

## REPORT

### Twenty-fourth Session of the Seminar on the Law and Institutions of the European Communities held at the Institut d'Etudes Europeennes of the Universite Libre de Bruxelles and at the Vrije Universiteit Brussel

3 July to 20 July 1996

#### Introduction

The Brussels Seminar is directed by Professor Gabriel Wilner, Professor of Law, University Georgia in cooperation with Dean Eliarts and Professor Dr. Bart De Schutter, Director of PILC at the Vrije Universiteit Brussel (VUB), Professor Andre Sapir, President of the Institut d'Etudes Europeennes (ULB) and Professor Michel Vanden Abeele, Vice President of the Institut. The Seminar continues to enjoy the support of Professor Edward Spurgeon, Dean of the University of Georgia Law School. The Seminar also enjoys the support of the Saint Louis University Law School. The facilities of the Institut de'Etudes Europeennes (ULB) and the Faculty of Law, Vrije Universiteit Brussel, are made available for the Seminar.

The 1996 session of the Brussels Seminar was supported by the Dean and Virginia Rusk Fellowship fund at the University of Georgia Law School, by the Saint Louis University Law School, by the Commission for Cultural Exchange between the United States, Belgium and Luxembourg, by the Commission of the European Communities and by friends and alumni of the Seminar.

#### Participants in the Seminar

The student participants were selected from among U.. law students who had demonstrated a significant interest and sufficient background in European law and related areas of law.

At the twenty-fourth session of the Seminar, the requisite places were reserved for thirty five student participants. Ten students from the University of Georgia attended the Seminar. Ten students from Saint Louis University University Law School participated in the Seminar, and several other law schools in the United States were represented by one or two students (see list of students annexed to the report). One participant was from the Universidad de Sonora, Mexico.

#### Faculty

The faculty of the Seminar numbered thirty-two. Among the criteria for their selection were expertise in the particular subject to be discussed by them 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 in EC subject areas, person whose main

activities were within the Commission, Council and Court of the European Communities, and persons who act as practitioners before the Court of Justice of the E.C. and other decision-making bodies of the E.C.

### Seminar Sessions

The 1996 Session consisted of 15 working days. Most working days consisted of 7 or 8 hours of lectures or seminars.

The course 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 special Roundtable on "Practicing in the EC" was held at the Institute and at the offices of a number of leading American firms in Brussels. A day was spent at the Court of Justice of the European Communities in Luxembourg where the students were briefed by Judge Lanearts. Eighty-two hours were devoted to the 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 Faull analysed the Treaty of European Union. Judge Koopmans lectured on preliminary rulings (Article 177) by the E.C. Court of Justice, and generally on the relationship between national courts and the E.C. Court of Justice. Ms. Schmidt, Dr. Taschner, and Professor Wilner took up examples of the harmonization of private law legislation among the members of the Community, including products liability, company law, and the European conventions of jurisdiction and enforcement of judgment and on choice of law in contracts. Mr. Latham lectured on EC consumer protection law.

Mr. Bellis and Prof. Govaere gave a course on trade regulation in the E.C., while Prof. 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 EC. 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. Professor Joris discussed state aids. Professor Sybesma lectured on human rights policies on the EC. Professor De Schutter spoke on European cooperation in penal legislation. An introduction to E.C. social law was given by Mr. Currall. Professor Van Thiel gave an introduction to tax law in the E.C. Mr. Schloh discussed the EC's Common Agricultural Policy. Mr. Lawrence lectured on the legal aspects of the European Community's external relations as well as its environmental policies. Mr. Van Lier spoke on the building of the single internal market. Professor Van Thiel discussed the relations between the EC and the Eastern European countries. Mr. Oliver lectured on customs barriers and measures having an equivalent effect. Mr. Jessens lectured on Telecommunications Law in the E.C. Mr. Alexiadis surveyed E.C. intellectual property rules.

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. Mr. Te Pass discussed EC development policies and the Lome IV Convention. Mr. Manuel Medina gave lectures on the European Parliament and Mr. Devuyt discussed the work of the EC Commission.

Maitre Staple, of the Brussels Bar, gave an introduction to the Belgian legal system as an example of an EC national system. Professor Waelbroek gave a workshop on the practitioner before the E.C. court. Mr. Marc Pallamaerts discussed aspects of Global Environmental Policy from a European Perspective, and Mr. Kent Karlsson discussed the application of Community Law in national courts. Mr. Vanden Abeele analysed the future of E.C. - U.S. Relations.

### 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. Selected bibliographies in specific subjects were prepared by the lecturers. Moreover, outlines of the lectures and relevant EC Court of Justice judgments, decisions of the EC Commission, and Conventions, EC regulations and directives were distributed and used for discussion purposes. Each student received a bound copy of the Rome Treaty creating the EEC and the Single European Act, as well as the Maastricht Agreement.

### Additional Professional Activities

The participants took part in a roundtable on "Practicing in the EC," led by Stephen Spinks of Coudert Brothers and partners of several other large law firms in Brussels. They also spent a day at the E.C. Court of Justice in Luxembourg where they attended a session of the Court and heard a lecture by Judge Leanaerts. A visit to the Brussels Palace of Justice included further briefings on the Belgian judicial system by Maitre Staple.

### Social Activities

Students and faculty seminar participants met at receptions at the Institut d'Etudes Europeennes (ULB). The student participants were guests at the annual dinner. The participants spent one Saturday on a visit to the art cities of Bruges and Damme. A special lunch was held with Judge Koopmans. 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 (retired) of the Secretariat of the Institut d'Etudes Europeennes (ULB) and Mrs. A. Lodens, Administrative

Officer at P.I.L.C., Vrije Universiteit Brussel were the principal administrators of the Seminar in Brussels.

Lodging and breakfast were provided for the participants on the campus of the Vrije Universiteit Brussel. Meals were available at the cafeterias of the two 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

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, and the Institut d' Etudes Europeennes (ULB).

The 24th Session of the Seminar was made possible thanks, in large measure, to grants from the Dean and Virginia Rusk Fellowship Fund, at the University of Georgia Law School, Saint Louis University Law School, by the Commission for Cultural Exchange, between Belgium and the United States, and the contributions of friends and alumni of the Seminar.

It is expected that the necessary grants will be received for the 25th annual Session of the Seminar. The policy of the Brussels Seminar is that, insofar as possible, the financial situation of students should not be a factor in their participations in the Seminar; thus costs to the student participants, have been kept at a minimum. In order to carry out this policy, the continuing receipt of grants is necessary. Moreover, as of June 1986 the value of the U.S. dollar in relation to the Belgian franc was approximately 40% less than in July 1985. In planning for the 25th session and for the Colloquium on U.S. - E.U. Relations, which will celebrate the 25 years of the Brussels Seminar, it is essential to bear in mind the declining value of the U.S. dollar and the inflation of prices in Belgium; expenses in Belgium must be paid in Belgian francs.

Gabriel M. Wilner  
Director, Brussels Seminar  
Thomas Kirbo Professor of  
International Law  
University of Georgia

BRUSSELS SEMINAR

Twenty-fourth Session: 1996

Grant from Dean and Virginia Rusk Fellowship Fund

1. The amount of the grant: \$16,704.39  
(506,420 BF at the exchange rate of 24 June 1996)
2. The expenses for which the grant was used are set out below and receipts attached.
3. The total expenses for the Seminar were 1,180,000 BF.

Expenses in Brussels

	<u>BF</u>
A. Honoraria - Lecturers (partial)	200,000
B. Administrator ULB: C. Charlier (partial)	50,000
C. Administrator VUB: A. Lodens (partial)	40,000
D. Assistant to the Seminar (Y. Desmedt (partial))	15,000
E. Lodgings and breakfast for participants (at VUB) (partial)	159,500
F. Administrative expenses (ULB) (including use of building, mailing, telephone, etc.) (partial)	20,000
G. Expenses - Judge Koopmans	22,420
	<u>506,420</u> BF

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LIST OF LECTURERS

Peter Alexiadis	5,000
Jean-Francois Bellis	5,000
Julian Currall	5,000
Bart De Schutter	9,000
Youri Devuyt	5,000
Jonathan Faull	12,500
Inge Govaere	5,000
Anders Jessen	5,000
Tony Joris	7,500
Kent Karlsson	5,000
Thijmen Koopmans	7,500
Edward Latham	5,000
D. Grant Lawrence	12,500
Marc Maresceau	10,000
Manuel Medina	5,000
Peter Oliver	5,000
Marc Pallemaerts	5,000
Peter Praet	15,000
Bernhard Schloh	5,000
Claudia Schmidt	5,000
Jean-Claude Seche	7,500
Stephen Spinks	5,000
Mary Staple	5,000
Neri Sybesma-Knol	5,000

Hans-Claudius Taschner	5,000
Albert Te Pass	5,000
Michel Vanden Abeele	5,000
George Vandersanden	5,000
Hendrik Van Lier	5,000
Servaas Van Thiel	10,000
Michel Waelbroeck	12,500
Gabriel M. Wilner	