International Conference: *Uniform rules for European Contract Law? A critical assessment*

**OBJECTIVES AND ISSUES**

Twenty years have already gone by since Part I of the Principles of European Contract Law (PECL) was published and more than ten since the whole project was completed. The PECL, together with Law enacted by the European Union (and its predecessors) have fostered intense activity among scholars in respect of the so-called European Contract Law. A new *ius commune* in this field seems to be increasingly accepted across the continent and subsequent proposals on Uniform rules for Contract Law have attracted the attention of stakeholders. Among these projects are the Draft Common Frame of Reference (DCFR) or the Proposal for a Regulation on a Common European Sales Law (CESL).

Great effort has been put into their preparation and also the analysis of their particular rules. The aforementioned proposals, however, still remain soft law with doubtful perspectives as regards enactment by the corresponding European institutions. At this stage, it is unclear whether the whole process of drafting uniform rules is still worthy to be pursued.

The conference aims to assess the current need for uniform rules in European Contract Law, taking into consideration its possible past benefits. The programme is structured according to the needs set out in the PECL: (i) the facilitation of cross-border trade within Europe and the strengthening of the internal market; (ii) the creation of an infrastructure for EU rules governing contracts; (iii) the provision of guidelines for national courts and legislatures; and (iv) the construction of a bridge between the Civil Law and the Common Law. These benefits were to a certain extent assumed by the subsequent projects and initiatives. The programme includes a fifth part which expects to analyse the influence of the European process on non-EU countries.

The conference commemorates the 30th anniversary of the incorporation of the Kingdom of Spain in the EEC/EU and serves as the closing event for the Jean Monnet Module “Towards a Common Private Law of Europe”, granted to IE University.
PROGRAMME

Thursday 23rd June 2016

15.00 to 16.30
Registration

16.30 to 16.40
Welcome. Prof. Javier de Cendra
Dean IE Law School

16.40 to 17.20
Opening keynote speech. Prof. Hugh Beale
(University of Warwick, UK). *The role for European Contract Law: uniformity or diversity?*

17.20 to 17.40
Discussion

17.40 to 18.00
Coffee break

PART I - UNIFORM RULES FOR THE INTERNAL MARKET

Chair: Prof. Charlotte Leskinen (IE University, Spain)

18.00 to 18.25
Prof. Bart Wauters (IE University, Spain). *Ius Commune and Contract Law*

18.25 to 18.50
Prof. Fernando Gómez Pomar (Pompeu Fabra University, Spain). *Optimal Standards for the Single Market in Contract and Consumer Law*

18.50 to 19.15
Prof. Zeynep Tarman (Koç University, Turkey). *Non-state Law in the Arbitration of Commercial Contracts*

19.15 to 19.35
Discussion

20.45 to 23.00
Conference dinner. Mesón Cándido (by the Roman Aqueduct)

Friday 24th June 2016

PART II- UNIFORM RULES FOR NATIONAL LEGISLATORS AND COURTS

Chair: Prof. Víctor Torre de Silva (IE Law School, Spain)

10.00 to 10.25
Prof. Encarna Roca i Trías (Magistrate Constitutional Court of Spain). *The modernization of the law of obligations by using the principles of European contract law*

10.25 to 10.50
Prof. Thomas Ackermann (Ludwig Maximilians Universität, Germany). *Uniform rules as guidelines for national courts and legislatures: The German experience*

10.50 to 11.15
Prof. Vanessa Mak (Tilburg University, The Netherlands). *Better regulation? An evaluation of the influence of uniform rules for European contract law in Dutch law*

11.15 to 11.35
Discussion

11.35 to 11.55
Coffee break

PART III- UNIFORM RULES TO BRIDGE THE GAP BETWEEN COMMON AND CIVIL LAW

Chair: Prof. Marie-José Garot (IE Law School)

11.55 to 12.20
Prof. Stefan Vogenauer (Director Max Planck Institute for European Legal History, Germany). *Uniform Rules on the Interpretation of Contracts to Bridge the Gap between the Civil and the Common Law*
12.20 to 12.45
Prof. André Janssen (City University of Hong Kong). *Bridging the gap: The CISG as a successful legal hybrid between Common and Civil Law?*

12.45 to 13.10
Prof. Francisco de Elizalde (IE University, Spain). *Contractual Terms in the Common and Civil Law. Do Uniform Rules reflect a common core?*

13.10 to 13.30
Discussion

13.30 to 14.30
Lunch

**PART IV- UNIFORM RULES AS A REQUIREMENT OF CONSUMER LAW**
Chair: Prof. Fernando Pastor Merchante (IE University)

14.30 to 14.55
Prof. Marco Loos (University of Amsterdam, The Netherlands). *Uniform contract law: does consumer law show the way forward?*

14.55 to 15.20
Prof. Christian Twigg-Flesner (University of Hull, UK). *Designing European Consumer Contract Law rules – the mistakes of past attempts and suggestions for the future*

15.20 to 15.45
Prof. Geraint Howells (Dean, City University of Hong Kong). *What can consumers gain from uniform European consumer laws?*

15.45 to 16.05
Discussion

16.05 to 16.20
Coffee break

**PART V- UNIFORM RULES AS A MODEL FOR NON-EU COUNTRIES**
Chair: Prof. Wanderley Fernandes (FGV, Brazil)

16.20 to 16.45
Prof. Mateja Djurovic (City University of Hong Kong). *Uniform rules for European Contract Law as a model for the Asian countries*

16.45 to 17.10
Prof. İşik Önay (Koç University, Turkey). *Effects of European Harmonization on Turkish Contract Law*

17.10 to 17.35
Prof. Iñigo de la Maza (Diego Portales University, Chile). *The Principles of Latin American Contract Law. Harmonisation as Syncretism*

17.35 to 17.55
Discussion

**CONCLUSIONS**

17.55 to 18.35
Closing speech. Prof. Ole Lando (Copenhagen Business School, Denmark)*

18.35 to 18.50
Concluding remarks. Prof. María Paz García Rubio (University of Santiago, Spain).

18.50 to 19.00
Final words. Prof. Salvador Carmona, Rector IE University

* To be confirmed
ORGANIZATION
Prof. Francisco de Elizalde (IE University)
E: francisco.deelizalde@ie.edu
T: +34 921 412 410

VENUE & ACCOMMODATION
IE University, Campus de Santa Cruz La Real
Cardenal Zúñiga, 12, 40003, Segovia (Spain)
Segovia is a UNESCO World Heritage Town, easily accessible from Madrid via high speed train in 25 minutes. Instructions on how to arrive to Segovia from the airport of Madrid are provided at:
www.jeanmonnet.privatelaw.ie.edu/conference/
The organization has blocked rooms at Eurostars Acueducto****, which will be kept at special rates until April 20th, 2016. Participants should contact the hotel directly, stating that they will attend the conference. The hotel is located at a walking distance from the University, just by the millenarian Roman Aqueduct.

REGISTRATION
Participants should register by filling in the form accessible at: www.jeanmonnet.privatelaw.ie.edu/conference/
Registration fee (includes admission to the academic programme on all days, refreshments, Conference dinner on Thursday 23rd and lunch on Friday 24th):
Before 15 April 2016: 150 EUR
Before 15 June 2016: 180 EUR
IE Law School and IE University students (30% discount): 105 EUR (no right to Conference dinner)
Seating is limited

THE CONFERENCE IS KINDLY SUPPORTED BY:
Jean Monnet Module “Towards a Common Private Law of Europe”
IE University
IE Center for European Studies