

# EUROPEAN PROJECT “THE APPLICATION OF FOREIGN LAW BY JUDICIAL AND NON-JUDICIAL AUTHORITIES”

(Project JLS/CJ/2007-1/03)

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## INTERIM REPORT

Valencia, May 11<sup>th</sup> 2009

As regards the Research Project "JLS/CJ/2007-1/03 on the application of foreign law by judicial and non-judicial authorities in Europe", we are very pleased to inform about the work undertaken so far since January, when the research project was officially awarded to us.

The work refers to three main aspects:

- 1) Website.
- 2) Questionnaires.
- 3) Seminars.

### **1) WEBSITE.**

First, we have created an open Website where the different national teams and anybody interested in getting involved in our project may get any sort of information about it: [www.europeanproject.eu](http://www.europeanproject.eu)

The information has been divided in different tabs:

#### “Home”

The Website welcomes the visitor offering an overview of the main objectives of the Project.

#### “Participants”

All the persons involved in the Project are presented in this tab, having been classified considering the condition of their institution within the Project (three Partners and ten Associate Partners). We are honoured of having created a prestigious network of academics and professionals from twelve EU Member States.

### “Schedule”

We will publish here all the information concerning the two foreseen seminars to be held in Genoa (September 2009) and Madrid (January 2010).

### “Questionnaires”

A questionnaire covering the main questions related to the application of foreign law has been drafted and provided to all the participants, in order to unify the structure of the National Reports to be written by them. Besides this questionnaire, a shorter one has also been provided in some other European languages for it to be published among professionals and practitioners who deal with this problem in their everyday tasks.

### “General Report”

We will publish here two important documents: the present Interim Report and the Final Report. In the first one, we pretend to inform about the activities undertaken so far. The Final Report, on the other hand, will deal with the final conclusions of the Project and will be published by the end of June 2010.

### “Contact”

We are open to any suggestion or comment any person interested in the Project would like to share with us. A contact form is provided for that purpose.

## **2) QUESTIONNAIRES.**

Second, a set of questions to be answered by the different national teams in order to draft the National Report have been prepared. As we already stated, it can be downloaded from the Website (“Questionnaires”).

Along with this complete questionnaire, another short questionnaire has been drafted –originally in English and subsequently translated into different languages - to allow judges, land registrars, notaries and lawyers of the different countries to provide their opinions as to this question. We have considered that the answers to this questionnaire will provide an interesting practical approach on these issues and will certainly help to better understand the problems arisen in practice and to try to find better solutions. In this sense, we have contacted different Spanish professional associations (*Colegios de Abogados*, *Colegios de Notarios*, *Colegios de Registradores*) and Law Firms, as well as the representative entity of the judiciary (*Consejo General del Poder Judicial*), seeking their cooperation to disseminate this short questionnaire.

## **3) SEMINARS.**

Third, the date for the first of the two scheduled Seminars to be held during the research project time life has already been set out. The Seminar will be held in Genoa (Italy) at the end of September 2009 (Friday 25<sup>th</sup> and Saturday 26<sup>th</sup>). It will mainly deal with the contents of the National Reports, which will be explained by the Coordinators of every research team, in order to put all the

information together. We have already started the relevant contacts to organise the trips and the accommodation of around 30 persons and the agenda will be provided as soon as possible.

The second and last Seminar will take place at the beginning of 2010 in Madrid (Spain), and will mainly deal with the elaboration of a final draft to be submitted to the European Commission, where we will contemplate some proposals in order to solve the current situation of lack of certainty that still stems from the application of foreign law.