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THE HAGUE — THE NETHERLANDS

EU ENLARGEMENT

The Constitutional Impact at EU and National Level

Editors: Alfred E. Kellermann, Jaap W. de Zwaan and Jenö Czuczai

The studies, debates and suggestions collected in this work are the result of an international conference on European Law held in September 2000, organized by the T.M.C. Asser Institute in The Hague, in cooperation with the Constitutional and Legal Policy Institute COLPI, Budapest, Hungary. The subject of the conference concerned the impact of the enlargement of the European Union on the constitutional provisions of both levels of legal order: the national and the European level.

At the *National level*, enlargement will, most likely, contribute in many candidate countries to constitutional modernization and fundamental changes. Constitutional provisions have to be regulated and adjusted before accession. Provisions of national constitutions contrary to or contradicting the *acquis communautaire* have to be amended. National courts interpreting these constitutions (*living constitutions*) will play a new important independent role as community courts. After accession these national courts of the candidate countries should accept and apply the principles of direct effect, direct applicability and supremacy of community law.

At the *EU level* reorganization and simplification of the Treaties as well as reform of the EC's institutions (European Parliament, Council, Commission and European Court of Justice) should increase the effectiveness of the legal order of the Union.

The contributions in this Volume are grouped around five major themes:

(i) the European architecture, i.e., the constitutional order and the Charter of Fundamental Rights;

(ii) the impact of enlargement on constitutions and courts of EU Member States;

(iii) the impact of enlargement on the constitutions and courts of the candidate countries;

(iv) the IGC and future perspectives for the European architecture; and

(v) the practical implementation of the challenges of accession.

The contributors, coming from Member States as well as all candidate countries, are representatives and legal experts from national governments, from the EC Institutions, the national judiciary and the academic world (European and constitutional law). The contributions are preceded by a *Report on the Conference* and followed by *Conclusions and Summing up of the Conference*. The *Annexes* include, a.o., documents from the European Council of Nice (December 2000), such as the 'Protocol and Declaration of Enlargement', 'Declaration on the Future of the Union' and the 'Charter of Fundamental Rights of the European Union'.

This book is essential and vital as background information for the broad discussion which will start on the basis of the 'Declaration on the Future of the Union' from the European Council of Nice (December 2000), and which process of debates will continue with appropriate initiatives after the 'Declaration of Laeken' from the Belgian Presidency (December 2001) till the new Conference of the Representatives of the Governments of the Member States, to be convened in 2004.

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THE HAGUE – THE NETHERLANDS

PRIVATE LAW IN THE INTERNATIONAL ARENA
From National Conflict Rules Towards Harmonization and Unification

Liber Amicorum Kurt Siehr

Edited by:

J. Basedow, I. Meier, A.K. Schnyder, T. Einhorn and D. Girsberger

Private Law in the International Arena contains 57 original contributions authored by renowned lawyers from all over the Globe. It analyzes a wide variety of effects that cross-border activities have on the operation of private law, ranging from corporate and insolvency law to labor law, property law, the law of obligations, family law, European law and *lex mercatoria*. Civil procedure aspects, in national courts and arbitration proceedings, are dealt with as well. Since hardly anything is achieved nowadays without crossing some borders this book is of the utmost importance to scholars and practitioners alike. Indeed, it provides a unique source of insights into the problems encountered and their possible solutions.

All contributions have been written in honor of an eminent Private International Law scholar, Prof. Dr. Kurt Siehr of the University of Zurich, on the occasion of his 65th Anniversary. The editors are Prof. Dr. Jürgen Basedow, Director of the Max Planck Institute for Foreign Private and Private International Law in Hamburg, Prof. Dr. Isaak Meier, University of Zurich, Prof. Dr. Anton K. Schnyder, University of Basel, Prof. Dr. Talia Einhorn, T.M.C. Asser Institute, The Hague, and PD Dr. Daniel Girsberger, University of Zurich.

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