

Abstract

The PhD thesis “Current Issues in International Insolvency Law“ aims to describe and draw attention to the moments that, in the opinion of its author, have had the strongest impact on international insolvency law so far. As such it is chiefly devoted to the analysis of existing regulation in the area of European insolvency law (which is principally based on Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings – the “Old Insolvency Regulation” – and Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings – the “New Insolvency Regulation”), and also provides a selection of the relevant case law which has over time significantly changed the way in which specific issues and instruments related to this area are viewed. To do justice to the complexity of the subject matter, the thesis also discusses the determination of jurisdiction in cross-border insolvency proceedings and recognition of the effects of foreign insolvency proceedings in relations between EU and non-EU countries.

The main aim of the thesis is to answer the following questions: which legal documents have had the strongest impact on the current form of international insolvency law; whether and how the interpretation of the concept of *centre of a debtor's main interests* (“COMI”) has changed over time; what changes may be expected to occur in the area of cross-border insolvency proceedings as a consequence of the adoption of the New Insolvency Regulation; and, last but not least, whether the meaning of COMI, as provided for in European legislation governing cross-border insolvency proceedings through a regulation, is identical to its meaning under the 1997 UNCITRAL Model Law On Cross-Border Insolvency.