REPORT

Seventeenth Session of the Seminar on the Law and Institutions of the European Communities held at the Université Libre de Bruxelles and at the Vrije Universiteit Brussel.

3 July to 20 July 1989

Introduction

The Brussels Seminar is directed by Professor Gabriel Wilner, Professor of Law, University of Georgia in cooperation with Dean Magits and Professor Dr. Bart De Schutter, Director of PILC at the Vrije Universiteit Brussel, Professor Jean-Victor Louis, President of the Institut de'Etudes Europeennes of the Universite Libre de Bruxelles and M. Vanden Abeele, Vice President of the Institut. The Seminar enjoyed the support of Professor Dean Rusk and Dean C. Ronald Ellington of the University of Georgia Law School. The facilities of the Institut de'Etudes Europeennes and the Faculty of Law, Vrije Universiteit Brussel, are made available for the Seminar. The session also enjoyed the support of Dean Rudolph Hasl of St. Louis University Law School.

The 1989 session of the Brussels Seminar was supported by the Dean and Virginia Rusk Fellowship Fund at the University of Georgia Law School, the St. Louis University Law School, the Commission of the European Communities and personal grants from friends and alumni of the Seminar.

Purpose of the Seminar

The primary purpose of the Seventeenth Session of the Seminar was to provide a group of interested American law students with intensive exposure to the institutional arrangements of the law of the EC. The participants attended a series of seminars directed by experts in particular subjects. These experts were drawn principally from among teaching staffs of the Universite Libre de Bruxelles (including the University's Institut d'Etudes Europeennes), and the Vrije Universiteit Brussel, as well as a member of the Commission and officials of the Council and Commission of the European Communities and members of the Court of Justice of the European Communities.

Participants in the Seminar

The student participants were selected from among U.S. law students who had demonstrated a significant interest and sufficient background in European law and related areas of law. Student participants were encouraged to attend The Hague Academy of International Law upon completion of the Brussels Seminar and 12 of them did so.
Places were reserved for thirty-six student participants. Of the thirty students who attended the Seminar 12 were from the University of Georgia, and others from St. Louis University Law School as well as from other law schools in the United States. A list containing their names and universities is annexed to this Report.

Lecturers

Twenty seven lecturers participated in the Seminar. Among the criteria for their selection were expertise in the particular subject to be discussed at the Seminar, fluency in English and interest in working with United States law students. It was also considered important to include persons primarily engaged in university teaching, persons whose main activities were within the Commission, Council and Court of the European Communities, as well as practitioners before the Court of Justice of the E.C. as well as other decision-making bodies. A list of the names of the lecturers and their positions is annexed to this Report.

Seminar Sessions

The 1989 session consisted of 15 working days. Most working days consisted of 7 or 8 hours of lectures or seminars.

The core elements of the Seminar were a series of lectures and discussions held at the Institute of European Studies (U.L.B.) and the Faculty of Law, Vrije Universiteit Brussel and attended by all the participants. A day was spent at the E.C. Commission where, lectures and briefings were given. Another day was spent at the Court of Justice of the European Communities in Luxemburg. Seventy-eight hours were devoted to those lectures and discussions.

The history and structure of the E.C. were the subject of the lectures and discussions given by Professor Marc Maresceau. Professor Vandersanden discussed the sources Justice of the E.C. Judge Koopmans lecture on preliminary ruling by the E.C. Court of Justice, and generally on the relationship between national courts and the E.C. Court of Justice. Dr. Pipkorn, Dr. Taschner and Professor Wilner took up examples of the harmonization of private law legislation among the members of the Community, including the European conventions on jurisdiction and enforcement of judgment and on choice of law in contracts. Mr. Latham lectured on EC consumer protection law. Mr. van Bael, who substituted for Mr. Bellis gave a course on legal aspects of trade law and commercial policy of the E.C. while Mr. Praet discussed the economic aspects of Community trade policy, and its monetary policy. Mr. Spinks spoke on rules of origin in the trade law of the E.D. Mr. Seche spoke on the right of establishment and Professor Waelbroeck gave a course on the Community law on competition and discussed specific problems reflected in policies and judicial decision-making. Professors De Pauw and Sybesma lectured on human rights in Europe.
Professor De Schutter spoke on European cooperation in penal legislation. An introduction to E.C. social law was given by Professor Vogel, and Maitre Dassesse gave an introduction to tax law in the E.C. Mr. Schloh discussed the relationship of the economic policies of the E.C. with the United States. Mr. Lawrence gave the legal aspects of E.E.C. agricultural policy and certain legal aspects of E.C. environment policies.

Mr. Ehlermann lectured on the Single Act and its impact. Mr. Van Lier spoke on the building of the single internal market. Professor Jean-Victor Louis lectured on the external powers and policies of the E.C.

Professor Wilner discussed questions relevant to the powers of the Community under international law to make arrangements and undertake other international activities; alternative views of the legal nature of the Community were also the subject of discussions by Professor Wilner with the participants.

Maitre Knops gave an introduction to the Belgian legal system as an example of the national system of a E.C. members. Mr. Spinks spoke on the role of the U.S. lawyer in the E.C. while Professor Waelbroek also gave a workshop on the practitioner before the E.C. Court.

An academic contributions to the 17th session of the Seminar were also made by Professor Thomas Schoenbaum of the University of Georgia. The Seminar profited by Professor Schoenbaum's presence in Brussels to invite him to give a lecture on Japan-E.C. trade relations.

**Examination**

Several lecturers cooperated with Professor Wilner in giving an examination to those participants who wished to receive academic credit for their work and whose universities accepted the results of such an examination. Twenty-six student participants took the examination, including all the University of Georgia and St. Louis University students.

**Books and Study Materials**

A month before the commencement of the Seminar each participant received by mail a general bibliography of E.C. law and institutions. Upon arrival in Brussels, each participant received a copy of the book published by the communities containing the E.C. Treaties. Selected bibliographies in specific subjects were prepared by the lecturers. Moreover, outlines of the lectures and relevant E.C. Court of Justice judgments, decisions of the E.C. Commission, and Conventions, E.C. regulations and directives were distributed and used for discussion purposes.
Additional Professional Activities

The participants visited the Headquarters of the Commission of the E.C. where they received briefings by officials and had lunch with them. They also spent a day at the E.C. Court of Justice in Luxembourg where they attended a session of the Court and met at a luncheon Seminar with Judge T. Koopmans and Judge R. Joliet. A visit to the Brussels Palace of Justice included further briefings on the Belgian judicial system by Maitre Knops.

Social Activities

Students and faculty seminar participants met at receptions at the Institut d'Etudes Européennes. The participants spent Saturday, 15 July, on a visit of the art cities of Bruges and Damme, and a dinner was given for the participants and faculty on July 13. A special lunch was held on July 17 with Judge T. Koopmans of the E.C. Court of Justice. The student and faculty participants met with Professor Wilner on several occasions for general discussions of the subject covered in the Seminar.

Administrative Arrangements

Mrs. C. Charlier of the Secretariat of the Institut d'Etudes Européennes and Mrs. A. Lodens, Administrative officer at P.I.L.C., Vrije Universiteit Brussel were the principal administrators of the Seminar.

Lodging was provided for the participants on the campus of the Vrije Universiteit Brussel. Meals were available at the cafeterias of the universities.

Evaluation forms were given to both student participants and the faculty. The views expressed will assist in improving the quality of the Seminar.

Financial Arrangements

The appropriate financial statement is attached to this report. Certain observations are appropriate in connection with the financial arrangements for the Seminar. The participants in the Seminar were provided with free lodging and breakfast, but had to provide for many other meals. On several occasions either lunch or dinner was provided by the Seminar, the E.C. Court of Justice, and the Institut d'Etudes Européennes.

The 17th Session of the Seminar was made possible thanks primarily to grants from the Dean and Virginia Rusk Fellowship Foundation, St. Louis University Law School, and the contributions of friends and alumni of the Seminar.

It is expected that grants can once again be received for the 18th annual Session of the Seminar. The policy of the Brussels Seminar has been that insofar as possible the extent of the financial resources of students should not be a factor in their participation in the Seminar; thus costs to participants while in Brussels have been kept at a minimum. In order to carry out this policy, the continuing receipt of grants is necessary. Moreover, as of October 1989 the value of the U.S. dollar in
relation to the Belgian franc was over 30% less than in July 1985. In planning for the 18th session it is essential to bear in mind the declining value of the U.S. dollar and inflation in Belgium since expenses in Belgium must be paid in Belgian francs.

Gabriel M. Wilner
Director, Brussels Seminar
Thomas Kirbo Professor of Law
University of Georgia
II.- LIST OF LECTURERS
(with subject matters)

◊ Jean-François BELLIS
  Attorney (Brussels)
  "EEC Trade Law"

◊ Marc DASSESSE
  Attorney (Brussels)
  Lecturer at the Université Libre de Bruxelles
  "Tax Law"

◊ Frans DE PAUW
  Dean, School of Law (Vrije Universiteit Brussel)
  "International Protection of Human Rights"

◊ Bart DE SCHUTTER
  Director, PILC (Vrije Universiteit Brussel)
  "European Penal Law - International Law"

◊ Claus-Dieter EHLERMANN
  Spokes-Man, Commission of the European Communities
  "The Completion of the Internal Market - 1992"

◊ René JOLIET
  Judge, Court of Justice of the European Communities
  "The European Parliament before the Court of Justice"

◊ Emile KNOPS
  Attorney, Assistant Lecturer at the Université Libre de Bruxelles
  "The Belgian Judicial System"
  and Visite of the Palais de Justice of Brussels

◊ Thijmen KOOPMANS,
  Judge, Court of Justice of the European Communities
  "Preliminary Rulings (Art. 177 EEC Treaty)"

◊ Edward P. LATHAM
  Official, Directorate General XI, E.C. Commission
  Lecturer PILC (Vrije Universiteit Brussel)
  "Consumer's Protection"

◊ D. Grant LAWRENCE
  Member of the Cabinet of Commisioner Ripa di Meana, EC Commission
  "The Protection of the Environment"
  "Agricultural Policy of the European Communities"

◊ Jean-Victor LOUIS
  President, Institut d'Etudes européennes (Université Libre de Bruxelles)
  Professor of Law (Université Libre de Bruxelles)
  "Legal Aspects of the EC External Relations"
Marc MARESCEAU
Representative Administrator Europa Instituut (University of Ghent)
Professor of Law (Vrije Universiteit Brussel, University of Ghent)
"History and Institutions of the European Communities"

Jörn PIPKORN
Member of the Legal Service, Commission of the European Communities
"Harmonization of Legislations with regard to the Objectives of the European Single Act"
"European Company Law"

Peter PRAET
Assistant Professor (Université Libre de Bruxelles)
Chief Economist, Generale Bank (Brussels)
"European Monetary System"
"Foreign Trade Policy of the EEC"

Bernhard SCHLOH
Legal Adviser, Council of Minister of the European Communities
Professor of Law (Vrije Universiteit Brussel)
"EC-US Economic Relations"

Jean-Claude SECHE
Legal Adviser, EC Commission
"The Right of Establishment and the Freedom to provide Services"

Steve SPINKS
Attorney, Brussels
"The Role of American Lawyer in the EEC"
"Rules of Origin"

Hans-Claudius TASCHNER
Official, Directorate General III, E.C. Commission
"Harmonization of Legislations : History and General Principles"
"Product Liability"

Albert te PASS
Head of Division, Directorate General I, E.C. Commission
"North-South Development"

Michel VANDEN ABELE
Cabinet's Chief of Commissioner Karel Van Miert
Lecturer, Université Libre de Bruxelles
"Transport Policy in the Community"

Georges VANDERSANDEN
Professor of Law (Université Libre de Bruxelles)
Research Director, Institut d'Etudes européennes (Université Libre de Bruxelles)
"The Court of Justice of the European Communities"
Hendrik VAN LIER
Assistant to the Director General of the Legal Service, E.C. Commission
"Legal Aspects of Reducing Barriers, with Special Reference to Article 100A"

Eliane VOGEL-POLSKY
Professor of Law (Université Libre de Bruxelles)
Director, Centre de Sociologie du Droit Social (Université Libre de Bruxelles)
"European Social Law"

Michel WAELBROECK
Professor of Law (Université Libre de Bruxelles)
"EEC Competition Law"

Gabriel M. WILNER
Director of the Seminar
Director, Graduate Legal Studies (University of Georgia School of Law)
Lecturer, PILC (Vrije Universiteit Brussel)
Lecturer, Law Faculty (Université Libre de Bruxelles)
"Introduction to the Law and Institutions of the European Communities"
"Harmonization of Rules of Private International Law in the European Communities"
"Legal Nature of the Communities and Related Subject"