

## Contents

The final version of the Draft Common Frame of Reference (DCFR) was published in October 2009. At present, the European Commission is carrying out a selection process to determine which parts of the academic DCFR will be included in the final CFR.

As a follow-up to the ERA events organised in the framework of the CoPECL Network, this conference will discuss content and perspectives of a future 'political' CFR. One of the main purposes of the CFR is to provide a set of principles, definitions and model rules which could be used as a 'toolbox' for better European lawmaking.

Substantive reforms in the consumer protection field are currently on the agenda. The conference will ask whether and how the development of the CFR and the ongoing revision of EU consumer law (e.g. Consumer Rights Directive, Package Travel Directive) could be synchronised and connected.

Furthermore, it will highlight whether the CFR can serve as an 'optional instrument'. In its resolution on the Stockholm Programme of 25 November 2009, the European Parliament emphasised "that the political CFR should result in an optional and directly applicable instrument enabling parties to a contract, *inter alia* companies and consumers, freely to choose European Contract Law as the law governing their transaction." Against this background, participants will discuss the contents as well as the pros and cons of an optional instrument.

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**Travel to Trier: the most convenient way to travel is through Luxembourg.**

Luxembourg airport to the ERA Congress Centre takes just 30 minutes by car.

[www.taxifranken.de/era](http://www.taxifranken.de/era)

## Speakers

**Mr Giuseppe Abbamonte**, DG Justice, Freedom and Security, European Commission, Brussels

**Professor Christian von Bar**, European Legal Studies Institute, University of Osnabrück

**Professor Hugh Beale**, University of Warwick

**Professor Eric Clive**, University of Edinburgh

**Professor Bénédicte Fauvarque-Cosson**, University Panthéon-Assas, Paris

**Mr Rafael Gil Nieves**, Permanent Representation of Spain to the EU, Brussels

**Professor Piotr Machnikowski**, University of Wrocław

**Dr Chantal Mak**, University of Amsterdam

**Professor Guillermo Palao Moreno**, University of Valencia

**Mr Patrice Pellegrino**, Senior Adviser, EuroCommerce, Brussels

**Ms Nuria Rodríguez Murillo**, Senior Legal Officer, BEUC, Brussels

**Professor Hans Schulte-Nölke**, European Legal Studies Institute, University of Osnabrück

**Professor Matthias E. Storme**, KU Leuven and University of Antwerp

**Ms Diana Wallis**, Vice-President of the European Parliament, Brussels/Strasbourg

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## EUROPEAN CONTRACT LAW

- **EU CONSUMER LAW REVISION AND THE CFR**
- **TOWARDS AN OPTIONAL INSTRUMENT?**

**Trier, 18-19 March 2010**

ERA Congress Centre  
Metzer Allee 4, Trier

**Conference organiser:**

Dr Angelika Fuchs

**Language:**

English

**Event number:**

110D08



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## Thursday, 18 March 2010

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11:00 Arrival and registration of participants / Welcome coffee

Chair: *Hugh Beale*

### I. Setting up a Common Frame of Reference (CFR)

11:30 **From the academic to the political CFR**

- European Commission: *Giuseppe Abbamonte*
- Spanish EU Presidency: *Rafael Gil Nievas*

12:15 Discussion

### II. Improving the quality of EU legislation: CFR as toolbox

12:30 **How to use principles, definitions and model rules when drafting EU law**  
*Eric Clive*

13:00 Discussion

13:15 Lunch

Programme may be subject to amendment  
For programme updates:  
<http://www.era.int>

Chair: *Hans Schulte-Nölke*

14:30 **The revision of the Package Travel Directive**  
*Piotr Machnikowski*

15:00 Discussion

15:30 Coffee break

Chair: *Eric Clive*

16:00 **Consumer Rights Directive and CFR: a synopsis**

- notion of consumer
- information duties
- right of withdrawal for distance & off-premises contracts
- liability for lack of conformity
- unfair terms

*Chantal Mak*

16:45 **Towards the Consumer Rights Directive and beyond**  
with an introduction by *Giuseppe Abbamonte*

- *Nuria Rodríguez Murillo*
- *Patrice Pellegrino*

17:30 Plenary discussion

18:15 End of the first conference day

19:30 Evening programme

## Friday, 19 March 2010

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### III. Towards an optional instrument?

Chair: *Christian von Bar*

09:00 **An optional instrument for B2B contracts**  
*Hugh Beale*

09:30 **From the (D)CFR to the "blue button"**  
B2C sales: *Hans Schulte-Nölke*  
Services: *Matthias Storme*

10:15 Discussion

10:30 Coffee break

Chair: *Diana Wallis*

11:00 **The optional instrument as a '28<sup>th</sup> system'**

- Conflict of laws issues
- National mandatory rules

*Guillermo Palao Moreno*

11:30 Discussion

11:45 **What can we expect from an optional instrument?**  
*Christian von Bar*  
*Bénédicte Fauvarque-Cosson*

12:30 **Quo vadis CFR?**  
*Diana Wallis*

13:00 End of the conference