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Inleiding Tot Het Nederlandse Internationaal Privaatrecht

Jeroen Chorus



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Inleiding tot het Nederlandse internationaal privaatrecht Luc Strikwerda, 2005 *Netherlands Reports to the Seventeenth International Congress of Comparative Law, Utrecht 2006*, 2006 This book gives the reader an overview of current developments in Dutch Law The contributions are from leading academics from different universities in the Netherlands Amongst others the following topics are covered Dutch family law in the 21st Century Trend setting and straggling behind at the same time M Antonkolskaia and K Boele Woelki Mediation in the Netherlands past present future A de Roo and R Jagtenberg Mandatory and non mandatory rules in Dutch corporate law M Meinema Limits and control of competition with a view to international harmonisation P J Slot Rights of minority shareholders in the Netherlands L Timmerman and A Doorman Constitution international treaties contracts and torts M van Empel and M de Jong Human rights and private corporations A Dutch legal perspective S van Bijsterveld The rights of the embryo and the foetus under Dutch law V Derckx and E Hondius Regulating electronic commerce in the Netherlands C Prins **The Europeanisation of**

International Family Law N. A. Baarsma, 2011-09-06 Choice of law determines which national legal system applies to an international case Currently many choice of law rules in the field of family law are regulated by national law However these national rules of the EU Member States are more and more displaced by common European rules This book describes the changes brought by the Europeanisation of the choice of law on divorce From the conclusions drawn in the field of divorce the concluding chapter discusses the changes of Europeanisation of international family law in a broader perspective

Application of Foreign Law Carlos Esplugues Mota, José Luis Iglesias Buhigues, Guillermo Palao Moreno, 2011-03-30 During the last decade Europe has undertaken an active and broad process of harmonisation of choice of law rules within the EU However this drastic movement towards a harmonised system has so far left aside a highly relevant issue the application by judicial and non judicial authorities of the foreign law In full contrast to the little attention so far paid to it in the EU this issue is said to be the crux of the conflict of laws It violates legal certainty and contradicts the objective of ensuring full access to justice to all European citizens within the EU This book provides a comparative study of the existing situation in all EU member states and drafts some basic principles for a future European instrument It will become a highly useful tool for lawyers judges notaries land registries academics prosecutors etc **International Bank and Other Guarantees**

Handbook Yann Aubin, Louis de Longeaux, Jean-Claude Vecchiato, 2016-04-24 Familiarity with guarantees and how they function under various national jurisdictions are essential for principals guarantors and beneficiaries of international contracts This enormously useful handbook provides a practical overview of the guarantee regimes in twenty eight European countries with country by country contributions from regional expert practitioners and academics For easy comparison each country report follows the same structure from preliminary discussion on the provisions of a guarantee to its negotiation drafting and enforcement Focusing on specific issues to consider at every stage each chapter provides detailed information

and guidance on such aspects as the following who can issue guarantees limitations as to the type of obligations which may be subject to a guarantee issues relating to the protection of the contracting parties formal requirements which need to be complied with stamp duties or other tax payable presence of implied terms legal framework applicable to joint and several obligations modification of the situation conditions for release and actions to be taken to ensure a valid release opening of bankruptcy proceedings against the principal court enforcement and incorporation of uniform rules Each chapter includes references and model guarantee forms that readers can use to draft their own documents Invaluable to corporate counsel and law firms with an international practice this peerless handbook will prove the first order of business in trade negotiations across Europe among European nations themselves as well as with their global partners Introduction to Dutch Law

Jeroen Chorus, 2016-04-18 A standard legal resource since its first edition in 1978 this matchless book has proven itself the ideal overview of Dutch law for foreign lawyers This Fifth Edition fully updates its systematic description of the legal sources institutions and concepts in all major fields of law Recent developments covered include the progressive implementation of standards set by international conventions the reorganization of the judiciary the statute on environmental law and the re codification of private international law The continuing influence of European law is evident in many fields perhaps most notably in family law The various chapters are written by experts scholars and lawyers in particular fields and provide an authoritative overview of each field The historical sources of Dutch law are discussed as well as Dutch legal culture judicial organization legal education and the legal profession These chapters are followed by introductions to essential issues of private and public law and labour law The last chapter examines questions of legal philosophy The only resource of its kind available this book is unmatched as a thorough guide to further research It offers practitioners particularly foreign lawyers a quick and reliable way into any area of Dutch law that they may be required to research It will also be of great value to comparatists especially those studying the influence of European law on national legal systems scholars and students Like previous editions the Fifth Edition has been prepared under the auspices of the Netherlands Comparative Law Association

Dual Nationality in the European Union Olivier Vonk, 2012-03-19 The book analyzes the role of dual nationality in different fields of the law in particular national and EU law and offers a convincing argument for the minimum harmonization of European nationality laws Intellectual Property and Private International Law James J. Fawcett, Paul

Torremans, 2011-02-17 This volume examines the protection and exploitation of intellectual property rights along with international problems relating to which court has jurisdiction and which is the relevant law in foreign cases and judgments

International Surrogacy Arrangements Katarina Trimmings, Paul Beaumont, 2013-05-17 This book addresses the pressing challenges presented by the proliferation of international surrogacy arrangements The book is divided into three parts Part 1 contains National Reports on domestic approaches to surrogacy from Argentina Australia Belgium Brazil China Czech Republic France Germany Greece Guatemala Hungary India Ireland Israel Mexico Netherlands New Zealand Russia South

Africa Spain Ukraine United Kingdom United States and Venezuela The reports are written by domestic specialists each demonstrating the difficult and urgent problems arising in many States as a result of international surrogacy arrangements These National Reports not only provide the backdrop to the authors proposed model regulation appearing in Part 3 but serve as a key resource for scrutinising the most worrying incompatibilities in national laws on surrogacy Part 2 of the book contains two contributions that provide international perspectives on cross border surrogacy such as the human rights perspective Part 3 contains a General Report which consists of an analysis of the National Reports appearing in Part 1 together with a proposed model of regulation of international surrogacy arrangements at the international level written by the two co editors Paul Beaumont and Katarina Trimmings The research undertaken by Katarina Trimmings and Paul Beaumont from 2010 to 2012 was funded by the Nuffield Foundation This title is included in Bloomsbury Professional s Family Law online service

EU Law and Private International Law Jan-Jaap Kuipers, 2011-11-25 European Union Law and Private International Law both attempt to resolve a conflict of laws There is however a certain tension between the two disciplines The present book proposes suggestions to enhance their mutual understanding

Multimodal Transport Law Marian Hoeks, 2010-01-01 We only have to look around us on the road while we travel to work or home or to use our eyes at a railway station to know that the transport of goods takes up a lot of the room our modern day infrastructures provide Sometimes perhaps a little too much nowadays congestion seems to be the rule rather than the exception This is an uncomfortable side effect of the explosive growth freight transport has experienced the last few decades¹ Modern day transport offers a considerable array of possibilities possibilities that are for the most part taken for granted by the general public that enjoys their benefits The average European would not be surprised to learn that the fruit on offer in the local supermarket originates from another continent for instance The idea that most of the things we use in our daily routine stem from a distant source such as a cell phone from Japan a trendy pair of designer jeans made in China or a glass of Australian wine seems completely natural to us Clearly the contemporary transport industry offers us a lot of benefits besides such discomforts as congestion and pollution In earlier times before machinery such as the steam engine had been invented it was hardly cost effective or even feasible when it came to perishables to carry goods halfway around the world if they were not at least valuable and extraordinary² The limitations set on trade by the transport structures available did more however than simply curtail the range of affordable products on offer for the public They also had a negative effect on the location of the industry limited transport possibilities and forced production to take place near or in heavily populated areas to secure the necessary workforce and market possibilities After all industrial decentralisation is only feasible if there is an infrastructure capable of supporting a cost effective movement of goods and employees³

Human Rights in Business Juan José Álvarez Rubio, Katerina Yiannibas, 2017-01-20 Cover Title Copyright Contents Notes on contributors Acknowledgments Introduction 1 Judicial remedies The issue of jurisdiction 1 1 Overview 1 2 Impact of international human rights law on

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EU Copyright Law Irini Stamatoudi, Paul Torremans, 2021-03-26 This significantly revised and updated second edition addresses the rapid development of EU copyright law in relation to the advancement of new technologies the need for a borderless digital market and the considerable number of EU legal instruments enacted as a result Taking a comparative approach the Commentary provides comprehensive coverage and in depth commentary on each of the EU legal instruments and policies both from an EU and an international perspective Alongside full legislative analysis and article by article commentary the Commentary illustrates the underlying basic principles of free movement and non discrimination and provides insights into the influence of copyright on other areas of EU policy including telecoms and bilateral trade agreements

The Law Applicable to Cross-border Contracts involving Weaker Parties in EU Private International Law María Campo Comba, 2020-12-07 This book provides answers to the following questions how do traditional principles of private international law relate to the requirements of the internal market for the realisation of the EU s objectives regarding the protection of weaker parties such as consumers and employees When and how should private international law ensure the applicability of EU directives concerning the protection of weaker parties Are the EU s current private international law rules on conflict of laws and private international law approach sufficient to ensure the realisation of its objectives regarding weaker contracting parties or is a different approach to private international law called for The book concludes with several proposed amendments mainly regarding the Rome I Regulation on the law applicable to contractual obligations as well as suggestions on the EU s current approach to private international law This book is primarily intended for an academic audience and to help achieve better regulation in the future It also seeks to dispel certain lingering doubts regarding the current practice of EU private international law

The Use of

Nuclear Weapons and the Protection of the Environment during International Armed Conflict Erik V Koppe, 2008-04-25 In 1996 the International Court of Justice delivered an Advisory Opinion on the legality of the use of nuclear weapons in which the Court stated that while the existing international law relating to the protection and safeguarding of the environment does not specifically prohibit the use of nuclear weapons it indicates important environmental factors that are properly to be taken into account in the context of the implementation of the principles and rules of the law applicable in armed conflict The present work analyses this conclusion focusing on the question whether or not the use of nuclear weapons during international armed conflict would violate existing norms of public international law relating to the protection and safeguarding of the environment Although the use of weaponry during armed conflict is usually related to the protection of individuals the rapidly emerging appreciation of and the worldwide realization of the intrinsic value of the natural environment as an indispensable asset for the continuation of life including human life on this planet both for present and future generations warrants a thorough and extensive examination of the question of the illegality of the employment of nuclear weapons from the point of view of international environmental protection law The book consists of two parts Part I discusses the historical development and the effects of nuclear weapons Part II discusses the protection of the environment during international armed conflict under *ius in bello* *ius ad bellum* and *ius pacis* Only then is it possible to assess the legality of the use of nuclear weapons under this particular set of rules

The Law of Open Societies Jürgen Basedow, 2015-06-02 This book endeavours to interpret the development of private international law in light of social change Since the end of World War II the socio economic reality of international relations has been characterised by a progressive move from closed to open societies The dominant feature of our time is the opening of borders for individuals goods services capital and data It is reflected in the growing importance of *ex ante* planning as compared with *ex post* adjudication of cross border relations between individuals and companies What has ensued is a shift in the forces that shape international relations from states to private actors The book focuses on various forms of private ordering for economic and societal relations and its increasing significance while also analysing the role of the remaining regulatory powers of the states involved These changes stand out more distinctly by virtue of the comparative treatment of the law and the long term perspective employed by the author The text is a revised and updated version of the lectures given by the author during the 2012 summer courses of the Hague Academy of International Law

European Perspectives on Producers' Liability Martin Ebers, André Janssen, Olaf Meyer, 2009-10-16 A growing number of countries recognise a direct producers liability for non conforming goods The European Commission has considered the introduction of an EU wide direct producers liability for a long time Will there be new responsibilities for producers in the future This book compiles national reports from 24 European countries on the sale of goods law as well as the consumer's remedies for non conforming goods and the final seller's right of redress A comparative report informs about the different models of producers liability and their impact on the internal market

Beneficial for practitioners working in the field of consumer contract law and sale of goods law Agency in Private International Law H.L.E. Verhagen, 2023-07-03 The Hague Agency Convention is of great importance for every lawyer involved or interested in international business and finance Its provisions become relevant whenever one is dealing with agency relationships in the broadest sense in an international context Its scope is not confined to the traditional commercial agency relationships between principals and their agents but extends to many other situations where agency takes place both directly and indirectly The rules of the Convention are applied to find the laws governing both the internal and external agency relationships in all areas of international business and finance The Convention has currently been ratified by four states the Netherlands France Portugal and Argentina but several countries have enacted legislation inspired by it for the interpretation of which the Convention may have significance Moreover now that it has entered into force in 1992 it is not unlikely that it will be ratified by more states Agency in Private International Law presents a detailed analysis of the Convention with references to the laws of various jurisdictions References to legal systems other than that of the Netherlands have been checked by local lawyers *Hague Yearbook of International Law / Annuaire de La Haye de Droit International, Vol. 12 (1999)* Johan G. Lammers, 2021-10-25 This is the Twelfth volume of the Hague Yearbook of International Law which succeeds the Yearbook of the Association of Attenders and Alumni of the Hague Academy of International Law The title Hague Yearbook of International Law reflects the close ties which have always existed between the AAA and the City of The Hague with its international law institutions and indicates the Editor s intention to devote attention to developments taking place in those international law institutions viz the International Court of Justice the Permanent Court of Arbitration the Iran United States Claims Tribunal and the Hague Conference on Private International Law This volume contains in depth articles on these developments in English and French and summaries of aspects of decisions rendered by the International Court of Justice the Permanent Court of Arbitration and the Iran United States Claims Tribunal and the Hague Conference on Private International Law ,

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