



UNIVERSITY OF AMSTERDAM  
Amsterdam Centre for Transformative  
Private Law



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 13 | December 2024

Dear colleagues,

We are happy to share with you a new ACT newsletter, full of interesting events, publications, media appearances and stories! We hope that our newsletter will ease you into the restful holiday break, after yet another eventful year.

Warm wishes,  
Marija Bartl

## New PhD Researchers Join the ACT

[Lenin Chisaira](#) is a new PhD researcher focusing on the intersection of law, climate finance and socio-ecological transformation. With a background in environmental law advocacy, his research explores how legal frameworks impact sustainable financial inclusion and solidarity-economic practices in the Anthropocene.

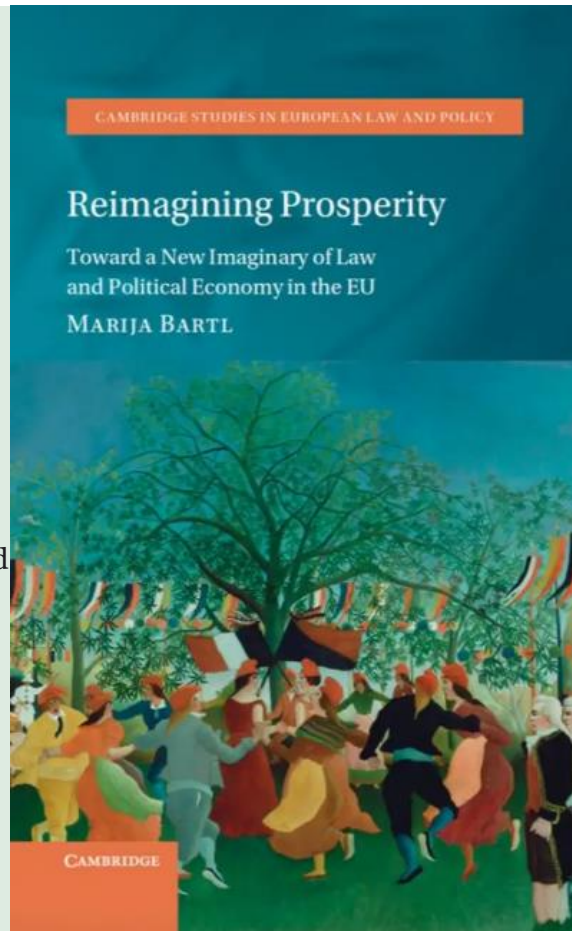


[Yevai Gerber](#) is a new PhD researcher focusing on private law's role in fostering sustainable food systems inspired by African philosophy like Ubuntu. She draws on her background in international business law and animal law research to explore innovative legal frameworks.



Reimagining Prosperity: Toward a New Imaginary of Law and Political Economy in the EU (Open Access)

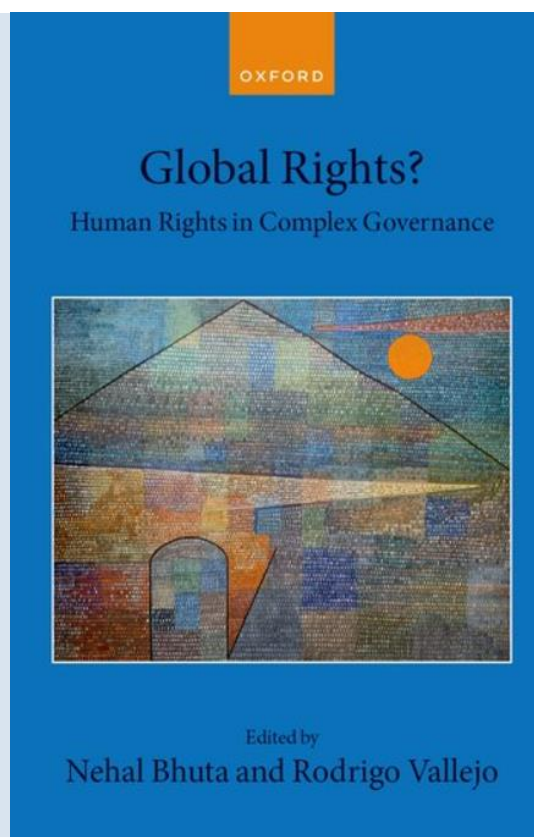
In November 2024, Marija Bartl published her latest book, [Reimagining Prosperity: Toward a New Imaginary of Law and Political Economy in the EU](#). In this work, Bartl explores how the European Union can reshape its legal and economic frameworks to foster a more inclusive and sustainable vision of prosperity.



## Global Rights?: Human Rights in Complex Governance

ACT member Rodrigo Vallejo and Nehal Bhuta published a new book titled, *Global Rights? Human Rights in Complex Governance*.

The book interrogates how human rights and global governance interact with various sub-fields of international and transnational regulation to answer these foundational questions. Find out more [here](#).



## Het nieuwe Belgische verbintenissenrecht vanuit Nederlands perspectief

On October 3rd, 2024, Sébastien De Rey published *[Het nieuwe Belgische verbintenissenrecht vanuit Nederlands perspectief](#)*.

This book provides a comparative analysis of the new Belgian law of obligations through the lens of Dutch legal principles, offering valuable insights for legal scholars and practitioners.



## Visiting Researchers

Since the start of the academic year, we had the pleasure of welcoming a handful of new visiting researchers. Find out what research they are currently undertaking:

- [Esen Egemen](#)
- [Jason Santos](#)
- [Leonardo Eiji Kawamoto](#)
- [Pietro Mattioli](#)
- [Marianna di Stefano](#)

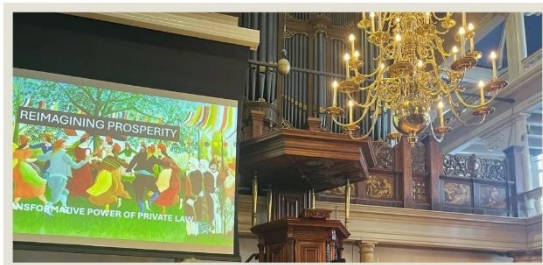


## Event Highlights

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### Reimagining Prosperity, The Transformative Power of Private Law

On October 25th, Marija Bartl gave her [inaugural lecture](#) at the Aula, examining how the European Union could support member states in shaping and realizing a renewed "imaginary of prosperity" through reforms in law. [Watch the lecture.](#)



## Kick-off of New Lecture Series: The Value(s) of Private Law

This semester, we launched our new lecture series, *The Value(s) of Private Law*, examining how private law shapes societal values. Semester 1 featured distinguished scholars like Günter Frankenberg and Robert Wai, discussing topics like social enterprises and transnational law. Stay tuned for our upcoming lecture with [Sofie Cools](#) and for the [Semester 2 lineup](#).

# THE VALUE(S) OF PRIVATE LAW

TRANSFORMATIVE PRIVATE LAW LECTURE SERIES 2024–2025

## LINEUP SEMESTER 1

### Thursday October 17 (REC A3.15)

Günter Frankenberg (Frankfurt University) – Book Launch: *Comparative Law: Introduction to Critical Practice* (Edward Elgar, 2024, with Fernanda Nicola (Washington College of Law))

### November 25

Riccardo Fornasari (University of Bologna) – *The Legal Form of Climate Litigation*

### December 9

Robert Wai (Osgoode Hall Law School) – *Liberal Values and Transnational Private Law*

### January 27

Sofie Cools (Radboud University) – *Agency Conflicts in Social Enterprises*



MONDAYS

15.30 –17.00 (CET)

REC A3.01

HYBRID

The 2024–2025 ACT Lecture Series explores the role of private law amidst technological, social, ecological, and geopolitical shifts. It examines how private law norms, doctrines, and institutions shape and respond to conflicts over different values. Key questions include the tenability of monistic values in pluralistic societies and the influence of private law on moral–political values various institutions. Ultimately, it asks: Why private law?

REGISTER HERE:

[www.act.uva.nl](http://www.act.uva.nl)



## ELS Summer Academy

In late August, ACT researchers joined the Summer Academy of the [European Law School network](#), an alliance of eight capital city law schools. The week-long event, themed '[Law's Nature—What Ecological Future for European Law and Beyond?](#)', brought together 40 students for lectures, workshops, and excursions. Marija Bartl, Candida Leone, Kinanya Pijl, and Klaas Eller (co-organizer) presented their work on private law in the Green Transition.



What Ecological  
Futures for  
European Law  
and beyond?

## Whitepaper Launch

The Sustainable by Design project, consisting of two ACT members, Marija Bartl and Nena van der Horst, as well as Rutger Claassen (Utrecht University) advocates for a new industrial policy in the EU to support sustainable and competitive economic practices. On September 5, the online launch of the whitepaper, *Sustainable by Design: Industrial Policy for Long-Term Competitiveness in the EU*, took place. [Click here](#) to download the paper and listen to the recording.



## Nieuw Belgisch verbintenissenrecht vanuit Nederlands perspectief

On October 3rd, Sébastien de Rey's [colloquium](#) explored Belgium's new law of obligations and its ties to Dutch law. ACT researchers like Jan Wassink, Devrim Kroese, and Marco Loos and scholars from Belgium and the Netherlands discussed contract formation, performance, and breach, sharing insights from both legal systems.





Expert Workshop: CPE in Data  
Protection Law

October 23, the [APPLIED project](#), led by Francesca Episcopo, Anna van Duin, and Jef Ausloos, hosted an expert workshop at the UvA. Scholars from private and privacy law discussed the role of collective private enforcement (CPE) in enhancing justice and judicial protection under the GDPR and the Representative Action Directive. Read the [report](#).



Roundtable, From Critical to  
Transformative Law and Legal Discourse

A roundtable discussion on legal discourse and transformative law took place at the Roeterseiland campus, which was chaired by Chantal Mak and included guest speakers like Joana Mendes, Harm Schepel Poul Kjaer, Agustin Menendez, and [more](#).



Social Justice, Private Law and Europe?

2004-2044 – Keeping the Hope Alive

The [workshop](#) organized by ACT member

Candida Leone as well as Tommaso Fia

(Universität Tübingen), Martijn

Hesselink (EUI), Carolina Paulesu (EUI)

held at the University of Amsterdam,

gathered scholars to revisit the 2004

Manifesto for Social Justice in European

Contract Law.



## Featured Researcher

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Marija Bartl

Rethinking Prosperity: Marija Bartl on Shared Wealth, Dignity, and Democracy.

In an [interview](#), Professor Marija Bartl discusses the urgency of moving toward shared prosperity and the transformative power of private law to address inequality and strengthen democratic values.



### New European Research Council Report: Transformative Change for a Sustainable Future

A new ERC Scientific Council [report](#) highlights over 300 ERC-funded projects, including Marija Bartl's [N-EXTLAW](#) project ([page 36](#)), including team members Nena van der Horst and Finn Sanders, which explores legal frameworks for sustainable, non-extractive economic models.

### Fundamentele rechten en het Nederlands privaatrecht: een dialoog

The publication written in Dutch by Chantal Mak explores the intersection of private law and societal challenges in the Netherlands, emphasizing how legal frameworks can adapt to evolving issues such as sustainability and digitalization. It proposes a dialogue-oriented approach to ensure private law remains effective and equitable. [Read it here.](#)

### A 'Digital Turn' for Sustainability Due Diligence? Digital Tools and the CSDDD

Klaas Eller wrote an opinion piece in the Business & Human Rights Resource Centre titled [A 'digital turn' for sustainability due diligence?](#), exploring how the EU's Corporate Sustainability Due Diligence Directive (CSDDD) will reshape corporate practices. While digital tools like AI and big data are key to mapping supply chains and assessing risks, Eller cautions against compromising human-centered sustainability goals for technological efficiency.

## Towards Rights-Compatible Use of Digital Technologies in Stakeholder Engagement

Klaas Eller contributed to a UN OHCHR [consultation](#) on digital technologies in corporate human rights efforts, presenting findings from the interdisciplinary project ‘[DigiChain](#)’ on October 13-14. This project, a collaboration with the Asser Institute and partly funded by a UvA Seed Grant, examines digital tools' roles in Green Deal regulations.

## TPL Blog Symposium: Social Justice, Private Law and Europe(?) 2024-2044: Keeping the Hope Alive

This past October, the TPL blog hosted a [series](#) inspired by the workshop “[Social Justice, Private Law, and Europe\(?\) 2024-2044: Keeping the Hope Alive](#)”. The blogs explored themes like addressing systemic injustices through private law, the impact of digitalization on equity, and reimagining private law for social justice.

## Laura Burgers on BNR News Radio

On November 12, Laura Burgers discussed the Shell climate case on BNR News Radio, offering a legal perspective on its significance for corporate accountability in combating climate change. Catch her commentary at 17:44:33 in the BNR broadcast archive: [Listen here](#).

## Upcoming Events

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January

**[The Value\(s\) of Private Law with Sofie Cools \(Radboud University\)](#)**

A3.01 / online, 15.30-17.00

27

[Agency Conflicts in Social Enterprises](#)

February

**[Marieke Oderker Inaugural Lecture](#)**

Vrije University, 15.45

14

In the field of Private International Law

February

**[The Value\(s\) of Private Law with Roy Kreitner \(Tel Aviv Univesrity\)](#)**

A3.01 / online, 15.30-17.00

24

*[Title is forthcoming](#)*

March

**[The Value\(s\) of Private Law with Nuna Zekic \(AIAS-HSI\)](#)**

A3.01 / online, 15.30-17.00

23

[Labour Law Utopias](#)

April

**[The Value\(s\) of Private Law with Thomas Meysen \(Heidelberg, Germany\)](#)**

A3.01 / online, 15.30-17.00

28

[What is a Family?](#)

May

**[The Value\(s\) of Private Law with Konstanze von Schüt \(McGill University, Canada\)](#)**

A3.01 / online, 15.30-17.00

26

[Public Property\(s\)](#)

June

**[The Value\(s\) of Private Law with Brenna Bhandar](#)**

A3.01 / online, 15.30-17.00

28

[The Racial Politics of Pre-emption](#)

## Recent Research Output

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### Articles

- > Eller, K. H. (2024). Pricing and Distribution in Global Value Chain Regulation. *Leiden Journal of International Law*.

- > De Rey, S. E. (2024). De hercodificatie van het privaatrecht in België: overzicht, werkwijze en krachtlijnen. *Maandblad voor Vermogensrecht*, 2024(6), 189.
- > Tavakolnia, A. (in press). Het einde van nonconsensual non-debtor releases in Chapter 11. De mogelijke implicaties van Purdue Pharma voor de WHOA. *Tijdschrift voor Insolventierecht*, 2024/21(4), 164-176.

## Book Chapters

- > Bogoeski, V. (2024). 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: Oxford University Press).
- > Dankers-Hagenaars, D. L. M. T. (2024). Voorzien in onvoorzien? De Belgische en Nederlandse regeling van het imprevisieleerstuk met elkaar vergeleken. In S. De Rey (Ed.), *Het nieuwe Belgische verbintenissenrecht vanuit Nederlands perspectief* (pp. 183-206). LeA uitgevers.
- > De Rey, S. E. (2024). Een nieuw verbintenissenrecht als onderdeel van de hercodificatie van het Belgische privaatrecht. In *Het nieuwe Belgische verbintenissenrecht vanuit Nederlands perspectief* Article 48 Uitgeverij Paris.
- > Eller, K. H. (in press). Corporate Environmental Due Diligence and Value Chains. In J. van Zeven, & C. Hilson (Eds.), *Research Agenda for Environmental Law* Edward Elgar.
- > Loos, M. B. M. (2024). Algemene voorwaarden en prijs. In R. Leuyerink, S. E. Bartels, & W. H. van Boom (Eds.), R. Leuyerink, S.E. Bartels en W.H. van Boom (red.), *Prijs en privaatrecht, Serie Onderneming en Recht 149*, Deventer: Wolters Kluwer, 2024, (pp. 205-232). (Serie Onderneming en Recht; Vol. 149). Wolters Kluwer.
- > Loos, M. B. M. (2024). Nieuw Belgisch recht betreffende algemene voorwaarden vanuit Nederlands perspectief. In S. de Rey (Ed.), *Het nieuwe Belgische verbintenissenrecht vanuit Nederlands perspectief* (pp. 51-99). LeA uitgevers.
- > Kroese, D. S., Wassink, J., & De Rey, S. E. (2024). Contractuele aansprakelijkheid voor ongeschikte hulpzaken en gebrekkige hulpvoorwerpen in Nederland en België. In S. De Rey (Ed.), *Het nieuwe Belgische verbintenissenrecht vanuit Nederlands perspectief* (pp. 209). Uitgeverij Paris.
- > Vallejo Garretón, R. J., & Bhuta, N. (2024). Human Rights in Global Governance. In R. Vallejo, & N. Bhuta (Eds.), *Global Rights? Human Rights in Complex Governance* (pp. 1-28). Oxford University Press. <https://global.oup.com/academic/product/global-rights-9780198940166?cc=de&lang=en&#>

## Other Scientific and Professional Output

- > Bakker, M. H. C. (2024). RO 2024/6. Case note on: Rb Noord-Nederland, 4/10/23 (ECLI:NL:RBNHO:2023:9670). Rechtspraak Ondernemingsrecht, 2024(1).
- > Dankers-Hagenaars, D. L. M. T. (2024). RAV 2024/9 Long Covid. 77. Case note on: Rb. Oost-Brabant, 5/06/24 (Long Covid). Rechtspraak Aansprakelijkheids- en Verzekeringsrecht, 9(77).
- > Dankers-Hagenaars, D. L. M. T. (2024). RAV 2024/7-8 Toekomstige schade. 69. Case note on: Rb. Overijssel, 21/05/24 (RAV 2024/7-8 Toekomstige schade). Rechtspraak Aansprakelijkheids- en Verzekeringsrecht, 7/8(69).
- > Dankers-Hagenaars, D. L. M. T. (2024). RAV 2024/10 Lekkend borstimplantaat. Case note on: Rb. Midden Nederland, 21/02/24 (Lekkend borstimplantaat). Rechtspraak Aansprakelijkheids- en Verzekeringsrecht, 2024(10).
- > Episcopo, F. (2024). UI v. Österreichische Post – A First Brick in the Wall for a European Interpretation of Art. 82 GDPR. 9. Case note on: CJEU, 4/05/23 (C-300/21 UI v. Österreichische Post AG). EuCML, (2), 87.
- > Loos, M. B. M. (2024). Annotatie. 2024/253. Case note on: Hof van Justitie, 16/03/23 (zaak C-565/21). Nederlandse Jurisprudentie.
- > Loos, M. B. M. (2024). noot Honorarium Litouwse advocaat. Case note on: Hof van Justitie, 12/01/23 (nr. C-395/21 (Honorarium Litouwse advocaat)). Nederlandse Jurisprudentie, (2024/268).
- > van Uchelen, M. J. (2024). ontbinding stichting. 2024/22. Case note on: Rechtbank Amsterdam, 14/12/23, ECLI:NL:RBAMS:2023:8108 Rechtspraak Ondernemingsrecht, 2024(3).
- > van Uchelen, M. J. (2024). ontbinding stichting continuïteit. RO 2024/74. Case note on: Hof Amsterdam, 21/05/24, NL:GHAMS:2024>1369 Rechtspraak Ondernemingsrecht, 2024(10).
- > van Uchelen, M. J. (2024). ontslag bestuurders zorg gehandicapten. RO 2024/59. Case note on: Rechtbank Gelderland, 6/05/24, NL:RBGEL:2024"2742 Rechtspraak Ondernemingsrecht, 2024(8).