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EUROPEAN PRIVATE  
INTERNATIONAL LAW AT 50

Celebrating and Contemplating the 1968  
Brussels Convention and Its Successors

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Geert Van Calster and Jura Falconis (eds.)

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# PREFACE

Esther MAES

*Editor-in-chief 2017-2018*

Fifty years ago, the Brussels Convention saw the light of day. The European leaders sensed more judicial cooperation was needed if they ever truly hoped to achieve a single market. Businesses and consumers will more easily engage in activities across borders when they have the certainty that a judgment obtained in one Member State will be enforced in another. As there was no legal basis in the Treaties, a classic international treaty was adopted to harmonize jurisdiction as well as the recognition and enforcement of judgments within the European communities.

In fifty years, European private international law has undergone several significant changes: the Brussels Convention has been replaced by regulations, authentic EU instruments; applicable law is no longer disregarded; interpretations of existing provisions have changed; and some fields of private international law previously left for the Member States have been included in the harmonization process. Additionally, there have been some important developments on an international level such as the Hague Judgments Project. Moreover, increased globalization and the emergence of e-commerce has led to an elevated need for and more widespread reliance on private international law.

Each year, the editorial team of *Jura Falconis* scours the libraries and legal databases for a relevant topic to discuss at the annual *Jura Falconis* conference. Often we focus on what the future holds for the law student, the legal practitioner, the academic: a new law, a future development, a novel evolution. The 50<sup>th</sup> anniversary of the Brussels Convention, however, presented itself as the perfect opportunity to pause and reflect on the past, to see how far we have come and how we go from here.

Because of the increased relevance of private international law, most legal practitioners can no longer avoid it in their day-to-day practices. Therefore, a thorough revision of the most important aspects of European private international law is certainly not futile. The goal of the conference, however, was not only to refresh students', practitioners' and academics' memories regarding the history, the application and the implications of European private

international law but to also offer a view of tomorrow. What will be the future direction of European private international law? What are, for instance, the possible ramifications of the looming Brexit?

Several experts assembled in Leuven on 23 March 2018 for the Jura Falconis conference ‘European Private International Law at 50’ to discuss prior developments, draw lessons from the past and offer perspectives for the future of European private international law. This book is the written result of that exercise. In name of Jura Falconis, I would like to thank everyone who has aided in its creation. First, I would like to thank the authors for their spoken and written contributions. Next, I would like to acknowledge Intersentia and the KU Leuven for their unwavering support for Jura Falconis. Last but certainly not least, I would like to express my utmost gratitude to professor Geert Van Calster without whom this conference and this book would never have become reality.

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