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Amsterdam Centre for Transformative Private Law (ACT)

Exploring the Role of Private Law in the Making of Society and the Processes of Private Law-Making in a Diverse World | Newsletter | Issue 11 | December 2023

Dear readers,

As the year rolls to the end, we would like to share with you the most recent news from the Amsterdam Centre for Transformative Private Law. The recent political shifts in our home country, the Netherlands, and the likelihood of similar developments in other parts of Europe, only underscore the importance of continuing working on ACT's mission of better understanding the connections between law and society.

This newsletter aims to show how ACT members have contributed to fulfilling this mission, by writing excellent academic papers, revealing reports, important newspaper articles, appearing in media, organizing essential events and acquiring funding to create more space for groundbreaking research. In these

turbulent times, we see it as our task as academics to continue producing slow and fundamental research, while also engaging with the evolving legal and societal landscapes. We hope to inspire our readers.

Happy Holidays, and an excellent start of the New Year!

Marija Bartl

News

NWO Veni for Vladimir Bogoeski



Vladimir Bogoeski, assistant professor of European Private Law (ACT), has been awarded a Veni grant from the NWO (Dutch Science Council) for his project about building sustainable labour relations in food production. With the funding, he can conduct independent research and develop his ideas for a period of 3 years.

Read the interview here →

Conference: Transforming Ownership in Times of Overlapping Crisis



On October 5th & 6th, academics, policy makers and practitioners of transformative practices from across Europe, came together to discuss some of the most pressing issues regarding the legal frameworks underpinning private property and corporate ownership structures.

Read the report on Industrial Policy for a Sustainable European Economy here →

Aukje van Hoek, President of the Royal Netherlands Society of International Law



On November 3rd, the Royal Netherlands Society of International Law held its Annual General Meeting in The Hague. Prof. Willem van Genugten stepped down as President after 12 years, and Prof. Aukje van Hoek was unanimously appointed as the new President. Best wishes to Prof. Van Hoek in her new role.

Find out more here →

Céline Joisten defended her PhD thesis in Liège



On June 15th, Céline Joisten, who was a visitor at ACT last year, defended her PhD thesis in Liège. Diana Dankers-Hagenaars was a proud member of the PhD committee.

Read more here →

Previous Visiting Researchers



ACT Amsterdam Centre for Transformative Private Law



Since September, we had the pleasure of welcoming two new visiting fellows from other institutions to conduct research at the ACT:

- Miika Hiltunen (University of Helsinki) September 18th - October 30th
- Martina Marano (University of Catania) September 4th- December 4th

Read more about their research topics →

ACT Members Receive Seed-Funding

In the fall of 2023, Francesca Episcopo and Anna van Duin received seed-funding for their project, APPLIED - Assessing collective Private Litigation In the Economy of Data. The project will last one year and aim at: Developing an

inclusive overview of CPE application in data protection law across different European nations; Identifying and analyzing obstacles that hinder effective CPE implementation; Exploring CPE's broader implications on data protection rights, obligations, and wider interests.

Highlights

ACT Heidag

On November 27th, we hosted the ACT Heidag at the KIT Royal Tropical Institute where we commemorated the fact that we've become a considerably larger group and we took this opportunity to discuss research practices all together. Additionally, we celebrated Chantal Mak & Betül Kas's book publication titled, Civil Courts and the European Polity.



ACT Lecture Series: Futuring Private Law

On November 13th, Gianclaudio Malgieri (Leiden University) kicked-off our new lecture series, Futuring Private Law. The 2023-2024 ACT Lecture Series explores how trends like digitalization, financialization, and sustainability influence its future. Next, we will welcome Leone Niglia (University of Rome-Sapienza) on January 22, 2024.

Register here →



Kick-off for Greenpaths

On October 2nd, ACT/ ACELG/ Amsterdam law school members Yannick van den Berg, Marija Bartl, Candida Leone and Christina Eckes joined the kick-off of the GREENPATHS project. The project is funded by the EU's Horizon Europe research and innovation programme under grant agreement 101112305. The consortium is composed of 13 partners based in 11 European countries.

Find out more here →



Featured Researcher

Nena van der Horst



Getting rich is not the most important thing for more and more entrepreneurs, researcher Nena van der Horst observes. 'You can also make a social return and help society.' She investigates how a new legal form can make social entrepreneurship easier and more normalized.

Read the full interview here →

Media and Talks

The Non-Extractive Future Podcast

On December 5th, the N-EXTLAW team released the first episode of their new podcast, The Non-Extractive Future Podcast. This podcast helps the N-EXTLAW further disseminate on their research and ideas and it is intended to reflect on how private law can be re-imagined in a more sustainable way and support alternative economic practices.

The second episode, "Steward Ownership", will be released in January.

Listen to the first episode here →

NOS niews: ChristenUnie wil nieuwe wet voor draagmoederschap tegenhouden

On August 30th, Mirella Peereboom-van Drunick was interviewd by NOS on the risks associated with the new laws around surrogacy in the Netherlands and appeared in the article, *ChristenUnie wil nieuwe wet voor draagmoederschap tegenhouden*.

Read the full article here →

The 2023 ERA Conference on Consumer Law

On October 12th-13th, Candida Leone was an invited speaker at the 2023 ERA conference on Consumer Law. She provided an audience of judges, practicing layers and in-house counsels an overview of recent CJEU case-law concerning the 1993 Unfair Terms Directive.

Read it here →

Dubbele petten bij Concertgebouw en Van Lanschot

On November 30th, Marleen van Uchelen was featured in an article in Het Financieele Dagblad, where she commented on a conflict of interest case at the Concertgebouw Funds foundation. The inquiry arose regarding potential conflict of interest for the foundation's director, given his dual role as a member of the advisory board for the investment manager entity.

Read the full article here →

Conflict Resolution (COI) Conference

On September 28th, Anna van Duin discussed her research on remedies for online harms during a panel on platform ODR at the COI Conference 2023 in Utrecht: Towards just institutional approaches to conflict prevention and resolution.

Find out more about the conference here →

Beste formerende politici, vergeet niet dat het klimaat ook onderdeel is van de rechtsstaat

On November 9th, Laura Burgers wrote an opinion piece in de Volkstrant in response to the 2023 elections, stating "the PVV may want to put all climate measures 'through the shredder', but the fact is that anyone who wants to remain faithful to the Constitution will have to come up with good climate policy".

Read the article here →

Upcoming Events

22

Futuring Private Law Lecture Series with Leone Niglia (La Sapienza-Rome)

January 22, A3.15, 14.00-15.30

The Structural Transformation of European Private Law: A Critique of Juridical Hermeneutics

12

Futuring Private Law Lecture Series with Mavis Mclean (Oxford)

February 12, A3.01, 15.30-17.00

New Directions in Family Justice

25

Futuring Private Law Lecture Series with Christian Iaione (LUISS/KNAW)

March 25, 2024, 15.30-17.00

Law and Policy of Sustainable Innovation: A Public-Private Law Conundrum

29

Futuring Private Law Lecture Series with Horatia Muir Watt (Sciences Po)

April 29, 2024, 15.30-17.00

Law's Ultimate Frontier: Towards an Ecological Jurisprudence

17

Futuring Private Law Lecture Series with Tim Bleeker (VU Amsterdam)

June 17, 2024, 15.30-17.00

Modern Risks in Tort Law

1

Futuring Private Law Lecture Series with Felipe Jiménez (USC Gould)

July 1, 2024, 15.30-17.00

Stay up-to-date!

For more exciting events and details on how to register, keep an eye on our events page! You can also find updates on LinkedIn and Twitter.

Recent Research Output

- Bartl, M./ Private Law and Political Economy. In Marija Bartl, Laura Burgers and Chantal Mak (eds) Uncovering European private law. European private law handbook
- Bakker, M. H. C. / Shareholder Proposals and Sustainability. European Company and Financial Law Review, 20(2)
- Bogoeski, V. / Posted Workers: Three transformations of the European posted worker. In G. Davidov, B. Langille, & G. Lester (Eds.), Oxford Handbook of the Law of Work Oxford University Press.
- Burgers, L./ Representing Future Generations Through European Private Law Climate Change Litigation. In C. Mak, & B. Kas (Eds.), Civil Courts and the European Polity: The Constitutional Role of Private Law Adjudication in Europe. Hart. Advance online publication.
- Burgers, L. E., den Outer, J., & Fleissig, M., / Das Meer Klagt An! Die Kämpf für die Rechte der Natur. S. Hirzel Verlag GmbH.
- Dankers-Hagenaars, D./ Les critères de la raison et de l'équité en droit néerlandais : tenants et aboutissants. Revue Juridique Thémis, 57(2). Article 2.
- Dankers-Hagenaars, D. L. M. T./ Artikelsgewijs commentaar op titel 1, 2, 4 en 5. - Titel 5, afdeling 2: Het tot stand komen van overeenkomsten. Art. 6:229. De voortbouwende overeenkomst. In Groene Serie Verbintenissenrecht Kluwer
- Dankers-Hagenaars, D. L. M. T., & Loos, M. B. M. / Jurisprudentie aansprakelijkheidsrecht, contractenrecht & goederenrecht. Boom juridisch.
- De Rey, S. E. & Stijns, S./Het nieuwe verbintenissenrecht in Boek 5 BW – Deel I. Rechtskundig Weekblad, 86(24)

- De Rey, S. E. & Stijns, S./ Het nieuwe verbintenissenrecht in Boek 5 BW – Deel II. Rechtskundig Weekblad, 86(25)
- De Rey, S. E. / Vrijwaring voor verborgen gebreken in onroerende koop: kroniek van de recentste evoluties. Tijdschrift voor Notarissen, (10), 629
- Eller, K./ Rechtsverfassung globaler Produktion: Zur sozialen Aufgabe des Rechts der Globalisierung. (Rechtstheorie - Legal Theory). Mohr Siebeck
- de Kluiver, H. J/ Towards a Framework for Effective Regulatory Supervision of Sustainability Governance in Accordance with the EU CSDD Directive. A Comparative Study. European Company and Financial Law Review, 20(1), 203.
- Kurzbauer, H.R/ Employment and Vulnerabilities in the World of Orchestral Musicians: Symphonic Metamorphosis. WoltersKlwer.
- Kurzbauer, H.R/ Proefschrift: The way they play: musicians' vulnerabilities in an employment context. Ars Aequi.
- Leone, C. / Flexibility as commodification and contract as local resistance. European Law Open, 2(2)
- Loos, M./ Furthering Sustainability by Developing Specific Provisions for the Sale of Secondhand Goods: Rubbish or Recycling? In S. Grundmann, & Y. Atamer (Eds.), European Sales Law: Challenges in the 21st Century. Intersentia.
- Loos, M./ Glashelder, toch? Het transparantievereiste in het algemene voorwaarden-recht. Nederlands Tijdschrift voor Burgerlijk Recht, 2023(7). Article 28.
- Loos, M./ Harmonization of private law in the 2020s: Targeted full harmonization 2.0? In A. Jansen, M. Lehmann, & R. Schulze (Eds.) The Future of European Private Law. Nomos.
- Loos, M./ Transposition of EU Directives 2019/770 and 2019/771 in The Netherlands. In F. De Francheschi, & R. Schulze (Eds.), Harmonizing Digital Contract Law: The Impact of EU Directives 2019/770 and 2019/771 and the Regulation of Online Platforms : a handbook. Nomos
- Luzak, J., Loos, M., ABC of Online Consumer Disclosure Duties: Improving Transparency and Legal Certainty in Europe. Journal of Consumer Policy, 46(3)
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- van Duin, J. M. L./ ChatGPT in het juridisch onderwijs: elke student een personal assistant. Ars Aequi

- van Duin, J. M. L., & Leone, C. / Ambtshalve toetsing van consumentenrecht en instrumentalisering van burgerlijk procesrecht: Reactie op Bert van Schaick. Tijdschrift voor Civiele Rechtspleging, (4).
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- van Uchelen, M./ De voorzitter bij een stichting of een coöperatie. In Salemink, Bulten, Jansen, & Van Ginneken (Eds.), Veranderend toezicht. De taak en positie van de voorzitter van de raad van commissarissen
- van Uchelen, M./ Rechtsvorm. In Houwen, Perquin-Deelen, & Andes (Eds.), Handboek Semipubliek Ondernemingsrecht. (Serie vanwege het Van der Heijden Instituut). Wolters Kluwer.



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