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## **CCBE Resolution on European Contract Law**

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**Conseil des barreaux européens – Council of Bars and Law Societies of Europe**

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Whereas, the CCBE has noted that the European Commission has published in March 2003<sup>1</sup> a Communication to the European Parliament and the Council entitled “More Coherent European Contract Law, an Action Plan”;

Whereas, the European Commission is working on a “Common Frame of Reference” (CFR) in order to mitigate the differences created by conflicting Directives, thereby trying to also resolve apparent inconsistencies in the implementation of the Directives at national level within the wide range of the consumer *acquis*;

Whereas, the CCBE has noted that the European Commission has published a Communication to the European Parliament and the Council entitled “European Contract Law and the revision of the *acquis*: the way forward” in October 2004, in which the Commission states that it “will use the CFR as a toolbox, where appropriate, when presenting proposals to improve the quality and coherence of the existing *acquis* and future legal instruments in the area of contract law”;<sup>2</sup>

Whereas, the European Parliament has called upon the Commission<sup>3</sup> to ensure that the functioning of the internal market within the Community requires further initiatives in order to finally create a European Contract Law;

Whereas, the CCBE has noted that many distinguished academics are working within the framework of the CFR;

Whereas, the CCBE as the legitimate representative of more than 700 000 lawyers in Europe is willing to play an active part in shaping the CFR by contributing its practical expertise;

Whereas, the CCBE has circulated a questionnaire within its member organisations in order to receive a better understanding of the intentions and goals of the CFR as being a tool-box for the creation of a European Contract Law,

Now it is hereby resolved

That the CCBE is in full support of the initiative to create a Common Frame of Reference in order to improve the quality and coherence of the existing *acquis* and future legal instruments in the area of contract law;

That the CCBE is willing to cooperate in this respect with both the European Commission and the European Parliament by contributing its practical and academic legal expertise to this important political undertaking

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<sup>1</sup> COM (2003) 68 final (OJ C 63m15.3.2003)

<sup>2</sup> (COM(2004)651 final), P.3

<sup>3</sup> A6-0055/2006 -final - 2.3.2006