

Call for Papers:

German Conference for Young Scholars

in Private International Law 2023

Deference to the foreign –

empty phrase or guiding principle of private international law?

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Call for Papers: **German Conference for Young Scholars** **in Private International Law 2023**

On **23 and 24 February 2023**, the fourth German Conference for Young Scholars in Private International Law will be held at the Sigmund Freud University in Vienna. We are delighted to announce that Professor Horatia Muir Watt (Sciences Po) has agreed to deliver the keynote lecture of the conference. In addition, a panel discussion will provide practical insights.

The theme of the conference will be

Deference to the foreign – empty phrase or guiding principle of private international law?

As part of any legal system, rules of private international law are determined by the principles of the respective national jurisdiction, but they also open up the national system to foreign rules. This creates the challenge of reconciling foreign law and foreign values with the national legal system. At the conference, we will seek to explore whether and to what extent deference to the foreign is a pervasive principle in private international law. In doing so, we will look at the methods of private international law as well as interdisciplinary approaches to the justification and implementation of said principle.

The theme invites discussion of fundamental questions:

- What is the history of deference to the foreign in private international law?
- Does European Union law lead to a new understanding of the foreign and, in particular, to a stronger delineation from third countries?
- To what extent does mutual trust function as a basis of deference to the foreign in the process of internationalisation and Europeanisation?
- What is the relationship between deference to the foreign and escape clauses, overriding mandatory provisions, preliminary questions, local data theory (*Datumtheorie*), renvoi, and public policy clauses?
- What is the role of fundamental and human rights in the context of deference to the foreign?
- Are there tendencies in private international law, specific to or across different areas of law, towards a decline of the principle of deference to the foreign?
- Which levels of acceptance, integration, or assimilation are recognised in private international law?
- What is the importance of deference to the foreign in the European area of justice?

Contributions can also focus on the relationship between deference to the foreign and the methods of private international law:

- What is the role of methods and private international law concepts in implementing the principle of deference to the foreign (e.g. substitution or recognition)?
- Which insights does legal pluralism offer in relation to deference to the foreign?
- What are the insights of interdisciplinary approaches to the justification and methodological implementation of the principle of deference to the foreign?
- Are there parallels between the conflict of laws approach to deference to the foreign and approaches in other sciences or arts?

Various examples can serve as illustrations of whether and how private international law implements the principles of deference to the foreign in specific areas, for instance:

- The influence of EU freedom of movement on the recognition of legal situations or a person's status, such as same-sex marriages or parenthood
- The recognition of foreign citizenship of multinationals
- The importance of deference to the foreign in the regulation of international supply chains
- Deference to the foreign in economic law within the EU, e.g. by means of the European Passport in banking and capital market law

We are looking forward to contributions which take up the theme of deference to the foreign. The examples given above are mere suggestions and should not limit the scope of suitable topics. We welcome contributions from all areas of private international law and international civil procedure as well as from international arbitration and uniform law.

Formalities

Speakers are invited to give a presentation of approximately 20 minutes (in either German or English). The written contributions will later be published in a conference volume with Mohr Siebeck.

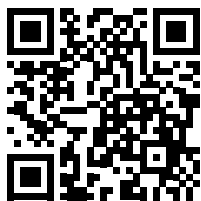
The conference programme will also include smaller discussion rounds in which short presentations of approximately 5-10 minutes can be given. These contributions will not be published. We are also looking forward to abstracts for such short presentations.

The deadline for the submission of proposals is **12 September 2022**. Please send your proposal to ipr@sfu.ac.at. The proposal should contain:

- an **anonymised abstract** (not exceeding 800 words) in pdf format, and
- a short **cover letter**, preferably in the e-mail, containing the speaker's name, address, and institutional affiliation, as well as
- the indication whether the abstract proposes a **conference presentation** (20 minutes) **and/or a short presentation** in the smaller discussion rounds.

The conference will be held in person in Vienna on 23 and 24 February 2023.

More information is available at <https://tinyurl.com/YoungPIL>.



Please do not hesitate to contact us, if you have any further questions (ipr@sfu.ac.at).

We are very much looking forward to your proposals. Kind regards

Andreas Engel

Florian Heindler

Katharina Kaesling

Ben Köhler

Martina Melcher

Bettina Rentsch

Susanna Roßbach

Johannes Ungerer