

# General Principles of EU Law and European Private Law

*Edited by*

Ulf Bernitz  
Xavier Groussot &  
Felix Schulyok

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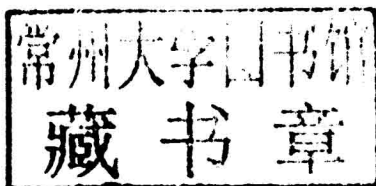
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# General Principles of EU Law and European Private Law

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## Preface

This volume on the General Principles of EU Law and European Private Law deals with an area of European law of particular complexity and ever growing importance. Due to their nature, the general principles offer a more or less unlimited field for legal studies, at the same time as they play a rapidly increasing role in legal practice. The first volume on General Principles of EC Law was published in the year 2000, based on an international conference held in Malmö, Sweden in 1999. The second volume, General Principles of EC Law in a Process of Development, based on a conference in Stockholm in 2007, was published in 2008. They dealt primarily with general principles from the perspective of human rights and administrative law. Both volumes have been very well received and are often cited; the first volume has been sold out.

This third volume has another focus, namely the role of general principles in the ongoing development of European private law. The vision behind the volume, its main structure and core features of its eighteen articles are presented by the editors in an introductory chapter. The other chapters are centered around four main themes: the methodology in the elaboration of private law principles within union law, the constitutionalization of private autonomy, horizontal direct effect of general principles and the role of general principles in competition law. As an overriding conclusion, there is reason to stress the colossal potential and impact of the EU Charter of Fundamental Rights in relations between private parties. Like the previous volumes, the contributions in the book also demonstrate the fundamental role of the general principles in the successive creation of a *jus commune europaeum*.

As a platform for the preparation of this book, The Swedish Network for European Legal Studies organized in Lidingö, just outside Stockholm, in 8–9 November 2012, an international conference on the subject. Invited as speakers were a mixture of eminent and well known experts, many of whom had taken part already in the previous general principles conferences, and a selection of younger scholars in the field. We had two days of most fruitful exchange of ideas based on excellent papers. Although this

volume is based on a selection of the papers presented at the conference, all papers have been rewritten and edited extensively before publication.

The object of the Swedish Network for European Legal Studies (Snels) is to establish an independent forum that will allow researchers to meet, discuss and open up new paths of investigation within the field of European law, on national and European level. The Network, funded by public means allocated by the Swedish Parliament, arranges conferences, symposia and seminars and actively supports the publishing of research material. More information about the Network can be found at [www.snef.se](http://www.snef.se)

I wish to thank my co-organizers and co-editors Xavier Groussot, Professor of European Law at Lund University and doctoral candidate in European law Felix Schulyok, Copenhagen University for all their intellectual efforts in preparing the project. Felix has been instrumental also in the more practical parts of the process and its successful completion. We also wish to thank Professor Antonina Bakardjieva Engelbrekt, Professor of European Law at Stockholm University and chair of the Network for the strong support of the project offered by the Network.

Ulf Bernitz

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