



FONDATION pour le
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THE CIVIL LAW SYSTEM IN A COMPARATIVE PERSPECTIVE

Alain LEVASSEUR



Alain A. Levasseur was the Hermann Moyse, Sr. Professor of Law; Director, European Studies Program; Associate Director for International Studies, Center for Commercial and Business Law, until he retired in June 2015 from the LSU Law Center. He is now Professor Emeritus and an adjunct Professor teaching one course a semester. He holds a DESS from the Faculté de Droit Paris (1965), and an MCL from Tulane University Law School (1966). He was an associate with the Paris firm of Mudge, Rose, Guthrie & Alexander in 1969. Professor Levasseur served as a Technical Assistant at the World Bank in Washington, D.C. from 1969 to 1970. In the fall of 1970, he resumed teaching at Tulane University Law School until 1977, when he joined the LSU Law Center faculty. In 1998, the Université d'Aix Marseille Paul Cézanne bestowed on Professor Levasseur the degree of Doctor of Laws Honoris Causa. In January 2010, Professor Levasseur received a second Doctorate Honoris Causa, this one from the Université de Paris Panthéon Assas; in October 2019 he received a third Doctorate Honoris Causa from the University of Bucarest. The French government named him Chevalier de l'Ordre des Palmes Académiques. In 2014 he was selected as Scholar in Residence by the Louisiana Bar Foundation.

Professor Levasseur maintains an active membership in the International Academy of Comparative Law, the American Association for the Comparative Study of Law, the Société de Législation Comparée, the Association Henri Capitant, the International Association of Legal Methodology and the American Law Institute. Professor Levasseur is a member of the Boards of Editors of the American Association for the Comparative Study of Law, American Journal of Comparative Law, the Revue Internationale de Droit Comparé and the Revue Trimestrielle de Droit Civil, among others.

His areas of expertise are Legal Traditions, particularly the Civil Law Tradition, the Law of Obligations, Louisiana Sale/Lease and Quasi-Contracts, Comparative Law of Contracts. He has taught and written in the fields of EU/EC Law and International Trade.

Professor Levasseur is the author of over twenty books in English and French, over thirty articles in English and fifty in French. His book, "Deciphering a Civil Code" (2015) was written with the support of the Louisiana Bar Foundation. He has spearheaded many translations, particularly the Dictionary of the Civil Code (LexisNexis) with Juriscope (Poitiers), the Avant-Projet Pierre Catala and the French Civil Code for the official site of the French government. He is the director of a series of "Précis" on the Louisiana Civil Code and the editor of the English translation of several books entitled "The Legal System of..." published in French by the Association Henri Capitant.

Description of the course :

The course will bear on “continental law” in general and focus on the main features of the civil law systems that are its component parts. A comparison will necessarily be made with some common law systems, mostly England and the United States. Special emphasis will be placed on the following points:

- 1** – The historical formation of the civil law systems, from the fall of the Roman Empire to the revival of Roman law in the XIth and XIIth centuries, to the great movement of codification which started in Europe in the 19th century and spread throughout the world.
- 2** – The fundamental role of the sources of law with a distinction between primary sources and secondary sources and their inter-action.
- 3** – The structure of the civil law systems: divisions and principal actors.
- 4** – Civil law methodology contrasted with common law methodology in practice: analysis of cases and problems.
- 5** – Conclusion: a common law look at the civil law.

EUROPEAN AND INTERNATIONAL CONTRACT LAW

Hélène VAN LITH



International Commercial Arbitration and ADR, Private International law, Cross-border Commercial Litigation, International Business Law and Collective redress and settlement.

Dr Helene Van Lith is Manager of the ICC Commission on Arbitration and ADR at the ICC International Court of Arbitration. In charge of the Commission's projects, she is responsible for several ICC Task Forces including the Task Force on Corruption in Arbitration, The Task Force on Emergency Arbitrator Proceedings and the Task Force on Arbitration of Climate Change Related Disputes. Working very closely with the Court and the International Centre of ADR, she is also responsible for the revisions of several ICC Dispute Resolution Rules, including the recent ICC Arbitration Rules, the 2018 Rules of ICC as Appointing Authority in UNCITRAL and the Mediation Rules. Since 2013, Helene regularly represents the ICC at the OECD, HCCH, UNCITRAL and participates in the sessions of the Working Groups (II and III) on Arbitration and Conciliation, on the Singapore Settlement Convention and the ISDS Reform.

Before joining University Paris IX Dauphine PSL at its School of Law, she was affiliated as Senior Lecturer and Associate Researcher to SciencesPo Law School Paris, teaching Conflict of Laws in Cross-Border Commercial Litigation. Together with Professor Horatia Muir Watt, she initiated the PAL MOOT inter-university Private international law Moot Competition which is since two years funded by the European Commission and to which Dauphine University is now a Partner organization. Helene was also a Senior Lecturer at the Sorbonne Law School of the University Paris I Panthéon-Sorbonne where she taught International Commercial Arbitration, in the Master 2 Global business law and Governance program.

Hélène holds a PhD from the Erasmus University of Rotterdam where she was appointed Assistant Professor of Private International Law & Comparative Law. Her Doctorate was validated by the University of Burgundy /CREDIMI in July 2013. Her academic research work includes her doctoral thesis 'International Jurisdiction and Commercial Litigation Uniform Rules for Contract Disputes' (Sari nger, 2009), which was awarded the AISDC Prize of the Swiss Institute of Comparative Law in Lausanne as well as her research for the Dutch Ministry of Justice on Collective Settlements and Private International Law

(Maklu/SBS, 2011). She is member of the Steering Committee of the BIICL's project 'Focus on Collective Redress', the ILA and the IBA. She has published various articles and is a regular speaker at numerous conferences and seminars in the field of Private International Law, collective redress and transnational commercial litigation and arbitration.

For more than 10 years, she was the Secretary to the Groupe de Travail Contrats Internationaux (GTCI), chaired by Filip De Ly; an international working group of in-house counsels, corporate lawyers and professors analyzing the main clauses in international contracts and international arbitration practices in order to improve drafting.

She is fluent in French, Dutch, English, and Spanish and obtained her legal education in the Netherlands and Spain. She was a visiting scholar at the Max Planck Institute for Comparative and International Private Law in Hamburg, Melbourne Law School and the Swiss Institute of Comparative Law in Lausanne.

Description of the course :

The course deals with the topics of European Contract Law and International Commercial Contracts. As to European Contract Law, the analysis concerns the problematic aspect of the diversity of legal systems and the significance of the General Principles of European Contract Law as conceived by the Lando Commission. The action of legal science and the debate on a European Code of Contracts will be discussed, focusing on the issue whether the harmonization of laws is deemed necessary to establish a single market within the European Community. As to the International Commercial Contracts, the inquiry explores the ratio and purposes of the UNIDROIT Principles for International Commercial Law. They undoubtedly have come to play a weighty role in the contemporary legal landscape, as numerous publications, but also numerous references in arbitral and judicial decisions and legislative projects reveal.

SETTLEMENT OF INTERNATIONAL DISPUTES

Galina ZUKOVA



Dually qualified in Paris and Latvia, Dr. Galina Zukova is a leading arbitration practitioner with twenty years of legal experience. She has served as an arbitrator in cases conducted under the most major institutional rules, including the ICC, LCIA, DIS, VIAC, SCC and Milan Chamber of Arbitration. She also regularly represents clients (individuals, corporate and state entities), and acts as expert in international arbitration proceedings.

Before founding her own firm ZUKOVA Legal in 2019, Dr. Zukova was a Partner with a boutique law firm and a lawyer in the top International Arbitration Practice Group of a major international law firm based in Paris. Prior to this, she worked as Counsel at the ICC International Court of Arbitration, where she was in charge of the case management team handling matters involving parties from Central and Eastern Europe, Turkey and Greece.

Dr. Zukova is a Member of the ICC International Court of Arbitration, a Board Member of the Finland Arbitration Institute (FAI), and a Vice-Chair of the Arbitration Council of the Georgian International Arbitration Centre (GIAC). She is a Council Member of the ICC Institute of World Business Law. She is also an Associate Professor at the University of Versailles Saint-Quentin (Paris-Saclay) and the Riga Graduate School of Law.

A Latvian lawyer by training (LLB, University of Latvia), Galina has a PhD from the European University Institute (Florence, Italy) and an LLM from the University of Exeter (UK). She was also a Visiting Scholar at the Yale University (US).

Dr. Zukova is fluent in English, French, Italian, Latvian, Russian and Spanish. She has a working knowledge of German.

Dr. Zukova is ranked in: Who's Who Legal: Thought Leader – Arbitration 2021; WWL: Arbitration – Arbitrators and Counsel; WWL: Arbitration – Future Leaders; and WWL France: Arbitration (every year as of 2017). WWL 2019 ranked her as Number 2 of the “Most Highly Regarded” Future Arbitration Leaders, and writes: “Galina Zukova ... is “an excellent and experienced lawyer with a particular focus on CIS-related cases”, according to sources. They note, “She has vast experience in and great knowledge of ICC arbitration proceedings.”” In 2018, ArbitralWomen included Galina in its publication “Women Pioneers in Dispute Resolution”.

Description of the course :

The course aims to provide students with a basic introduction to the theory and practice of international arbitration, the preferred method of dispute resolution in international commerce. It will familiarise the students with the framework of international treaties, national law and soft law instruments that undergird the international arbitral system, and introduce such key concepts in international arbitration, as arbitration agreements, place of arbitration, arbitrators, constitution of the arbitral tribunal, interim measures, arbitral awards, arbitration and state courts, among others. The course also intends to familiarize the students with the procedural aspects of the arbitration system organized under the auspices of the International Chamber of Commerce (ICC), which is headquartered in Paris.

CONSTITUTIONAL COURTS AND FUNDAMENTAL FREEDOMS

Fabrice HOURQUEBIE



Fabrice Hourquebie is a public law professor at the University of Bordeaux. His doctoral thesis was on the emergence of the jurisdictional power under the French fifth Republic (Bruylant, 2004). He teaches French and comparative litigation and constitutional law. His fields of research focus mainly on francophone constitutional law, jurisdictional power and separation of powers, the independence of the judiciary and transitional justice processes in crisis or post-crisis states.

He is the author of more than sixty articles and seventy papers at symposia focusing on constitutional law and justice. His most significant books are: « Legal pluralism and fundamental rights » (dir., LGDJ, Fondation Varenne, ed. Kultura, 2016); « The doctrine in the French-speaking African space » (dir., Bruylant, 2014); « Constitutional law and the main principles of criminal law" (codir., Cujas, 2013) ; « What public service of justice in francophone african countries ? » (dir., Bruylant, 2013); « The legal arguments of Supreme Court decisions » (codir., Bruylant, 2012) ; « Judicial collegiality and judicial cultures » (dir., Bruylant, 2011) ; « Jurisdictional power in France » (LGDJ, 2010).

General Secretary of the French Association of Constitutional Law (AFDC), Head of the « Centre d'Études et de Recherches Comparatives sur les Constitutions, les Libertés et l'État » (CERCACLE) as part of Bordeaux University, Director of Master "Public Litigation", he regularly collaborates with the International Organization of Francophonie (OIF) as an expert on constitutional issues.

Description of the course :

The course aims is to discuss some major themes of constitutional law in a comparative way. The course will focus on constitutional justice and the protection of fundamental rights. Traditional models of constitutional justice (American and European one) are evolving and becoming mixed. It will be necessary to determine whether this allows of a better protection of fundamental rights. The course will compare the procedures for the protection of fundamental rights, through the French case and foreign examples.

DIGITAL LAW – PROTECTION OF PERSONAL DATA

Luis ENRIQUEZ



LUIS ENRÍQUEZ. Information Technology Lawyer, Cyber Risk Analyst and Digital Forensics Examiner. Professor of “ethical Hacking and digital forensics” in the digital law master’s program at the University of Lille (France). Professor of “information security” for data protection officers (DPO) at the D.U. “informatique et libertés” - University of Lille (France). Director of the master's degree in digital economy & law, professor of “data protection”, “blockchain” at the Simón Bolívar Andean University (Ecuador). He has deeply researched through his doctoral thesis at the University of Lille, about data breaches and the implementation of quantitative data protection impact assessments (DPIA). Guest teacher of the “data protection course” at the summer university of the foundation pour le droit continental. Permanent member of the FAIR institute and OWASP. He also holds the following degrees and certifications: LL.M. in information technology law (Leibniz Universität Hannover – Germany). LL.M. in international economic law (Simón Bolívar Andean University – Ecuador). Algorithm composer (Institute of Sonology – The Netherlands). HD Data Recovery Expert (Ace Lab). Oxygen Forensics Expert (OFE). Certified Ethical Hacker (CEH). Computer Hacking Forensics Investigator (CHF1). Certified Incident Handler (CIH). EC-Council Certified Security Analyst (ECSA), among others.

Description of the course :

Since May 2018, the General Data Protection Regulation (GDPR) has changed our lives. Its impact is huge as it has influenced many data protection and privacy legal frameworks worldwide. The GDPR establishes new rights for the physical persons, and new compliance obligations for data controllers and data processors. Considering that the GDPR relies on a risk based approach, controllers and processors need to implement several quantitative and qualitative risk assessment methodologies. These methodologies must safeguard the rights and freedoms of natural persons, and in the meantime, allowing enterprises to remain competitive and innovative for the new dynamics of the digital economy.

The purpose of this course is to show students the path to achieve GDPR compliance in the light of new technologies, such as cloud computing, blockchain, internet of things, data science, artificial intelligence, biotechnology. We will correlate the GDPR compliance obligations with Data Protection Impact Assessment methodologies (DPIA). For such task, the course also includes a general review of several industry standards, such as the ISO / IEC 27001, ISO / IEC 27701, FAIR, PCI DSS, among others. Which methodologies are useful to reduce the risks of administrative fines? How to align data protection policies to business processes? These and many more questions will be addressed during the course.

ENVIRONMENTAL LAW

Description of the course coming soon