

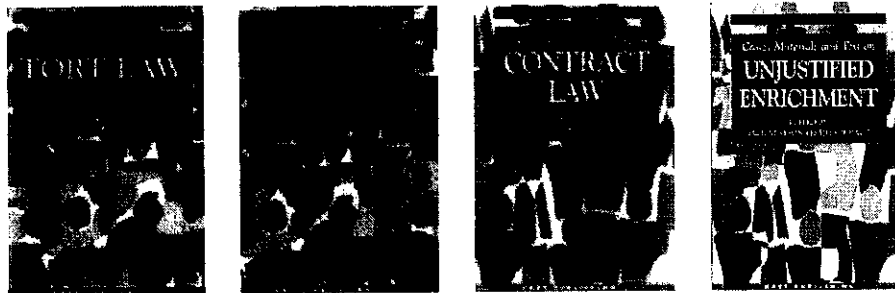
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# IUS COMMUNE CASEBOOKS FOR THE COMMON LAW OF EUROPE

*Cases, Materials and Text on  
National, Supranational and International Law*

General editor Walter van Gerven

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## • AIM

*"Developing teaching materials for use throughout Europe and elsewhere"*  
*"Uncovering common principles already underlying existing laws"*

The Ius Commune Casebooks for the Common Law of Europe Project aims to produce a collection of casebooks, covering each of the main fields of law. These casebooks comprise **cases and other materials** (legislative materials, international materials, draft model principles, restatements and excerpts from books or articles, as appropriate). Those materials should relate, as much as possible, to similar problems or factual situations under the various legal systems under study. The materials will be accompanied by short **introductory and explanatory notes** to situate them in context. At the end of each section, a **comparative overview** will tie together the materials included under that section, with emphasis, where possible, on existing or emerging general principles in the national and supranational legal systems of Europe. The Casebooks are suitable not only for educational but also for research and reference purposes.

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## • TASK FORCES

### *Published Casebooks*

#### **. Tort Law - Scope of Protection**

Walter van Gerven (University of Leuven, University of Maastricht), Jeremy Lever, QC (British Institute of International and Comparative Law), Pierre Larouche (University of Tilburg), Christian Von Bar (University of Osnabrück), Geneviève Viney (University Paris I)

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Managing Editors: Hugh Beale (University of Warwick), Ludovic Bernardeau (ECJ, ERA), Denis Tallon (University of Paris II), Robert Williams

### *Casebooks in Preparation*

#### **. Unjustified Enrichment**

General Editors: Jack Beatson (University of Cambridge), Eltjo Schrage (University of Amsterdam)  
Contributors: Floor Gras, Martin Hogg (University of Edinburgh), Barry Nicholas+ (University of Oxford), Martin Schermaier (University of Muenster), David Sellar (University of Edinburgh), Danie Visser (University of Capetown), Mindy Chen-Wishart (University of Oxford)

#### **. Judicial Review of Administrative Action**

Takis Tridimas (University of Southampton), Aalt Willem Heringa (University of Maastricht), Walter van Gerven (University of Leuven, University of Maastricht), Pierre Larouche (University of Tilburg)



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## ▪ Mission Statement

The objective of the Leuven Centre for a Common Law of Europe (Leuven CCLE) is to focus research efforts of the Faculty of Law of the Katholieke Universiteit Leuven (K.U.Leuven) on legal developments that are common to the whole of Europe. A tradition of forty years of research in the field of comparative and European Community law serves as an excellent starting point for the activities of Leuven CCLE.

The area's of interest are:

- the law of the European Union and developments in European human rights and humanitarian law (ECHR law),
- the national legal systems of the European countries in a comparative context and in their interaction with European Union law and
- the interplay of European (Union) law with international law.

The Leuven CCLE research method consists in bridging the classical dividing lines between legal disciplines and in engaging in comparative and cross-disciplinary legal research, while at the same time embedding legal scholarship in broader social, economic, cultural and political context. Studies will not only focus on private law, but also on public law and areas of the law situated at the boundaries of its classical branches.

The first and foremost goal of Leuven CCLE is to promote fundamental legal research on the interaction between the aforementioned differ-

ent fields and methods, thereby thoroughly analysing bottom-up as well as top-down movements. This approach is necessary in order to determine to what extent the building bricks of national, European and international law can be used to promote a common legal construction for Europe.

Leuven CCLE approaches the law not as a rule set in stone, but as a living and dynamic process. The core of the process is the interaction between different legal orders in Europe: between Community and national law, between separate national legal systems and between European and international law. As the composite of legal rules grows ever more complex, the question of legitimacy of legal rules is perceived as a major subject of research.

The Leuven CCLE approach to scholarship and research is rooted in the firm conviction, indicated by forty years of comparative analysis, that it will become more and more apparent that legal systems which *prima facie* may look very different are built around common principles that in Europe constitute a *ius commune* or a common law of Europe.

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## ▪ Development

Leuven CCLE has been founded in late 1999 by a number of individual Institutes within the Faculty of



Law of the Katholieke Universiteit Leuven (K.U.Leuven). Initially, this were the institutes of the Economic Law Department (the Institute for European Economic Law, the Institute for Commercial Law and Insurance Law, the Institute for Tax Law and the European Tax College, the Jan Ronse Institute for Company Law) and the Institutes for European Law and for International Law. In the mean time, the Private Law Department as such and the Institute for the Study of the Foundations of the Law have joined Leuven CCLE.

Two considerations in particular warranted this foundation.

The founding entities felt a need to further coordinate and promote their already well-established activities in the European and International field. The Faculty of Law of the K.U.Leuven has earned a reputation for promoting European Union and international law, counting among its faculty distinguished representatives of the European Court of Justice and



### ■ Walter van Gerven Lectures

The Walter van Gerven Lectures are organised by the Leuven Centre for a Common Law of Europe. Each year, the Centre invites a prominent European or international scholar to share perceptions and ideas about the existence or emergence of a European-wide *ius commune*. The lectures relate to the areas of interest studied by Walter van Gerven in the course of his outstanding academic career, which was and still is featured by the prominent idea that a *ius commune* is already present in Europe, but that it should continuously be discovered starting out from a bottom-up approach.

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### ■ Publications

– J. Stuyck and J. Wouters (eds.), T. Kruger (ass. ed.), *Principles of Proper Conduct for Supranational, State and Private Actors in the European Union: Towards a *Ius Commune*; Essays in honour of Walter Van Gerven*, 2001, ISBN 90-5095-162-7, xx + 214 pp.

– J. Stuyck and H. Gilliams (eds.), E. Ballon (ass. ed.), *Modernisation of European Competition Law, The Commission's proposal for a new regulation implementing Articles 81 and 82 EC*, 2002, ISBN 90-5095-222-4, xvi + 197 pp. [Leuven Centre for a Common Law of Europe Series, Volume 1]

– S. Grundman and J. Stuyck (eds.), E. Terryn and T. Vandyck (ass. eds.), *the Communication*

*from the Commission on European contract law – Harmonisation, Code, Optional Code* (in publication)

– Judge C.W.A. Timmermans, "Company Law as *Ius Commune*?" in: W. Devroe and D. Droshout (eds.), *Walter van Gerven Lectures* (to be published).

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### ■ Future volumes to be published in the Leuven CLLE Series

– W. Devroe, K. Geens and J. Wouters (eds.), *the Regulation and the Directive of October 8, 2001 on the Statute for a European Company (SE)*

– W. Devroe and J. Stuyck (eds.), *The modernisation of enforcement and of merger control in European competition law*

– [The 2002 Walter van Gerven Lecture]

– [The Leuven CCLE 2003 Competition Law Conference]



Katholieke Universiteit Leuven  
Faculty of Law  
Leuven Centre for a Common Law of Europe

Collegium Falconis  
Tiensestraat 41, 3000 Leuven, Belgium  
Phone: + 32 16 325 543  
Fax: + 32 16 325 314  
ccl@law.kuleuven.ac.be  
<http://www.law.kuleuven.ac.be/ccl>

\* Leuven CCLE will release a new database-based version of its website shortly after the start of the academic year 2002-2003. The new website will contain extensive information on the staff members of Leuven CCLE (including the involved researchers), the publications, the past and forthcoming conferences and seminars, as well as on the research activities pooled in the centre. Furthermore, visitors will have the possibility to register so as to receive information on Leuven CCLE activities and publications matching their personal spheres of interest.