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Erasmus Intensive Course – Law Faculty of Lisbon University

– 20th to 24th of May 2019 - 11 am to 1:00 pm –

Introduction to European Private Law - From national rules on Contract and Tort to supranational European Union Obligation Law

Course syllabus

Class 1 Monday, May 20, 2019

Introduction: Differences of national private laws in Europe / legal families / Common Law – Civil Law; the problems of diverging legal rules within the EU

Class 2 Tuesday, May 21, 2019

Approximation of Private Law:

Competences of the EU in general; competences executed; instruments of EU-law

Class 3 Wednesday, May 22, 2019

Traditional European Contract Law – Harmonization by directives;

Example: Unfair Contract Terms Directive 93/13/EEC / Consumer Sales Directive; Revival:

Two proposals for Directives on Contracts for Online and other Distance Sales of Goods and Contracts for the Supply of Digital Content (COM(2015) 635 of 9.12.2015)

Class 4 Thursday, May 23, 2019

A new Strategy: Development, format and functions of the (Draft) Common Frame of Reference/DCFR; Structure and contents of the DCFR; the four Principles and the General Part of the DCFR

Class 5 Friday, May 24, 2019

Unified EU Principles on Contracts and Tort: DCFR Book IV.A “Sales” / Proposal of Common European Sales Law (CESL); Principles of European Tort Law (PETL) vs. DCFR Book VI “Non-contractual liability arising out of damage caused to another“

Reading List

Antoniolli/Fiorentini (Eds), A factual assessment of the draft common frame of reference (2011)

Bussani/Werro (Eds), European Private Law: A Handbook Vol I (2009) / Vol. II (2014)

Bogdan / Maunsbach, EU Private International Law: An ECJ Casebook, 2nd ed. (2012)

Cafaggi / Muir-Watt (Eds.), Making European Private Law – Governance Design (2008)

Hartkamp/Hondius (Eds), Towards a European civil code, 4th ed. (2011)

Howells/Schulze (Eds), Modernising and Harmonising Consumer Contract Law (2009)

Micklitz, Understanding EU consumer law, 2nd ed. (2014)

Micklitz/Cafaggi (Eds), European Private Law after the Common Frame Of Reference (2010)

Moccia (Ed), The making of European private law: why, how, what, who (2013)

Larouche (Ed), Economic analysis of the DCFR - The work of the Economic Impact Group within CoPECL (2010)

Sagaert / Storme / Terryn (Eds), The Draft Common Frame of Reference: national and comparative perspectives (2013)

Schulze (Ed.), Common Frame of Reference and Existing EC Contract Law, 2nd ed. (2009)

Schulze / Schulte-Nölke (Eds.), European Private Law – Current Status and Perspective (2011)

Schulte-Nölke/Tichy (Eds), Perspectives for European Consumer Law - Towards a Directive on Consumer Rights and Beyond (2010)

Sammut, Constructing Modern European Private Law: A Hybrid System (2016)

Twigg-Flesner (Ed), European Union Private Law (2010)

Vranken, Fundamentals of European Civil Law, 2nd ed. (2010)