



The University of Georgia

School of Law

October 29, 1990

Professor Dean Rusk
Dean Rusk Center
School of Law

Dear Dean:

Please find attached the report for the 1990 Eighteenth Session of the Brussels Seminar and the annex which is a copy of the program given to all the students.

We are now planning for the 1991 session of the Seminar and Ron Ellington told me that he would make available the same funding as he did last year. I realize that your own strong support has much to do with the continued willingness of the Law School to assist by meeting a major part of the expense of the Seminar.

With warmest good wishes.

Sincerely,

Gabriel M. Wilner

GMW:rs

Attachment

REPORT

Eighteenth Session of the Seminar on the Law and Institutions of the European Communities held at the Universite Libre de Bruxelles and at the Vrije Universiteit Brussel

3 July to 20 July 1990

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 session also enjoyed the support of Dean Rudolph Hasl of St. Louis University 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 1990 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 Eighteenth 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 14 of them did so.

Places were reserved for thirty-four student participants. Of the thirty-one students who attended the Seminar 11 were from the University of Georgia, 5 from Saint Louis University Law School. Fourteen other law schools in the United States were represented by one or two students. A list containing their names and universities is annexed to this Report.

Lecturers

Twenty nine 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 1990 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. Eighty-one 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 lectured 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. Judge Sir Gordon spoke on access to the EC 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. 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. Professor De Pauw lectured on human rights in Europe. Professor Sybesma

lectured on the space law policies of the EC, while Mr. Smet lectured on European air transport law. Professor De Schutter spoke on European cooperation in penal legislation. An introduction to E.C. social law was given by Professor Vogel, and Maitre Dasse gave an introduction to tax law in the E.C. Mr. Schloh discussed the EC's Common Agricultural Policy. Mr. Lawrence gave the legal aspects of the European Communities' External Relations as well as its environmental policies. Mr. Van Lier spoke on the building of the single internal market. Professor Jean-Victor Louis lectured on the monetary policies of the EC. Mr. von Thiel discussed the relations between the EC and the Eastern European countries.

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 Pas, Mr. Gakunu and Mr. Huber discussed EC development policies and Lome IV.

Mr. Knops gave an introduction to the Belgian legal system as an example of the national system of 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. Mr. Harrop and Mr. Toussignant gave lectures on US-EC Economic 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-five 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. 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. Each student received a copy of the Rome Treaty creating the EEC and the Single European Act.

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 officials of the Court of Justice. 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 Europeennes. The participants spent Saturday, 14 July, on a visit to the art cities of Bruges and Damme, and a dinner was given for the participants and faculty on July 12. A special lunch was held on July 16 with Judge Sir Gordon Slynn 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 Europeennes 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 Arrangement

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 Europeennes.

The 18th Session of the Seminar was made possible thanks primarily to grants from the Dean and Virginia Rusk Fellowship Foundation, Saint 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 19th 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 1990 the value of the U.S. dollar in

relation to the Belgian franc was at least 45% less than in July 1985. In planning for the 19th 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

**BRUSSELS SEMINAR ON THE LAW AND
INSTITUTIONS OF THE EUROPEAN COMMUNITIES**

held at the Institut d'Etudes Européennes (ULB)
and Vrije Universiteit Brussel

Director : Prof. Gabriel M. WILNER

XVIIIth S E S S I O N

JULY 3 - 20, 1990

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Brussels Seminar on the Law and Institutions of the
European Communities

I.- INTRODUCTION

The 1990 18th annual Session of the Brussels Seminar on the Law and Institutions of the European Communities" is held at the INSTITUT D'ETUDES EUROPEENNES, Université Libre de Bruxelles and at the FACULTEIT DER RECHTSGELEERDHEID (Vrije Universiteit Brussel).

The Director of the Seminar is :

- Professor Gabriel M. WILNER

Thomas Kirbo Professor of Law and Adjunct Professor Faculty of Law (PILC) Vrije Universiteit Brussel
Director, Graduate Legal Studies, University of Georgia, School of Law

The Seminar has the support of :

- Professor Dean RUSK

University of Georgia ,School of Law

- Professor Jean-Victor LOUIS

President, Institut d'Etudes européennes ,Université Libre de Bruxelles (U.L.B.)

- Professor Michel VANDEN ABEELE

Vice-President, Institut d'Etudes européennes, Université Libre de Bruxelles (U.L.B.)

- Professor Michel MAGITS

Dean, Faculty of Law ,Vrije Universiteit Brussel (V.U.B.)

- Professor Bart DE SCHUTTER

Director, Program on International Legal Cooperation (PILC)
Vrije Universiteit Brussel

The Administrators of the Seminar are :

- Mrs Cécile CHARLIER *

Institut d'Etudes européennes ,Université Libre de Bruxelles

- Mrs Annie LODENS **

Faculty of Law - PILC ,Vrije Universiteit Brussel

* Avenue F.D. Roosevelt, 39 - 1050 Brussels - tel. 642.30.69 (room 201)
** Pleinlaan, 2 - 1050 Brussels - tel. 641.26.31 (Bldg "B", 4 fl., room 357)

Financial assistance has been received this year from Dean and Virginia RUSK, Fellowship Fund at the University of Georgia School of Law, Saint-Louis University Law School.

Support has also been received from the Commission of the European Communities, the Court of Justice of the European Communities and friends of the Seminar.

AIMS OF THE SEMINAR

The principal aim of the Brussels Seminar is to provide a group of interested American law students with intensive exposure to the law and institutions of the European Communities. The creation of an integrated internal market by 1992, as contemplated by the Single European Act, will be the subject of particular attention in Seminar discussions. In addition, the students participants will be given an opportunity to explore and discuss the influence on the United States of the economic, social and legal integration being achieved in the Common Market.

The Participants in the Seminar will have an opportunity to meet officials of the Commission of the European Communities, some of whom will direct sessions of the Seminar. There will be visit to the Headquarters of the Commission in Brussels and to the Court of Justice of the European Communities in Luxemburg.

The Belgian Legal System, as an example of an European Community national system, will be discussed, with particular reference to the Belgian Judicial System, A visit to the "Palais de Justice" of Brussels will be part of this aspect of the Seminar.

Brussels Seminar on the Law and Institutions of the
European Communities

II. LIST OF LECTURERS

- Jean-François BELLIS
Avocat (Brussels)
"EEC Trade Law"
- Marc DASSESE
Avocat
Professor at the Université Libre de Bruxelles
"Tax Law"
- Frans DE PAUW
Professor, Faculty of Law, Vrije Universiteit Brussel
"International Protection of Human Rights"
- Bart DE SCHUTTER
Professor, Faculty of Law and Director of the PILC Vrije Universiteit
Brussel
"European Penal Law - International Law"
- Peter GAKUNU
Chief Trade Cooperation Division - ACP Group of States
"Trade Cooperation and the Lomé IV Convention"
- Sir GORDON SLYNN
Judge at the Court of Justice of the European Communities
"What Right to a Day in Court in Community Law"
- Caldwell HARROP
Economic Commercial Officer, United States Mission to the E.C.
"U.S. - E.C. Economic Relations"
- Emile KNOPS
Avocat, Assistant Professor at the Université Libre de Bruxelles
"The Belgian Judicial System"
- Thijmen KOOPMANS
Former Judge, Court of Justice of the European Communities,
Advocat-General, Supreme Court of the Netherlands
"Preliminary Rulings (Art. 177 EEC Treaty)"
- Edward P. LATHAM
Directorate General XI, E.C. Commission
Lecturer PILC (Vrije Universiteit Brussel)
"Consumer Protection"

- D. Grant LAWRENCE
 Member of the Cabinet of Commissioner first name or Ripa di Meana, EC
 Commission
"The Protection of the Environment"
"Legal Aspects of the EC External Relations"
- Jean-Victor LOUIS
 President, Institut d'Etudes Européennes (Université Libre de
 Bruxelles)
 Professor of Law Université Libre de Bruxelles
"Financial and Monetary Union for the European Communities"
- Marc MARESCEAU
 Director, Europa Instituut, University of Ghent
 Professor of Law Vrije Universiteit Brussel and University of Ghent
"History and Institutions of the European Communities"
- Jörn PIPKORN
 Member of the Legal Service, Commission of the European Communities
"Harmonization (History and general Principles)"
"European Company Law"
- Peter PRAET
 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 Ministers of the European Communities
 Professor of Law, Vrije Universiteit Brussel
"Agricultural Policy of the E.C."
- Jean-Claude SECHE
 Member of the Legal Service, EC Commission
"The Right of Establishment and the Freedom to provide Services"
- Alain SMETS
 General Director, SABENA World Airlines
"Air Law Policy in the E.C."
- Steve SPINKS
 Attorney, Brussels
"The Role of American Lawyer in the EEC"
"Rules of origin"
- Renera SYBESMA-KNOL (Mrs)
 Professor, Faculty of Law, Vrije Universiteit Brussel
"European Space Law Policy"
- Hans-Claudius TASCHNER
 Directorate General III, EC Commission
"Harmonization of Products Liability Law"
- Albert TE PASS
 Directorate General I, EC Commission
"North-South Development"

- Alan TOUSSIGNANT
Internal Market Officer, United States Mission to the E.C.
"U.S. - E.C. Economic Relations"

- Michel VANDEN ABEELE
Chief of Staff of the Cabinet of Commissioner Karel Van Miert
Lecturer, Université Libre Bruxelles
"The Role of the Commission"

- Georges VANDERSANDEN
Advocat
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, EC Commission
"Legal Aspects of Reducing Barriers, with Special Reference to Article
100A"

- Servaas VAN THIEL
Official, Council of Ministers of the European Communities
Professor of Law, Vrije Universiteit Brussel
"E.C. Relations with Eastern Europe"

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

- Edmond VÖLKER
Europa Instituut - University of Amsterdam
"External Trade Relations of the E.C."

- Michel WAELBROECK
Advocat
Professor of Law, Université Libre de Bruxelles
"EEC Competition Law"

- Gabriel M. WILNER
Director of the Seminar
Professor of Law and Director, Graduate Legal Studies, University of
Georgia School of Law
Lecturer, PILC (Vrije Universiteit Brussel)
"Harmonization of Rules of Private International Law in the European
Communities"
"Legal Nature of the Communities and Related Subject"

Brussels Seminar on the Law and Institutions of the
European Communities.

IV. LIST OF PARTICIPANTS

<u>Name</u>	<u>Law School</u>
Ms. Audrey Baker	Harvard University (Grad.)
Ms. Barbara E. Bauer	Temple University
Ms. Linda Behrmann	St. Louis University
Mr. R. Craig Blackstone	Vanderbilt University
Mr. Gerald R. Boss	University of Georgia
Mr. William Wyatt Clarke	University of Georgia
Mr. Grover Cleveland	St. Louis University
Mr. Allen F. Creighton	University of Georgia
Mr. Douglas A. Crowther	University of Georgia
Mr. Sheryl Falk	University of Houston
Mr. John David Felt, Jr.	Univeristy of Georgia
Mr. R. Stephen Flagler	University of Georgia
Ms. Deanne Fortna	Southern Illinois University
Mr. David Gappa	University of Georgia
Ms. Kelly E. Hollis	University of Georgia
Mr. Robert Huntington	Boston University
Ms. Corinne B. Katz	Case Western Reserve University
Mr. Dean Kawi	Case Western Reserve University
Ms. Lisa Komrska	St. Louis
Ms. Elizabeth S. Kreis	Ohio State University
Ms. Martha LaRosiliere	Stanford University
Mr. Benjamin Le Clercq	University of Tennessee
Ms. Starla R. Matthews	University of Houston
Mr. Malcolm McPherson	University of Iowa
Mr. John Nicholas	Northwestern University

Mr. Michael Pane	University of Miami
Mr. Robert C. Peck	St. Louis University
Mr. David W. Quillian	University of Georgia
Ms. Deanna Reiss	Benjamin Cardozo University
Mr. Thomas Traube	St. Louis University
Mr. James M. Wilson, Jr.	University of Georgia
Ms. Susan E. Wilson	University of Georgia
Ms. Donna Christine Wood	University of Virginia
Mr. Lawrence Yansouni	Boston University