

Miquel Martín-Casals / Jordi Ribot (Eds.)

The Role of Self-determination in the Modernisation of Family Law in Europe

*Papers presented at the 2003
European Regional Conference of the
International Society of Family Law*



**International Society of Family Law
2003 European Regional Conference**

October 9 - 10, 2003
Tossa de Mar - Girona

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**MIQUEL MARTÍN-CASALS
JORDI RIBOT
(EDS.)**



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Pl Ferrater Mora, 1 Pl. Europa, 3, 2on-2a

17071 GIRONA 17005 GIRONA

tf. +34 972418992 tlf. +34 630608231

fax +34 972418978 fax +34 972200049

www.edicionsapeticio.com

info@edicionsapeticio.com

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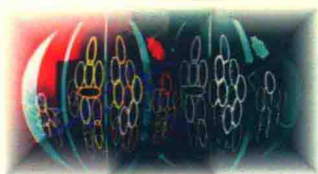
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PREFACE

This book includes the unabridged and updated versions of some of the papers presented and discussed at the *European Regional Conference of the International Society of Family Law (ISFL)*, held in Tossa de Mar and Girona on 9 and 10 October 2003 and organised by the ISFL with the assistance of the Observatory of European and Comparative Private Law of the University of Girona.

Although at the very beginning a joint publication of the Conference papers was not envisaged, it soon became clear that a volume collecting all or at least some of the contributions delivered at the Conference could be of interest to the current international debate on family legal issues. Accordingly, some time after the Conference participants were asked to submit final versions of their papers to be published in a joint publication. Unfortunately, some of their papers had already been published, while others could not accept the offer due to lack of time or other prior commitments. Most of them, however, answered enthusiastically and were then instructed to consider the most recent developments in the law in their jurisdictions and to update their contributions. In general terms, all contributions have been updated as to the first months of 2006.

The general topic addressed by the Conference was "The Role of Self-Determination in the Modernisation of Family Law in Europe", which allowed participants to discuss a wide range of current topics in family law. Since an international and comparative approach was also encouraged, the contributions enclosed in this book provide a variegated picture. The contributions have been organised into separate sections: one dealing with general issues and others devoted to more specific questions, such as agreements between spouses, parental rights and duties and self-determination of cohabitants and other issues.

The European Regional Conference of the International Society of Family Law was possible thanks to the financial support of the *Observatori de Dret Privat de Catalunya* of the Catalan Department of Justice, the Catalan Department of Education and Universities (ARCS Programme, Ref. 00034/ARCS/2003) and the Spanish Ministry of Education (ACES Programme, Ref. SEC2002-11525-E). We also thank the City Council of Tossa de Mar for their welcoming hospitality and the Academy of European Law (Trier) and the British Institute of International and Comparative Law (London) for providing support to the conference. The former presidents of the International Society of Family Law Lynn Wardle and Peter Lødrup

encouraged us to organise the conference and contributed a great deal to its success. We must also give special thanks to John Eekelaar and the other members of the Scientific Committee, who took on the work of designing the programme of the conference and of selecting which papers should be accepted for presentation. Finally, we are also grateful to Mònica Rocasalva, Carme Feliu, Matt Dyson and Yvonne Salmon for all their valuable assistance in producing this publication.

Miquel Martín-Casals

Jordi Ribot

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