

Professor Dr. Arthur S. Hartkamp

Professor of European Private Law at Radboud University Nijmegen



Arthur Hartkamp is a professor of European private law at Radboud University Nijmegen. Previously, he worked as a legislative draftsman at the Ministry of Justice on the preparation and drafting of parts of the New Dutch Civil Code (1974-1989) and he served as *Advocaat-Generaal* (Advocate-General, 1986-2001) and as *Procureur-Generaal* (2001-2006) at the Supreme Court of the Netherlands.

He is an experienced arbitrator in national (NAI) and international (ICC) cases. He is a member of the Netherlands Panel of Arbitrators, International Centre for the Settlement of Investment Disputes (ICSID).

He was chairman of the Board of Appeal, Netherlands Complaints Committee on Financial Services, from 1999 – 2013.

He has written a treatise on the Dutch Law of Obligations, including contract law, in three (later four) volumes (eight editions between 1984 and 2015) as well as other books and many articles on Dutch private law, comparative law and European law.



CURRICULUM VITAE Prof. Dr. Arthur S. Hartkamp

(married, two children)

Amsterdam, January 10, 1945

Education

Studies in Law at the universities of Amsterdam, Munich and Rome.

Final examination Amsterdam: 1968 (cum laude). Thesis for doctorate Amsterdam 12 November

1971 (cum laude)

Professional

(full time functions)

- 1968-1974: Lecturer, Amsterdam University
- 1974-1989: Civil Code Revision Office, Ministry of Justice
- 1986-2001: Advocate General at the Supreme Court of The Netherlands
- 2001-2006: Procureur General at the Supreme Court of The Netherlands¹
- 2006 to date: Professor of European Private Law, Radboud University Nijmegen

(part time functions)

- 1977-1983: Lecturer, Leyden University
- 1982-1986: Alternate Judge, Amsterdam Court of Appeal
- 1991-1999: Professor of Private Law, Utrecht University
- 1999-2006: Professor of Private Law, University of Amsterdam

Other Information

- Netherlands Delegate to UN-Commission on International Trade Law (UNCITRAL) and to several Working Groups of the Commission (1977-1989)
- Head of Netherlands Delegation to Diplomatic Conference UN-Convention on International Sale of Goods (Vienna, 1980)
- Member, Governing Council UNIDROIT (Institute for the Unification of Private Law, Rome), since 1983
- Vice President, UNIDROIT, since 2003
- Member, UNIDROIT Working Group on Principles for International Commercial Contracts (since 1982)
- Member, Commission on European Contract Law (since 1991)
- Member, Royal Netherlands Academy of Sciences (1985)
- Grande Ufficiale nell'Ordine al merito della Repubblica Italiana (2006)
- Foreign member, The American Law Institute (1995)

¹ An Advocate-General is an independent adviser to the Supreme Court, writing opinions in (in my case) private law cases pending before the Supreme Court. These opinions discuss the state of the law, including comparative law (taking into account the points of view of the parties) and include recommendations for the Court on how to rule in the case at issue. They are published together with the Supreme Court judgments. I have written almost 1000 such opinions. The Procureur-General is the chairperson of the Advocates-General and in addition is charged with supervising the judiciary in the Netherlands. Both functions (as all other functions in the judiciary in the Netherlands) are non-political appointments.



- Associated Member, The International Academy of Comparative Law (1995)
- Member, Senate of the European Law Institute (2011)
- Member, Academia Europaea (2012)
- Chairman, Casebook project on the influence of European law on legal relationships between individuals (2012-2017)
- Honorary Doctorate, Demokritos University, Greece (1998)
- Honorary Member, Hungarian Academy of Sciences (2010)
- Member (1999-2013 Chairman), Board of Appeal Netherlands Complaints Committee on Financial Services
- Many editorial functions (law reviews, series of book publications)
- Many guest lectures, e.g. Universities of Rome, Salzburg, Miami, New Orleans (Tulane), Edinburgh, Salzburg, Oldenburg, Curaçao, Milan, Uppsala, Oxford, Tokyo, Seoul, Hamburg
- Member of Dutch delegations advising other countries (including the Russian Federation, Hungary, Czech Republic and Indonesia) on New Civil Code

Arbitration

Extensive experience in arbitration:

International (ICC, UNCITRAL, also *ad hoc*): co-arbitrator, expert witness on Dutch law.

National (mostly Netherlands Arbitration Institute, also *ad hoc*): chair, co-arbitrator, sole arbitrator.

Member, Netherlands Panel of Arbitrators, International Centre for the Settlement of Investment Disputes (ICSID)

Member, P.R.I.M.E. Panel of Financial Experts

Languages

Mother tongue: Dutch

Fluency in English, French, German and Italian

Reading knowledge of Spanish, Portuguese, Latin and (ancient and modern) Greek

Publications

- A treatise in several volumes in the Asser-series on the Dutch Law of Obligations (in Dutch): General Part of the Law of Obligations; General Part of Contract Law; Torts and Restitution (six editions in three volumes: 1984-1986; 1988-1990; 1992-1994; 1996-1998; 2000-2002; 2004-2006; seventh and eighth edition in four volumes 2008-2011 and 2012-2015)
- A book in the Asser-series on the influence of European law on national private law (3rd edition 2015; English edition 2nd edition 2016)
- Civil Contracts in Dutch Law (in Herbots (ed.), International Encyclopaedia of Laws/Contracts, Kluwer Law International), 4th edition 2015
- Other books and appr. 250 articles on Dutch private law, comparative law and European law

Major research projects:

- A.S. Hartkamp, M. Hesselink, E.H. Hondius (eds.), *Towards a European Civil Code*, 4th ed., Kluwer 2011.

- Hugh Beale, Arthur Hartkamp, Hein Kötz, Denis Tallon (eds.), *Casebooks on the Common Law of Europe*, Contract Law - Cases, Materials and Texts (1st ed., Hart, Oxford, 2002)

- A.S. Hartkamp, C.H. Sieburgh, L.A.D. Keus (eds.), *The Influence of EU Law on National Private Law*, Vol. I and II, 2nd ed., 2014.

- A.S. Hartkamp, C.H. Sieburgh, W. Devroe (eds.), *Casebooks on the Common Law of Europe*, European Law and Private Law - Cases, Materials and Texts (1st ed. Hart, Oxford, 2017)



Fields of Specialization

Dutch Private Law (in particular law of obligations, including contract law), Comparative Law, Unification of private Law, European law

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