of the European Parliament and of the Council of 23 April 2009 on injunctions for the protection of consumers' interests	
	(Codified version): Recital 7 (Chapter VII, E)	444
Carri	age	444
A.1.	Council Decision 2001/539/EC of 5 April 2001 on the conclusion by the European Community of the Convention for the Unification of Certain Rules for International Carriage by Air (the Montreal Convention)	444
A.2.	Convention for the Unification of Certain Rules for International Carriage by Air (the Montreal Convention): Articles 1-2, 29, 33-35, 45-47, 49	445
A.3.	ECJ case-law regarding the Montreal Convention	447
	ECJ, judgment 9 July 2009, case C-204/08, Rehder	447
B.1.	Proposal for a Council Decision concerning the conclusion by the European Community of the Protocol of 2002 to the Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 1974: Recital 3, Article 1	448
B.2.	Protocol of 2002 to the Athens Convention Relating to the Carriage of Passengers and their Luggage by Sea, 1974: Articles 10-11	448
C.1.	Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 in the version of the Protocol of Modification of 3 June 1999: Article 12 (Chapter VI, Carriage, D.1)	449
C.2.	Uniform Rules concerning the Contract of International Carriage of Passengers by Rail (CIV – Appendix A to the Convention): Articles 57, 63 (Chapter VI, Carriage, D.2)	449
C.3.	Uniform Rules concerning the Contract of International Carriage of Goods by Rail (CIM Appendix B to the Convention): Articles 46, 51 (Chapter VI, Carriage, D.3)	449
C.4.	Uniform Rules concerning Contracts of Use of Vehicles in International Rail Traffic (CUV – Appendix D to the Convention): Article 11 (Chapter VI, Carriage, D.4)	450
C.5.	Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI – Appendix E to the Convention): Article 24 (Chapter VI, Carriage, D.5)	450
Trans	fer of personal data	450
A.	Commission Decision 2001/497/EC of 15 June 2001 on standard contractual clauses for the transfer of personal data to third countries, under Directive 95/46/EC: Recital 21, Clause 7 (Chapter XI, Right to protection of personal	
	data, A.2)	450

В.	Commission Decision 2010/87/EU of 5 February 2010 on standard contractual clauses for the transfer of personal data to processors established in third countries under Directive 95/46/EC of the European Parliament and of the Council: Recital 21, Clause 7 (Chapter XI, Right to protection of personal data, A.3)	450
Cultu	ral goods	450
A.	Council Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State: Articles 1-2, 5 (Chapter VIII, Rights on cultural goods, B)	450
IP rig		451
A.	Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights: Articles 24, 67, 72-74, 86, 101-107 (Chapter VIII, IP rights, A)	451
В.	Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs: Articles 30, 55, 60-61, 71, 79-87, 89-95 (Chapter VIII, IP rights, B)	451
C.	Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark: Recitals 16-17, Articles 20, 65, 86, 94-109, 118, 130-135 (Chapter VIII, IP rights, C)	451
D.	Commission Regulation (EC) No 874/2004 of 28 April 2004 laying down public policy rules concerning the implementation and functions of the .eu Top Level Domain and the principles governing registration: Recitals 5, 16-17, Articles 5, 18 (Chapter VIII, IP rights, D.2)	451
E.	Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights: Recital 11 (Chapter VIII, IP rights, F)	451
F.1.	Proposal for a Council Regulation on the European Union patent: Recital 7 (Chapter VIII, IP rights, I.1)	452
F.2.	Draft Agreement on the European and Community Patents Court and Draft Statute: Articles 15-17, 34(a)-35(b), 37-39, 41, 45, 48, 56 (Chapter VIII, IP rights, I.2)	452
Envir	onmental damages	452
A.	Directive 2004/35/EC of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage: Recital 10, Article 3	452
B.1.	Council Decision 2002/762/EC of 19 September 2002 authorising the Member States, in the interest of the Community, to sign, ratify or accede to the International Convention on Civil Liability for Bunker Oil Pollution	1 - 0
B.2.	Damage, 2001 (the Bunkers Convention) International Convention on Civil Liability for Bunker Oil Pollution	453
	Damage, 2001 (the Bunkers Convention): Articles 1-4, 9-11	455
C.1.	Council Decision 2002/971/EC of 18 November 2002 authorising the Member States, in the interest of the Community, to ratify or accede to the International Convention on Liability and Compensation for Damage in	

	Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996 (the HNS Convention)	457
C.2.	International Convention on liability and compensation for damage in connection with the carriage of hazardous and noxious substances by sea, 1996 (HNS Convention): Articles 1-5, 7-8, 38-40, 42	459
D.1.	Council Decision 2004/246/EC of 2 March 2004 authorising the Member States to sign, ratify or accede to, in the interest of the European Community, the Protocol of 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992, and authorising Austria and Luxembourg, in the interest of the European	
	Community, to accede to the underlying instruments: Recitals 1-3, 6-8, Article 1	466
D.2.	Protocol of 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992: Articles 7-9	468
D.3.	Protocol of 1992 to amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage of 1971: Article 8	470
E.1.	Council Decision 2004/294/EC of 8 March 2004 authorising the Member States which are Contracting Parties to the Paris Convention of 29 July 1960 on Third Party Liability in the Field of Nuclear Energy to ratify, in the	
	interest of the European Community, the Protocol amending that Convention, or to accede to it: Recitals 4-8, 11-12, Article 1	470
E.2.	Protocol to amend the Convention on Third Party Liability in the Field of Nuclear Energy of 29 July 1960, as amended by the Additional Protocol of 28 January 1964 and by the Protocol of 16 November 1982: Points M-N	471
F.1.	Proposal for a Council Decision concerning conclusion on behalf of the European Community of a Framework Agreement on a Multilateral Nuclear Environmental Programme in the Russian Federation and of the Protocol on Claims, Legal Proceedings and Indemnification to the Framework Agreement on a Multilateral Nuclear Environmental Programme in the	
F.2.	Russian Federation: Article 1 Framework agreement on a Multilateral Nuclear Environmental	473
	Programme in the Russian Federation: Article 7	473
F.3.	Protocol on Claims, Legal Proceedings and Indemnification to the Framework Agreement on a Multilateral Nuclear Environmental Programme in the Russian Federation: Articles 1-2	474
Intere	ests in goods and equipment	475
A.1.	Council Decision 2009/370/EC of 6 April 2009 on the accession of the European Community to the Convention on international interests in mobile equipment and its Protocol on matters specific to aircraft equipment, adopted jointly in Cape Town on 16 November 2001: Recitals 5, 9, Articles 1-3	
	(Chapter VIII, Interests in goods and equipment, A.1)	475

A.2.	General declarations concerning the competence of the European Community to be made by the Community at the time of accession to the Convention on international interests in mobile equipment (Cape Town Convention) and the Protocol on matters specific to aircraft equipment (Aircraft Protocol), adopted jointly in Cape Town on 16 November 2001: Paragraphs 5-6 (Chapter VIII, Interests in goods and equipment, A.2)	475
A.3.	Declarations to be made by the European Community at the time of accession to the Convention on international interests in mobile equipment (Cape Town Convention) and the Protocol on matters specific to aircraft equipment (Aircraft Protocol) concerning certain provisions and measures contained therein (Chapter VIII, Interests in goods and equipment, A.3)	476
A.4.	Convention on international interests in mobile equipment: Articles 42-45, 53, 55-56 (Chapter VIII, Interests in goods and equipment, A.4)	476
A.5.	Protocol to the Convention on international interests in mobile equipment on matters specific to aircraft equipment: Articles XXI-XXII, XXX(1), XXX(5), XXXI-XXXII (Chapter VIII, Interests in goods and equipment, A.5)	476
	Council Decision 2009/940/EC on the signing by the European Community of the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock, adopted in Luxembourg on 23 February 2007: Recital 6 (Chapter VIII, Interests in goods and equipment, A.6)	476
A.7.	Declaration to be made pursuant to Article XXII(2) concerning the competence of the European Community over matters governed by the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock (the 'Rail Protocol'), adopted in Luxembourg on 23 February 2007, in respect of which the Member States have transferred their competence to the Community: Paragraph 5 (Chapter VIII, Interests in goods and equipment, A.7)	476
A.8.	Luxembourg protocol to the convention on international interests in mobile equipment on matters specific to railway rolling stock: Articles VIII(3), XVIII, XXVII(2), XXIX(1) (Chapter VIII, Interests in goods and equipment, A.8)	477
Social	security	477
A.	Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems: Recital 20 (Chapter X, A.2)	477
Other	relevant instruments	477
A.	Commission Interpretative Communication – Freedom to Provide Services and the Interest of the General Good in the Second Banking Directive (Chapter IX, General provisions, O)	477

B.	Commission Interpretative Communication – Freedom to provide services and the general good in the insurance sector (Chapter IX, General provisions, P)	477
C.	Commission notice – Guidelines on Vertical Restraints: Paragraphs 51-52	478
D.	Commission Notice on the co-operation between the Commission and the courts of the EU Member States in the application of Articles 81 and 82 EC: Points 2-3 (Chapter VII, M)	479
E.	Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market (Directive on electronic commerce): Recital 19, Article 1(4) (Chapter IX, General provisions, D)	479
F.	Directive 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability (codified version): Recitals 32, 35, 37-38, Articles 1,	
	21(6) (Chapter VII, H)	479
\mathbf{V}	Insolvency Proceedings	481
A.1.	Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency	
	proceedings	481
A.2.	Declaration by the Council	507
A.3.	Declaration by Portugal concerning the application of Articles 26 and 37 of Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings	507
A.4.	Form for lodgement of claim	507
A.5.	Information notice 'Invitation to lodge a claim. Time limits to be observed'	508
A.6.	ECJ case-law regarding Regulation (EC) No 1346/2000	508
B.	Directive 2001/24/EC of the European Parliament and of the Council of 4 April 2001 on the reorganisation and winding up of credit institutions	514
C.	Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (recast): Recitals 105, 116-130, Articles 1, 160-161, 267-296	526
D.	Council Regulation (EEC) No 2137/85 of 25 July 1985 on the European Economic Interest Grouping (EEIG): Articles 35-36 (Chapter IX, Supranational legal entities, A)	545
E.	Council Regulation (EC) No 2157/2001 of 8 October 2001 on the Statute for a European company (SE): Articles 8, 63-65 (Chapter IX, Supranational legal	
	entities, B.1)	545

F.	Council Regulation (EC) No 1435/2003 of 22 July 2003 on the Statute for a European Cooperative Society (SCE): Articles 72-75 (Chapter IX, Supranational legal entities, C.1)	545
G.	Proposal for a Council Regulation on the statute for a European private company: Recital 6, Articles 35, 40 (Chapter IX, Supranational legal entities, D)	545
H.	Directive 2008/94/EC of the European Parliament and of the Council of 22 October 2008 on the protection of employees in the event of the insolvency of their employer (Codified version): Recital 4, Articles 1-2, 9-10	546
I.	Directive 98/26/EC of the European Parliament and of the Council of 19 May 1998 on settlement finality in payment and securities settlement systems	547
J.1.	Directive 2002/47/EC of the European Parliament and of the Council of 6 June 2002 on financial collateral arrangements: Recitals 5-6, Articles 1-2, 8-9 (Chapter VIII, Rights on financial instruments, C.1)	555
J.2.	Statement of the Council's reasons attached to the Common Position (EC) No 32/2002 adopted by the Council on 5 March 2002: Points III.8-III.9 (Chapter VIII, Rights on financial instruments, C.2)	555
K.	Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights: Article 25 (Chapter VIII, IP rights, A)	555
L.	Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs: Articles 31, 33 (Chapter VIII, IP rights, B)	555
M.	Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark: Articles 21, 23 (Chapter VIII, IP rights, C)	555
N.	Proposal for a Council Regulation on the European Union patent: Article 18 (Chapter VIII, IP rights, I.1)	556
O.1.	Council Decision 2009/370/EC of 6 April 2009 on the accession of the European Community to the Convention on international interests in mobile equipment and its Protocol on matters specific to aircraft equipment, adopted jointly in Cape Town on 16 November 2001: Recitals 5, 10 (Chapter VIII, Interests in goods and equipment, A.1)	556
O.2.	General declarations concerning the competence of the European Community to be made by the Community at the time of accession to the Convention on international interests in mobile equipment (Cape Town Convention) and the Protocol on matters specific to aircraft equipment (Aircraft Protocol), adopted jointly in Cape Town on 16 November 2001: Paragraphs 5-6 (Chapter VIII, Interests in goods and equipment, A.2)	556
O.3.	Convention on international interests in mobile equipment: Articles 30, 37, 45 (Chapter VIII, Interests in goods and equipment, A.4)	556
O.4.	Protocol to the Convention on international interests in mobile equipment on matters specific to aircraft equipment: Articles XI-XII, XXX (Chapter VIII,	
	Interests in goods and equipment, A.5)	556

0.5.	Council Decision 2009/940/EC on the signing by the European Community of the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock, adopted in Luxembourg on 23 February 2007: Recital 6 (Chapter VIII, Interests in	
	goods and equipment, A.6)	557
0.6.	Declaration to be made pursuant to Article XXII(2) concerning the	
	competence of the European Community over matters governed by the Protocol to the Convention on International Interests in Mobile Equipment	
	on Matters Specific to Railway Rolling Stock (the 'Rail Protocol'), adopted in Luxembourg on 23 February 2007, in respect of which the Member States have	
	transferred their competence to the Community: Paragraph 5 (Chapter VIII,	
	Interests in goods and equipment, A.7)	557
0.7.	Luxembourg Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock: Articles III, IX-X,	
	XXVII (Chapter VIII, Interests in goods and equipment, A.8)	557
VI	Law Applicable to Contractual Obligations	559
Gener	ral provisions	559
A.1.	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)	559
A.2.	Statements made at the meeting of the Council (JHA) of 5-6 June 2008	574
	1. Statement by the Council and the Commission re the law applicable to insurance contracts	574
\$ P	2. Statement by the French delegation re Article 6 of Rome I on the law applicable to consumers	574
A.3.	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: Recital 9 (Chapter XII, A)	574
B.1.	Convention on the law applicable to contractual obligations opened for signature in Rome on 19 June 1980	575
B.2.	First Protocol on the interpretation by the Court of Justice of the European Communities of the Convention on the law applicable to contractual	
	obligations, opened for signature in Rome on 19 June 1980	586
B.3.	Second Protocol conferring on the Court of Justice of the European	
	Communities certain powers to interpret the Convention on the law	
	applicable to contractual obligations, opened for signature in Rome on 19 June 1980	590
B.4.	Commission Opinion of 17 March 1980 concerning the draft Convention	
	on the law applicable to contractual obligations	591

B.5.	Commission Recommendation of 15 January 1985 concerning the Convention of 19 June 1980 on the law applicable to contractual obligations	594
B.6.	ECJ case-law regarding the 1980 Rome Convention	596
C.	Other relevant instruments	597
	 Commission Communication - Freedom to Provide Services and the Interest of the General Good in the Second Banking Directive (Chapter IX, General provisions, O) 	597
	2. Commission Interpretative Communication -Freedom to provide services and the general good in the insurance sector (Chapter IX, General provisions, P)	597
	3. Commission notice – Guidelines on Vertical Restraints: paragraphs 51-52 (Chapter IV, Other relevant instruments, C)	598
	4. Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce') Recital 19, Article 1(4) (Chapter IX, General provisions, D)	598
D.	Regulation (EC) No 662/2009 of the European Parliament and of the Council of 13 July 2009 establishing a procedure for the negotiation and conclusion of agreements between Member States and third countries on particular matters concerning the law applicable to contractual and non-contractual obligations (Chapter I, The external dimension, K)	598
E.	ECJ case-law on the law applicable to contractual obligations	598
	ECJ, judgment 26 November 1985, case 318/81, Commission v CO.DE.MI.	598
	ECJ, judgment 10 July 2003, case C-87/01 P, Commission v CCRE	599
	ECJ, judgment 8 July 2004, C-127/03, Commission v Trendsoft	599
	ECJ, judgment 12 May 2005, case C-315/03, Commission v Huthamaki Dourdan	599
Empl	oyment and agency	600
A.	Council Directive 91/533/EEC of 14 October 1991 on an employer's obligation to inform employees of the conditions applicable to the contract	
	or employment relationship: Articles 1-2, 4, 6-7	600
B.1.	Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the	600
D 1	provision of services	602
B.2.	Statements made at the meeting of the Council (LSA) of 24 September 1996	608
	1. Statements by the Council and the Commission	608
	a) Re the Directive as a whole (Statement No 1)	608
	b) Re Article 1(3)(a) (Statement No 3)	608
	c) Re Article 1(3)(c) (Statement No 4)	608
	d) Re points (b) and (c) of the first subparagraph of Article 3(1) (Statement No 7)	609

	e) Re the first indent of Article 3(10) (Statement No 10)	609
	2. Statement by the Council	609
	a) Re Article 6 (Statement No 13)	609
В.3.	Communication from the Commission 'The implementation of Directive 96/71/EC in the Member States'	609
B.4.	Communication from the Commission 'Guidance on the posting of workers in the framework of the provision of services'	617
B.5.	Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market: Article 17(2) (Chapter II, Principle of non-discrimination, A)	623
B.6.	ECJ case-law	624
	ECJ, judgment 3 February 1982, joined cases 62 and 63/81, Seco	624
	ECJ, judgment 27 March 1990, case C-113/89, Rush Portuguesa	624
	ECJ, judgment 9 August 1994, case C-43/93, Vander Elst	625
	ECJ, judgment 23 November 1999, joined cases C-369/96 and C-376/96, Arblade	625
	ECJ, judgment 15 March 2001, case C-165/98, Mazzoleni	626
	ECJ, judgment 24 January 2002, case C-164/99, Portugaia Construções	627
	ECJ, judgment 14 April 2005, case C-341/02, Commission v Germany	627
	ECJ, judgment 12 October 2004, case C-60/03, Wolff&Müller	628
	ECJ, judgment 25 October 2001, joined cases C-49/98, C-50/98, C-52/98 to C-54/98 and C-68/98 to C-71/98, Finalarte	629
	ECJ, judgment 21 October 2004, case C-445/03, Commission v Luxembourg	630
	ECJ, judgment 19 June 2008, case C-319/06, Commission v Luxembourg	630
	ECJ, judgment 18 December 2007, case C-341/05, Laval	631
	ECJ, judgment 11 December 2007, case C-438/05, Viking	632
C.1.	Council Directive 86/653/EEC of 18 December 1986 on the coordination of the laws of the Member States relating to	
\sim	self-employed commercial agents	633
C.2.	ECJ case-law	639
	ECJ, judgment 9 November 2000, case C-381/98, <i>Ingmar</i> (Chapter II, Public policy of the EU, F)	639
Cons	sumer contracts	639
A.	Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts: Article 1-3, 6, 8	639
В.	Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997 on the protection of consumers in respect of distance contracts: Recitals 1-2, 23, Articles 1-3, 12-14	643

C.	Directive 1999/44/EC of the European Parliament and of the Council of 25 May 1999 on certain aspects of the sale of consumer goods and associated guarantees: Recitals 1-3, 22, Articles 1, 7-8	645
D.	Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market (Directive on electronic commerce): Recitals 11, 55-56, Article 3(3) (Chapter IX, General provisions, D)	646
E.	Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC: Recitals 2-8, 13, Articles 1-2, 3(1)(3)(e)-(f), 3(4), 12	647
F.	Regulation (EC) No 2006/2004 of the European Parliament and of the Council of 27 October 2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws: Article 2(2) (Chapter IV, Consumers, A)	649
G.	Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC: Recitals 1-4, 9, 37, Articles 1-3, 22	649
H.	Directive 2008/122/EC of the European Parliament and of the Council of 14 January 2009 on the protection of consumers in respect of certain aspects of timeshare, long-term holiday product, resale and exchange contracts: Recitals 1-4, 17-18, Articles 1-2, 12	654
I.	Directive 2009/22/EC of the European Parliament and of the Council of 23 April 2009 on injunctions for the protection of consumers' interests (Codified version): Recital 7, Article 2(2) (Chapter VII, E)	657
J.	Commission Recommendation of 30 July 1997 concerning transactions by electronic payment instruments and in particular the relationship between issuer and holder: Recital 8, Article 3(1)-(2)	657
K.	Commission Communication – Freedom to Provide Services and the Interest of the General Good in the Second Banking Directive (Chapter IX, General provisions, O)	657
L.	Commission Interpretative Communication – Freedom to provide services and the general good in the insurance sector (Chapter IX, General provisions, P)	657
M.	Proposal for a Directive of the European Parliament and of the Council on consumer rights: Recitals 1-2, 8-11, 59, Articles 1-4, 43	658
N.	Green Paper. Mortgage Credit in the EU: Paragraphs 1-2, 50-55, Annex II (paragraphs 19-21)	661
O.	ECJ case-law	662
	ECJ, judgment 9 September 2004, case C-70/03, Commission v Spain	662

Insur	ance contracts	663
A.	Directive 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability: Recital 35 (Chapter VII, H)	663
B.	Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (recast): Recital 88, Articles 178, 180, 183, 185-186	664
C.	Commission Interpretative Communication – Freedom to provide services and the general good in the insurance sector (Chapter IX, General provisions, P)	666
Sale	Provident, 7	666
A.	Directive 2000/35/EC of the European Parliament and of the Council of 29 June 2000 on combating late payment in commercial transactions: Article 4(1) (Chapter IV, General provisions, I)	666
В.	Convention on international interests in mobile equipment: Article 41 (Chapter VIII, Interests in goods and equipment, A.4)	666
C.	ECJ case-law	666
	ECJ, judgment 26 October 2006, case C-302/05, Commission v Italy	666
Carri	iage	667
A.	Regulation (EC) No 2027/97 of the Council of 9 October 1997 on air carrier liability in respect of the carriage of passengers and their baggage by air: Recitals 1-7, Articles 1-3	667
B.	Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC)	
C.	No 295/91: Recital 8, Articles 1-3, 13, 15 Convention for the Unification of certain Rules for International Carriage by Air (the Montreal Convention): Articles 47, 49 (Chapter IV, Carriage, A.2)	669
D.1.	Convention concerning International Carriage by Rail (COTIF) of 9 May	0/1
D.1.	1980 in the version of the Protocol of Modification of 3 June 1999: Articles 1-3, 6-8, 12	671
D.2.	Uniform Rules concerning the Contract of International Carriage of Passengers by Rail (CIV – Appendix A to the Convention): Articles 1, 3-5, 57, 62, 63	674
D.3.	Uniform Rules concerning the Contract of International Carriage of Goods by Rail (CIM – Appendix B to the Convention): Articles 1-5, 46, 48,	
	50-51	676

D.4.	Uniform Rules concerning Contracts of Use of Vehicles in International Rail Traffic (CUV – Appendix D to the Convention): Articles 1-2, 11	680
D.5.	Uniform Rules concerning the Contract of Use of Infrastructure in International Rail Traffic (CUI - Appendix E to the Convention):	
	Articles 1, 3-4, 24-25	681
Trans	efer of personal data	682
A.	Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market: Article 17(3) (Chapter II, Principle of non-discrimination, A)	682
B.1.	Commission Decision 2001/497/EC of 15 June 2001 on standard contractual clauses for the transfer of personal data to third countries, under Directive 95/46/EC (Chapter XI, Right to protection of personal data, A.2)	682
B.2.	Commission Decision 2010/87/EU of 5 February 2010 on standard contractual clauses for the transfer of personal data to processors established in third countries under Directive 95/46/EC of the European Parliament and of the Council (Chapter XI, Right to protection of personal data, A.3)	683
Contr	racts concerning IP rights	683
A.	Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights: Article 33 (Chapter VIII, IP rights, A)	683
B.	Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark (codified version): Articles 17, 118 (Chapter VIII, IP rights, C)	683
C.	Commission Regulation (EC) No 874/2004 of 28 April 2004 laying down public policy rules concerning the implementation and functions of the .eu Top Level Domain and the principles governing registration: Recital 5, Article 5(1) (Chapter VIII, IP rights, D.2)	683
D.	Proposal for a Council Regulation on the European Union patent: Articles 14-15 (Chapter VIII, IP rights, I.1)	683
Contr	acts concerning interests in goods and equipment	684
A.1.	Council Decision 2009/370/EC of 6 April 2009 on the accession of the European Community to the Convention on international interests in mobile equipment and its Protocol on matters specific to aircraft equipment, adopted jointly in Cape Town on 16 November 2001: Recital 5, 11-12; Articles 1-3	
	(Chapter VIII, Interests in goods and equipment, A.1)	684
A.2.	General declarations concerning the competence of the European Community to be made by the Community at the time of accession to the Convention on international interests in mobile equipment (Cape Town Convention) and the Protocol on matters specific to aircraft equipment (Aircraft Protocol), adopted jointly in Cape Town on 16 November 2001.	684
	I. Declaration made pursuant to Article 48(2) concerning the competence of the European Community over matters governed by the Convention	

	on international interests in mobile equipment (Cape Town Convention) in respect of which the Member States have transferred their competence to the Community: paragraph 5 (Chapter VIII, Interests in goods and equipment, A.2)	684
A.3.	Convention on international interests in mobile equipment: Articles 2(4), 5(2)-(4), 29, 31(3), 36, 38(1), 41 (Chapter VIII, Interests in goods and	68/
	equipment, A.4)	005
A.4.	Protocol to the Convention on international interests in mobile equipment on matters specific to aircraft equipment: Article VIII (Chapter VIII, Interests in goods and equipment, A.5)	684
A.5.	Council Decision 2009/940/EC on the signing by the European Community of the Protocol to the Convention on International Interests in Mobile	
	Equipment on Matters Specific to Railway Rolling Stock, adopted in Luxembourg on 23 February 2007: Recital 6 (Chapter VIII, Interests in goods and equipment, A.6)	685
A.6.	Declaration to be made pursuant to Article XXII(2) concerning the competence of the European Community over matters governed by the	00.
	Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock (the 'Rail Protocol'), adopted in	1
	Luxembourg on 23 February 2007, in respect of which the Member States have transferred their competence to the Community: Paragraph 5 (Chapter VIII,	
	Interests in goods and equipment, A.7)	685
A.7.	Luxembourg Protocol to the Convention on international interests in mobile equipment on matters specific to railway rolling stock: Article VI, XIX, XX,	
	XXVII(1) (Chapter VIII, Interests in goods and equipment, A.8)	685
Finar	icial collateral arrangements	685
A	Directive 2002/47/EC of the European Parliament and of the Council of 6 June 2002 on financial collateral arrangements (Chapter VIII, Rights on	
	financial instruments, C.1)	685
B.	Statement of the Council's reasons attached to the Common Position (EC) No 32/2002 of 5 March 2002 adopted by the Council (Chapter VIII, Rights	
	on financial instruments, C.2)	685
Trans	sactions on regulated markets	686
A.	Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments amending Council Directives 85/611/EEC and 93/6/EEC and Directive 2000/12/EC of the	
1865°	European Parliament and of the Council and repealing Council Directive 93/22/EEC: Article 36(4) (Chapter IX, General provisions, H)	686
VII	Law Applicable to Non-Contractual Obligations	687
A.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)	687

A.2.	Commission Statements	699
	1. Commission Statement on the review clause (Article 30)	699
	2. Commission Statement on road accidents	699
	3. Commission Statement on the treatment of foreign law	699
B.1.	Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights: Articles 33, 94, 97, 107 (Chapter VIII, IP rights, A)	699
B.2.	Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark: Articles 14, 101, 110, 118 (Chapter VIII, IP rights, C)	699
B.3.	Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 in the enforcement of intellectual property rights: Recital 11 (Chapter VIII, IP rights, F)	700
C.	Council Framework Decision 2005/214/JHA of 24 February 2005 on the application of the principle of mutual recognition to financial penalties: Article 1(b) (Chapter IV, General provisions, H)	700
D.	Council Directive 84/450/EEC of 10 September 1984 concerning misleading and comparative advertising: Recitals 1-4, 6-7, Articles 1, 7	700
E.	Directive 2009/22/EC of the European Parliament and of the Council of 23 April 2009 on injunctions for the protection of consumers' interests (Codified version): Recitals 1-7, Articles 1-2	701
F.	Directive 2004/35/EC of the European Parliament and of the Council of 21 April 2004 on environmental liability with regard to the prevention and remedying of environmental damage: Recital 10, Article 3 (Chapter IV, Environmental damages, A)	704
G.	Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims: Articles 1-2 (Chapter XIII, Compensation to crime victims, B)	704
H.	Directive 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability (codified version): Recitals 22, 32, 35, 37-38, 46,	
I	Articles 1-3, 18, 20-21, 23(6), 25, 28 Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights, and repealing Regulation (EEC) No 295/91: Recital 8, Articles 1(1), 3, 13, 15 (Chapter VI, Carriage, B)	704
L.	Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems: Article 85 (Chapter X, A.1)	708
M.	Commission Notice on the co-operation between the Commission and the courts of the EU Member States in the application of Articles 81 and 82 EC:	
	Points 1-10	708

N.	Written question E-2647/02 of 20 September 2002 to the Commission and Commission's answer of 11 October 2002. Uniform application of standards	711
O.	Protocol of 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992:	
	Article 9 (Chapter IV, Environmental damages, D.2)	713
P.	Regulation (EC) No 662/2009 of the European Parliament and of the Council of 13 July 2009 establishing a procedure for the negotiation and conclusion of agreements between Member States and third countries on particular matters concerning the law applicable to contractual and non-contractual obligations (Chapter I, The external dimension, K)	713
Q.	ECJ case-law on the law applicable to non-contractual obligations	713
✓.	ECJ, judgment 21 September 1999, case C-397/96, Kordel	713
	ECJ, judgment 9 September 2004, case C-397/02, Clinique La Ramée	716
	ECJ, judgment 7 March 1995, case C-68/93, Shevill	717
	ECJ, judgment 13 July 2006, joined cases C-295/04 to C-298/04, Manfredi	717
VIII	Law Applicable to Rights in Rem, Securities and IP Rights	721
Right.	s on cultural goods	721
A.	Council Regulation (EC) No 116/2009 of 18 December 2008 on the export of cultural goods (Codified version): Articles 1-3, 6	721
B.	Council Directive 93/7/EEC of 15 March 1993 of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State: Recitals [1-6], Articles 1-5, 7-9, 12-15	724
Right.	s on financial instruments	727
A.	Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings: Recital 25, Articles 5, 9 (Chapter V, A.1)	727
B.	Directive 98/26/EC of the European Parliament and of the Council of 19 May 1998 on settlement finality in payment and securities settlement systems: Recital 18, Articles 1-2, 8-9 (Chapter V, I)	727
C.1.	Directive 2002/47/EC of the European Parliament and of the Council of 6 June 2002 on financial collateral arrangements: Recitals 1-9,	
	Articles 1-3, 8-11	727
C.2.	Statement of the Council's reasons attached to the Common Position (EC) No 32/2002 adopted by the Council on 5 March 2002: Points III.8-III.9	735
Intere	ests in goods and equipment	736
A.1.	Council Decision 2009/370/EC of 6 April 2009 on the accession of the European Community to the Convention on international interests in mobile equipment and its Protocol on matters specific to aircraft equipment, adopted in the Convention on 16 November 2001	726
	jointly in Cape Town on 16 November 2001	736

A.2.	General declarations concerning the competence of the European Community to be made by the Community at the time of accession to the Convention on international interests in mobile equipment (Cape Town Convention) and the Protocol on matters specific to aircraft equipment (Aircraft Protocol), adopted jointly in Cape Town on 16 November 2001	738
	I. Declaration made pursuant to Article 48(2) concerning the competence of the European Community over matters governed by the Convention on international interests in mobile equipment (Cape Town Convention) in respect of which the Member States have transferred their competence to the Community	738
	II. Declaration pursuant to Article XXVII(2) concerning the competence of the European Community over matters governed by the Protocol on matters specific to aircraft equipment (Aircraft Protocol), in respect of which the Member States have transferred their competence to the Community	739
A.3.	Declarations to be made by the European Community at the time of accession to the Convention on international interests in mobile equipment (Cape Town Convention) and the Protocol on matters specific to aircraft equipment (Aircraft Protocol) concerning certain provisions and measures contained therein	740
	 Declaration by the European Community pursuant to Article 55 of the Convention on international interests in mobile equipment (Cape Town Convention) 	740
	II. Declaration by the European Community pursuant to Article XXX of the Protocol on matters specific to aircraft equipment (Aircraft Protocol)	741
A.4.	Convention on international interests in mobile equipment: Articles 1-6, 29(7), 30, 31(3)-(4), 35-38, 41-46, 53, 55-56(1)	741
A.5.	Protocol to the Convention on international interests in mobile equipment on matters specific to aircraft equipment: Articles I-VIII, XI-XII, XVI(2), XXI-XXV, XXX(1), XXX(3)-(5), XXXI, XXXII(1)	748
A.6.	Council Decision 2009/940/EC on the signing by the European Community of the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock, adopted in Luxembourg on 23 February 2007	754
A.7.	Declaration to be made pursuant to Article XXII(2) concerning the competence of the European Community over matters governed by the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock (the 'Rail Protocol'), adopted in Luxembourg on 23 February 2007, in respect of which the Member States have transferred their competence to the Community	755
A.8.	Luxembourg Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Railway Rolling Stock: Articles I-VI, VIII-XI, XVIII-XX, XXVII-XXIX	757

IP rig	-hts	764
A.	Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights: Recitals [1-4, 29-30], Articles 1-4, 11-12, 22-26, 33, 67, 72-74, 86, 91, 93-94, 97, 101-107	764
B.	Council Regulation (EC) No 6/2002 of 12 December 2001 on Community designs: Recitals 1-5, 27-32, Articles 1-2, 14, 27, 29-31, 33, 55, 60-61, 71, 79-96	771
C.	Council Regulation (EC) No 207/2009 of 26 February 2009 on the Community trade mark (codified version): Recitals 1-19, Articles 1-6, 9, 14, 16-17, 19-21, 23-24, 65, 86, 94-110, 118, 130-135	781
D.1.	Regulation (EC) No 733/2002 of the European Parliament and of the Council of 22 April 2002 on the implementation of the .eu Top Level Domain: Recitals 9-12, Articles 1-4, 7	794
D.2.	Commission Regulation (EC) No 874/2004 of 28 April 2004 laying down public policy rules concerning the implementation and functions of .eu Top Level Domain and the principles governing registration: Recitals 5, 16-17, Articles 5, 18	796
E.1.	Council Regulation (EC) No 1383/2003 of 22 July 2003 concerning customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights: Recitals 2-5, 8, Articles 1-5, 9(1), 10, 12, 14, 16, 19	796
E.2.	Commission Regulation (EC) No 1891/2004 of 21 October 2004 laying down provisions for the implementation of Council Regulation (EC) No 1383/2003 concerning customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights: Recital 4, Articles 1-2	801
F.	Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights: Recitals 11-12	803
G.1.	Council Directive 93/83/EEC of 27 September 1993 on the coordination of certain rules concerning copyright and rights related to copyright applicable to satellite broadcasting and cable retransmission: Recitals 5-7, 13-14, Articles 1, 4	803
G.2.	Directive 2006/115/EC of the European Parliament and of the Council of 12 December 2006 on rental right and lending right and on certain rights related to copyright in the field of intellectual property (codified version):	
	Articles 1, 8	805
G.3.	ECJ case-law	806
	ECJ, judgment 14 July 2005, case C-192/04, Lagardère Active Broadcast	806
H.	Commission Recommendation 2005/737/EC of 18 October 2005 on collective cross-border management of copyright and related rights for	
	legitimate online music services	808

I.1.	Proposal for a Council Regulation on the European Union patent: Recitals 1-4b, 6-9, Articles 1-7, 14-18, 23-24	812
I.2.	Draft Agreement on the European and Community Patents Court and Draft Statute: Recitals [1-6], Articles 1-3, 14a, 15-17, 34a-35b, 37-39, 41,	817
_	45, 48, 56	
	cessions	826
A.	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: Recitals 10, 21-22, Articles 21-22 (Chapter XII, A)	826
IX.	Companies	827
Gen	ieral provisions on freedom of establishment and freedom to provide vices	827
A.	Treaty on the Functioning of the European Union: Articles 49, 54, 56-58, 62 (Chapter II, Fundamental rights, A.2)	827
B.	General Programme for the abolition of restrictions on freedom of establishment: Title I	827
C.	General Programme for the abolition of restrictions on freedom to provide services: Title I	828
D.	Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market (Directive on electronic commerce): Recitals 11, 14-15, 17-19, 22-24, 55-58; Articles 1-3, Annex	828
E.	Directive 2003/71/EC of the European Parliament and of the Council of 4 November 2003 on the prospectus to be published when securities are offered to the public or admitted to trading and amending Directive 2001/34/EC: Recital 14, Articles 1(1), 2(1), 8(1)-8(2), 10(2), 13(1), 13(5), 15(6), 17, 18(1), 20(1)-20(2), 23	834
F.	Council Regulation (EC) No 139/2004 of 20 January 2004 on the control of concentrations between undertakings (the EC Merger Regulation): Article 21	837
G.	Directive 2004/25/EC of the European Parliament and of the Council of 21 April 2004 on takeover bids: Recital 2, Articles 1, 4(1)-4(2), 5, 12	838
H.	Directive 2004/39/EC of the European Parliament and of the Council of 21 April 2004 on markets in financial instruments amending Council Directives 85/611/EEC and 93/6/EEC and Directive 2000/12/EC of the European Parliament and of the Council and repealing Council Directive 93/22/EEC: Recitals 1-2, 17, 22-23, 32, 39, 46, Articles 1(1), 4(1), 5(1), 5(4), 6(1), 13(1), 24(3), 31(1), 32(1), 36(4)	840
I.	Directive 2004/109/EC of the European Parliament and of the Council of 15 December 2004 on the harmonisation of transparency requirements in	

relation to information about issuers whose securities are admitted to trading on a regulated market and amending Directive 2001/34/EC: Recitals 8, 27, Articles 1-3, 4(1), 4(3), 19, 23(1)-23(3), 23(6), 26	844
Directive 2006/48/EC of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions (recast): Recitals 1-3, 5, 7, 10, 14-15, 18, 21, Articles 1-2,	0.47
	847
Directive 2007/36/EC of the European Parliament and of the Council of 11 July 2007 on the exercise of certain rights of shareholders in listed companies: Recital 5, Articles 1(1)-1(2), 3	853
Directive 2009/38/EC of the European Parliament and of the Council of	
6 May 2009 on the establishment of a European Works Council or a	
	854
13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable	
	855
Directive 2009/138/EC of the European Parliament and of the Council of	
25 November 2009 on the taking-up and pursuit of the business of Insurance	
and Reinsurance (Solvency II) (recast): Recitals 1-2, 5, 12, 77, 105, 134, Articles 1-15(1), 157, 310	867
Commission Interpretative Communication – Freedom to provide services and the interest of the general good in the second banking directive	877
Commission Interpretative Communication – Freedom to provide services	
and the general good in the insurance sector	891
ECJ case-law	903
ECJ, judgment 10 July 1986, case 79/85, Segers	904
ECJ, judgment 25 July 1991, case C-221/89, Factortame II	904
ECJ, judgment 9 March 1999, case C-212/97, Centros	905
ECJ, judgment 5 November 2002, case C-208/00, Überseering	909
ECJ, judgment 30 September 2003, case C-167/01, Inspire Art	913
ECJ, judgment 12 September 2006, case C-196/04, Cadbury Schweppes	916
ECJ, judgment 17 January 2008, case C-105/07, Lammers & Van Cleef	917
onality and law applicable to companies	917
ECJ case-law	917
ECJ, judgment 9 March 1999, case C-212/97, Centros	917
ECJ, judgment 27 November 1984, case 50/84, Bensider and others	918
ECJ, judgment 11 October 2001, case C-77/99, Oder-Plan Architektur and others	918
	Recitals 8, 27, Articles 1-3, 4(1), 4(3), 19, 23(1)-23(3), 23(6), 26 Directive 2006/48/EC of the European Parliament and of the Council of 14 June 2006 relating to the taking up and pursuit of the business of credit institutions (recast): Recitals 1-3, 5, 7, 10, 14-15, 18, 21, Articles 1-2, 4(1)-4(21), 23-24 Directive 2007/36/EC of the European Parliament and of the Council of 11 July 2007 on the exercise of certain rights of shareholders in listed companies: Recital 5, Articles 1(1)-1(2), 3 Directive 2009/38/EC of the European Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees (recast): Recital 16, Articles 1, 3 Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS): Recitals 8, 11, 13-15, 18, 21, 27-33, 62, 65, 69, 71, 73, 83, Articles 1-6, 16, 18(3), 19(1)-19(5), 19(8), 24, 27, 34, 91-96 Directive 2009/138/EC of the European Parliament and of the Council of 25 November 2009 on the taking-up and pursuit of the business of Insurance and Reinsurance (Solvency II) (recast): Recitals 1-2, 5, 12, 77, 105, 134, Articles 1-15(1), 157, 310 Commission Interpretative Communication – Freedom to provide services and the interest of the general good in the second banking directive Commission Interpretative Communication – Freedom to provide services and the general good in the insurance sector ECJ, judgment 9 March 1999, case C-212/97, Centros ECJ, judgment 15 November 2002, case C-208/00, Überseering ECJ, judgment 17 January 2008, case C-105/07, Lammers & Van Cleef mality and law applicable to companies ECJ case-law ECJ, judgment 27 November 1984, case 50/84, Bensider and others ECJ, judgment 27 November 1984, case 50/84, Bensider and others

	ECJ, judgment 17 March 2005, case C-294/02, AMI	918
	ECJ, judgment 16 December 2008, case C-210/06, <i>Cartesio</i> (this Chapter, Cross-border transfer of seat, E)	918
Cross	s-border mergers	918
A.	Directive 2005/56/EC of the European Parliament and of the Council of 26 October 2005 on cross-border mergers of limited liability companies	918
В.	Directive 2009/65/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS): Articles 37-48.	929
C.	Proposal for a Council Regulation on the statute for a European private company: Articles 34(3), 39 (this Chapter, Supranational legal entities, D)	934
D.	ECJ case-law	934
	ECJ, judgment 13 December 2005, case C-411/03, Sevic	934
Cross	s-border transfer of seat	936
A.	Council Regulation (EEC) No 2137/85 of 25 July 1985 on the European Economic Interest Grouping (EEIG): Articles 2, 6-8, 10, 12-14 (this Chapter, Supranational legal entities, A)	936
B.	Council Regulation (EC) No 2157/2001 of 8 October 2001 on the Statute for a European company (SE): Recital 5, 24-25, 27; Articles 7, 8, 12(1), 13-14(3), 37(1)-37(3), 64(1) (this Chapter, Supranational legal entities, B.1)	937
C.1.	Council Regulation (EC) No 1435/2003 of 22 July 2003 on the Statute for a European Cooperative Society (SCE): Recital 14; Articles 6-7, 12-13(2), 35(2), 59(4), 73(2) (this Chapter, Supranational legal entities, C.1)	937
C.2.	Council Directive 2003/72/EC of 22 July 2003 supplementing the Statute for a European Cooperative Society with regard to the involvement of employees: Article 8(2) (this Chapter, Supranational legal entities, C.2)	937
D.	Proposal for a Council Regulation on the statute for a European private company: Recitals 4, 14-15, Articles 2, 7, 18.1, 27(4), 34(2), 35-38 (this Chapter, Supranational legal entities, D)	937
E.	ECJ case-law	937
	ECJ, judgment 27 September 1988, case 81/87, Daily Mail	937
	ECJ, judgment 16 December 2008, case C-210/06, Cartesio	939
Supr	anational legal entities	942
A.	Council Regulation (EEC) No 2137/85 of 25 July 1985 on the European Economic Interest Grouping (EEIG): Recitals [1-5, 11-13, 16], Articles 1-2, 4, 6-9(1), 10, 12-15, 19(1)-19(2), 24, 32(3), 35-36, 38	942
B.1.	Council Regulation (EC) No 2157/2001 of 8 October 2001 on the Statute for a European company (SE): Recital 1-7, 10-13, 15-20, 23-27, Articles 1-10, 12(1), 13-15, 17-18, 24-26, 29, 32(1), 35-37(3), 37(9), 47(1)-(2), 51-54, 56-57,	
	59(1), 61-66(1), 70	946

B.2.	Council Directive 2001/86/EC of 8 October 2001 supplementing the Statute for a European company with regard to the involvement of employees: Article 6	958
C.1.	Council Regulation (EC) No 1435/2003 of 22 July 2003 on the Statute for a European Cooperative Society (SCE): Recitals 11-14, 17-18, Articles 1-13(2), 14-15, 17-20, 22, 24, 28, 32, 35, 46-47(2), 51-54(2), 56, 58-59, 63(1), 68-76,	
	79	959
C.2.	Council Directive 2003/72/EC of 22 July 2003 supplementing the Statute for a European Cooperative Society with regard to the involvement of employees: Articles 2, 6-7(2), 8(1)-(2)	976
D.	Proposal for a Council Regulation on the statute for a European private company: Recitals 4, 6-7, 14-15, Articles 1-2(1), 3(1), 3(3), 4(1), 5, 7, 9-10(3), 11, 13, 16(5), 18, 20, 23(5)-23(6), 25, 27(4), 30, 31(5), 32, 34-41	978
X.	Law Applicable to Social Security	987
A.1.	Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems: Recitals 7-11, 17-18a, Articles 1-3, 11-16, 85, 87(8), 90, 91	987
A.2.	Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems: Recital 20, Articles 1, 6, 11, 14-18, 96-97	995
A.3.	Regulation (EU) No 1231/2010 of the European Parliament and of the Council of 24 November 2010 extending Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third countries who are not already covered by these Regulations solely on the ground of their	
D	nationality	1001
B.	Decision No A2 of 12 April 2010 concerning the interpretation of Article 12 of Regulation (EC) No 883/2004 of the European Parliament and of the Council on the legislation applicable to posted workers and self-employed	
	workers temporarily working outside the competent State	1002
C.	ECJ case-law	1005
	ECJ, judgment 26 January 2006, case C-2/05, Herbosch Kiere	1005
XI. I	Personality Rights, Status and Family Relations	1007
Right	to protection of personal data	1007
A.1.	Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data:	1.007
A.2.	Recitals 1-2, 9-12, 18-21, 24, 56-60, Articles 1-4, 13-17, 25-26 Commission Decision 2001/497/EC of 15 June 2001 on standard contractual clauses for the transfer of personal data to third countries,	1007

under Directive 95/46/EC

A.3.	Commission Decision 2010/87/EU of 5 February 2010 on standard contractual clauses for the transfer of personal data to processors established in third countries under Directive 95/46/EC of the European Parliament and of the Council	1025
A.4.	Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce'): Recitals 14-15 (Chapter IX, General provisions, D)	1036
A.5.	Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market: Article 17(3) (Chapter II, Principle of non-discrimination, A)	1036
B.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): Articles 1(2)(g), 30(2) (Chapter VII, A.1)	1037
B.2.	Commission Statement on the review clause (Article 30) (Chapter VII, A.2)	1037
C.	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: Recitals 34-35, Articles 61, 62(4), 68(4) (Chapter XI, Maintenance obligations, A.1)	1037
D.	Directive 2009/103/EC of the European Parliament and of the Council of 16 September 2009 relating to insurance against civil liability in respect of the use of motor vehicles, and the enforcement of the obligation to insure against such liability: Recital 46, Article 23(6) (Chapter VII, H)	1037
E.1.	Charter of Fundamental Rights of the European Union: Article 8 (Chapter II, Fundamental rights, E)	1037
E.2.	The Stockholm Programme – An open and secure Europe serving and protecting the citizens, adopted by the European Council on 10-11 December 2009: Parts 1.1, 2.5, 3.4.2, 7.4, 7.5 (Chapter I, General provisions, F)	1037
F.	ECJ case-law	1037
L.	EC) casc-law ECJ, judgment 6 November 2003, case C-101/01, <i>Bodil Lindqvist</i>	1038
Right	to name	1040
A.	ECJ case-law	1040
L 1.	ECJ, judgment 30 March 1993, case C-168/91, Konstantinidis	1040
	ECJ, judgment 2 October 2003, case C-148/02, Garcia Avello	1041
	ECJ, judgment 14 October 2008, case C-353/06, Grunkin and Paul	1042
Person	nal status	1043
A.	Council Regulation (EEC) No 2137/85 of 25 July 1985 on the European Economic Interest Grouping (EEIG): Recital [11] (Chapter IX,	
	Supranational legal entities, A)	1043
В.	ECJ case-law	1044
	ECI, judgment 2 December 1997, case C-336/94, Dafeki	1044

Matr	imonial matters and parental responsibility	1046
A.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	1046
A.2.	Declarations by Sweden and Finland pursuant to Article 59(2)(a) of the Council Regulation concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and matters of parental	1070
	responsibility, repealing Regulation (EC) No 1347/2000	1070
	Declaration by Sweden	1070
A.3.	Declaration by Finland Statements and declarations made at the meeting of the Council (JHA) of 29 May 2000	1070
	1. Statement by the Council	1070
	2. Statement by the Council	1070
	3. Statement by the Commission on Article 16	1071
	4. Declaration by the United Kingdom	1071
	5. Statement by the United Kingdom	1071
	6. Declaration by the United Kingdom	1071
A.4.	Written question E-3261/01 to the Commission of 23 November 2001 and answer given by the Commission on 12 March 2002	1072
A.5.	ECJ case-law regarding Regulations (EC) No 1347/2000 and No 2201/2003	1074
A.6.	Proposal for a Council Regulation amending Regulation (EC) No 2201/2003 as regards jurisdiction and introducing rules concerning applicable law in matrimonial matters	1081
B.1.		1084
B.2.	Council Regulation (EU) No 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal	100
D 2	separation ECI 1	1086
B.3.	ECJ case-law regarding the law applicable to matrimonial matters	1095
		1095
C.	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): Recital 10, Article 1(2)(a)-(b) (Chapter VII, A.1)	1096
D.	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	100
E	matters: Recitals 10, 21, Article 1(2) (Chapter IV, General provisions, L)	1096
E.	Charter of Fundamental Rights of the European Union: Article 24 (Chapter II, Fundamental rights, E)	1096
F.	The Stockholm Programme – An open and secure Europe serving and protecting the citizens, adopted by the European Council on 10-11 December 2009: Parts 2.3.2 and 3 (Chapter I, General provisions, F)	1096

G.	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 judgments 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 (Chapter I, The external dimension, L)	1096
H.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	1097
H.2.	Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Prote of Children (Concluded 19 October 1996)	ction 1099
H.3.	Commission working document – Mutual recognition of decisions on parental responsibility	1112
I.1.	Proposal for a Council Decision on the signing by the European Community of the Council of Europe Convention on contact concerning children	1116
I.2.	Convention on contact concerning children (Strasbourg, 15 May 2003)	1117
Main	tenance Obligations	1126
A.1.	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	1126
A.2.	Council Decision 2006/325/EC of 27 April 2006 concerning the conclusion of the Agreement of 19 October 2005 between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters: Articles 3-4 (Chapter IV, General provisions, A.3)	1155
A.3.	Agreement between the European Community and the Kingdom of Denmark on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Chapter IV, General provisions, A.5)	1155
B.	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): Recital 10, Article 1(2) (a) and (b) (Chapter VII, A.1)	1155
C.	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: Recitals 10, 21, Article 1(2) (Chapter IV, General provisions, L)	1156

D.	Commission Decision on General implementing provisions concerning persons to be treated as dependent children (Article 2(4) of Annex VII to	
	the Staff Regulations): Articles 1-4	1150
E.	ECJ case-law	115
	ECJ, judgment 17 May 1972, case 24/71, Meinhardt	115
	CFI, judgment 18 December 1992, case T-43/90, Díaz García	115
	CFI, judgment 18 December 1992, case T-85/91, Khouri	115
	CFI, judgment 21 April 2004, case T-172/01, M.	1159
F.	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 judgments 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 (Chapter I, The external dimension, L)	116
G.1.	Council Decision 2009/941/EC of 30 November 2009 on the conclusion by the European Community of the Hague Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations	116
G.2.	Protocol on the law applicable to maintenance obligations	116
H.1.	Proposal for a Council decision on the conclusion by the European Community of the Convention on the international recovery of child support and other forms of family maintenance	1169
H.2.	Convention on the international recovery of child support and other forms of family maintenance	117
XII S	Successions	119
A.	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	
- A-C	European Certificate of Succession	119
В.	ECJ case-law	121
	CJ, judgment 15 April 2010, case C-518/08, Fundación Gala-Salvador Dalí	121
XIII	Judicial Assistance in Civil Matters	121
Servi	ce of judicial and extrajudicial documents	121
A.1.	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 (EC)	
	No 1348/2000	121

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 or commercial matters	1224
Agreement between the European Community and the Kingdom of Denmark on the service of judicial and extrajudicial documents in civil or commercial matters	1225
Green Paper on improving the efficiency of the enforcement of judgments in the European Union: the attachment of bank accounts: Point 5.1 (Chapter IV, General provisions, M)	1231
ECJ case-law regarding Regulations (EC) No 1348/2000 and No 1393/2007	1231
Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters: Article 26 (Chapter IV, General provisions, A.1)	1234
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: Recital 15 (Chapter XI, Matrimonial matters, A 1)	1234
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: Articles 12-15 (Chapter IV, General provisions, C)	1234
Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure: Articles 13-15, 27-29 (Chapter IV, General provisions, D)	1234
Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure: Articles 13-14 (Chapter IV, General provisions, E)	1234
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: Articles 6, 9-10 (Chapter IV, General provisions, L)	1234
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: Recital 3, 28, 38, Articles 11, 31, 51(1)(j), 62-63 (Chapter XI, Maintenance obligations, A.1)	1235
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: Article 12 (Chapter XII, A)	1235
ng of evidence	1235
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	1235
	of the Agreement between the European Community and the Kingdom of Denmark on the service of judicial and extrajudicial documents in civil or commercial matters Agreement between the European Community and the Kingdom of Denmark on the service of judicial and extrajudicial documents in civil or commercial matters Green Paper on improving the efficiency of the enforcement of judgments in the European Union: the attachment of bank accounts: Point 5.1 (Chapter IV, General provisions, M) ECJ case-law regarding Regulations (EC) No 1348/2000 and No 1393/2007 Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters: Article 26 (Chapter IV, General provisions, A.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: Recital 15 (Chapter XI, Matrimonial matters, A.1) 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: Articles 12-15 (Chapter IV, General provisions, C) Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure: Articles 13-15, 27-29 (Chapter IV, General provisions, D) Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure: Articles 13-14 (Chapter IV, General provisions, E) 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: Articles 6, 9-10 (Chapter IV, General provisions, L) Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and outhentic instruments in matters of succession and the creati

B.	Council Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State: Article 9 (Chapter VIII, Rights on cultural goods, B)	1245
C.	Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights: Article 91 (Chapter VIII, IP rights, A)	1245
D.	Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure: Article 9 (Chapter IV, General provisions, E)	1245
E.	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: Recital 3, Article 51(1)(g) (Chapter XI, Maintenance obligations, A.1)	1245
Acces	s to justice	1245
A.	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	1245
B.	Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters: Article 50 (Chapter IV, General provisions, A.1)	1254
C.	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: Article 50 (Chapter XI, Matrimonial matters, A.1)	1254
D.	Regulation (EC) No 1896/2006 of the European Parliament and of the Council of 12 December 2006 creating a European order for payment procedure: Article 24 (Chapter IV, General provisions, D)	1255
E.	Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure: Articles 13-14 (Chapter IV, General provisions, E)	1255
F.	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: Recital 3, 36-37, Articles	
31	44-47, 67 (Chapter XI, Maintenance obligations. A.1)	1255
	isation	1255
A.	Convention abolishing the legalization of documents in the Member States of the European Communities, signed at Brussels on 25 May 1987	1255
B.	Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters: Articles 56, 57(4) (Chapter IV, General provisions, A.1)	1257
C.	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: Article 52 (Chapter XI, Matrimonial matters, A.1)	1258
D.	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: Article 65 (Chapter XI, Maintenance obligations, A.1)	1258
Iudici	ial and administrative cooperation	1258
Α.	Council Decision 2001/470/EC of 28 May 2001 establishing a European Judicial Network in civil and commercial matters	1258
B.	Regulation (EC) No 861/2007 of the European Parliament and of the Council of 11 July 2007 establishing a European Small Claims Procedure: Article 24 (Chapter IV, General provisions, E)	1269
C.	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: Articles 49-63 (Chapter XI, Maintenance obligations, A.1)	1269
D.	Council Regulation (EU) No 1259/2010 of 20 December 2010 implementing enhanced cooperation in the area of the law applicable to divorce and legal separation: Recital 14, Article 17 (Chapter XI, Matrimonial matters, B.2)	1269
E.	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 Cortificate of Succession, Pacital 20, Article 46 (Chapter VII. A)	
C	Certificate of Succession: Recital 29, Article 46 (Chapter XII, A)	1269
	pensation to crime victims	1270
A.	Council Framework Decision 2001/220/JHA of 15 March 2001 on the standing of victims in criminal proceedings: Articles 9, 11	1270
B.	Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims: Recitals 1-8, 11-13, Articles 1-19	1270
C.	ECJ case law	1275
	ECJ, judgment 2 February 1989, case 186/87, Cowan (Chapter II, Principle of non-discrimination, B)	1275