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EUROMED JUSTICE III PROJECT



**COMPONENT II
RESOLUTION OF CROSS-BORDER FAMILY CONFLICTS
Fourth Training Seminar
EP TS 2 .4**

**“EU, EU MS and ENPI South Partners Cross-border Regulations and Cross-border Family
Conflicts”**

Rome (IT), 18-20 November 2014

FINAL CONCLUSIONS

The fourth training seminar under Component II organised under the EuroMed Justice III Project of the European Commission, funded by the European Union, was held on 18-20 November 2014 in Rome, Italy.

The participants were members of the delegations of the following ENPI South Partner countries: Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestine and Tunisia.

The meeting was opened by Andrés Salcedo Velasco, Team Leader of the EuroMed Justice III Project, who welcomed the participants. The meeting was also closed by Andrés Salcedo Velasco.

Andrés Salcedo and José María Fernández Villalobos, Course Manager of the EuroMed Justice III Project, then made a presentation on the EuroMed Justice III Project, the main topics suggested for discussion, the work programme and the methodology applied during this seminar.

The Project Team also held an introductory presentation on the most frequent problems regarding family law cross-border conflicts and borders and immigration legal framework.

The main body of this training seminar consisted of four thematic introductions followed by discussions, as well as by a presentation made by the ENPI South Partner countries' representatives, two workshops and a presentation made by the PT on the work developed during the first two phases of the project in the field of resolution of cross-border family conflicts.

The first thematic presentation on "The European case-law concerning the right to private and family life: its influence in order to improve the resolution of cross-border family conflicts" was made by Manuela Landuris, Family law Specialist, Independent legal Consultant, Germany.

Then the ENPI South Partner countries' representatives had the opportunity to explain the current situation in their respective countries regarding the most frequent cases that need to be addressed in order to improve resolution of cross-border family conflicts through better cross-border regulations.

The second thematic presentation was delivered by Gloria Esteban De La Rosa, Professor of Private International Law, University of Jaén, Spain, and dealt with "The current situation in the EU MS family law concerning recognition of certain family institutions of the ENPI SPC and their impact in cross-border regulation. Special reference to *Kafala* and family reunification problems".

The third presentation addressed the issue of "Cross-border control and due coordination between judicial and administrative authorities from a police perspective in order to avoid child abduction" and was delivered by Guido Coppola, Lieutenant colonel, State Police, and Giuseppe Segnin, Sergeant, Department for International Police Cooperation, Italian State Police.

The fourth and last thematic presentation explained "The current situation and tendency from a legal point of view in cases of illegal immigration of unaccompanied minors as regards their protection, return and the exercise of parental responsibility", and was made by Dolly Hamman Najjar, Independent expert, PhD in Law, Human Rights Specialist, Tunisia.

All these presentations were followed by an intensive and lively debate.

Two workshops were also organised by the PT in the framework of this seminar, the first one on "Family reunification process: itinerary and problems" and the second one on "Unaccompanied minors: criteria for determining the best interests of the child".

Considering the objectives of this seminar and taking into account the recommendations made during the different working sessions and discussions, the participants are of the opinion that this seminar has achieved the expected results, i.e. it has given them the opportunity:

- To examine over a period of three days, and from an international angle, the different topics on the agenda.
- To keep abreast of the current situation and future developments in each Mediterranean Partner regarding the topics covered by this seminar and to have a fruitful debate on the state of play in this field in the ENPI South area, whilst presenting their respective experience and legal framework.
- To debate on the most frequent problems regarding family law cross-border conflicts and borders and immigration legal framework.
- To get a better insight into the European case-law concerning the right to private and family life, and its influence in order to improve resolution of cross-border family conflicts.
- To learn about the current situation in the EU MS family law concerning recognition of certain family institutions of the ENPI SPC and their impact in cross-border regulation, with special reference to *Kafala* and family reunification problems.
- To be informed of the current situation and tendency from a legal point of view in cases of illegal immigration of unaccompanied minors as regards their protection, return and the exercise of parental responsibility.
- To learn about the Italian experience of cross-border control and due coordination between judicial and administrative authorities from a police perspective in order to avoid child abduction.
- To discuss on the main tendencies and challenges faced on this topic and future perspectives in this field.
- To discuss from a practical point of view through two workshops the itinerary and problems of the family reunification process and the criteria used for determining the best interests of the child in case of unaccompanied minors.
- To be made familiar with the content and functioning of the project's website.
- To receive the suggested reading documentation list related to the topics examined as support to facilitate the discussion and debate during the training seminar.
- To provide them with an overall approach concerning the final versions of the publications drawn up in the framework of the EuroMed Justice III Project that are now available on the project website.

- To be informed of the TAEX instrument and of the possibility that they, the participants, could suggest to their NFP the gaps to be filled or the needs for further Technical Assistance requests, as a follow-up of this Euromed Justice III Project training seminar, should they consider them useful and linked to the work developed during the seminar.

Participants present during the reading of this document agree with the conclusions of the seminar.

Participants are grateful to the Italian Ministry of Justice, to the Directorate-General Development and Co-operation-EuropeAid, European Commission, and to the Project Team for organising this seminar.

Rome, 20 November 2014