

Prof. C.H. Sieburgh (Carla)



Present and Previous Positions

- 2017 - present, Judge, Supreme Court The Netherlands (Civil Senate)
- 2017 - present, Extraordinary Professor Private Law, Radboud University Nijmegen, The Netherlands
- 2013, January-August, Visiting Professor European University Institute, Firenze, Italy
- 2010 - 2017 Research Professor Private law in particular the influences of European Law on national private law, Radboud University, The Netherlands
- 2003 - 2010 Professor of Private Law, Radboud University Nijmegen, The Netherlands
- 2003, August-October, Visiting Professor University of California in Berkeley (USA)
- 2002 - 2017 Alternate Judge, Amsterdam Court of Appeal (expert European Private Law)
- 2000 - 2003 Law clerk of the Procureur Général at the Supreme Court of The Netherlands
- 2000, January-March, Visiting Professor, Leuven University (Belgium)
- 1995 - 1999 Researcher and Lecturer, University of Groningen, The Netherlands

Fields of Scholarship

- Dutch private law, in particular general law of obligations, contract law, tort law, unjust enrichment
- Influences of European Union Law on national private law
- Interaction between fundamental rights law and private law
- Interaction between criminal law and private law
- Legal-societal developments, such as wrongful life and wrongful birth

Biography

Carla Sieburgh has degrees in both medicine and law. She began her career in Groningen University (1995-1999) writing a dissertation on the attributability of an unlawful act, based on comparative research of the basic principles of the law of torts and the concepts of unlawfulness, culpa and risk factors that are attributable to the wrongdoer (cum laude).

She then became law clerk of the Procureur-Général at the Supreme Court of The Netherlands (2000-2003). In February 2003 she was appointed Professor of Private Law at Nijmegen University. In 2010 she was appointed Research Professor of Private law, in particular the influences of European Law on national private law, at the same University. She wrote extensively on those influences, both nationally and internationally, offering many new scholarly insights.

At the same time she writes and lectures for the benefit of practising lawyers and judges. Her works on Dutch private law include the leading commentary in four volumes on the law of obligations (general part, contracts, torts and unjust enrichment), since 2001 as co-author, since 2015 as sole author.

She was also a part time alternate Judge in the Amsterdam Court of Appeal and a visiting professor at several universities. In 2017 she was appointed as a judge in the Supreme Court of the Netherlands (civil senate), while continuing part of her work at the Radboud University.

Prof. Sieburgh has built an international network comprising eminent colleagues such as prof. dr. dr. h.c. mult. Reinhard Zimmermann (Max Planck Institute for comparative and international Private

Law, Hamburg, Germany), prof. dr. Hans-Wolfgang Micklitz (European University Institute, Firenze, Italy) and prof. dr. Wouter Devroe (Catholic University Leuven, Belgium), with all of whom she edited important publications. Under her co-chairmanship a novel approach to European Private law was developed in the Casebook (Ius Commune series) on the horizontal effects of EU-law, together with a team of European scholars from ten EU member states.

Publications

[The list is restricted to publications in English]

(Joint author with H.-W. Micklitz) Primary EU Law and Private Law Concepts, Chapter 1 in: H.-W. Micklitz, C.H. Sieburgh (eds.), Primary EU Law and Private Law Concepts, Intersentia, Cambridge, 2017

Non-Discrimination Provisions in TFEU, Chapter 4 in: A.S. Hartkamp, C.H. Sieburgh & W. Devroe (eds.), Ius Commune Casebooks for the Common Law of Europe, Cases, materials and sources on European Law and Private Law, Bloomsbury/Hart, Oxford, 2017

The Principle of Non-Discrimination, Chapter 5.II in: A.S. Hartkamp, C.H. Sieburgh & W. Devroe (eds.), Ius Commune Casebooks for the Common Law of Europe, Cases, materials and sources on European Law and Private Law, Bloomsbury/Hart, Oxford, 2017

(Joint author with H.-W. Micklitz) Primary EU law, European Regulatory Private Law and National Private Law, in: P. Koutrakos & J. Snell (eds.), Research Handbook on the Law of the EU's Internal Market, Edwar Elgar publishing, Cheltenham, 2017

The Attribution of Acts: Towards a Principled Assessment under EU and National Private Law, in European Law, National Private Law, European Private Law, Essays in Honour of Arthur Hartkamp edited by Carla Sieburgh and Reinhard Zimmermann, European Review of Private Law 24 (2016), p. 645-672

The Union-Law principle of equality and its effect on private law, in: A.S. Hartkamp, C.H. Sieburgh, L.A.D. Keus, J.S. Kortmann, M.W. Wissink (eds.), The Influence of EU Law on National Private Law, General part, Serie Onderneming en Recht Deel 81-I, Kluwer, Deventer, 2014, p. 271-296

EU law and non-contractual liability of the Union, Member States and individuals, in: A.S. Hartkamp, C.H. Sieburgh, L.A.D. Keus, J.S. Kortmann, M.W. Wissink (eds.), The Influence of EU Law on National Private Law, General part, Serie Onderneming en Recht Deel 81-I, Kluwer, Deventer, 2014, p. 465-542

General principles and the Charter in private law relationships. Constructive and critical input from private law, Chapter 10 in: U. Bernitz, X. Groussot, F. Schulyok (eds.), General Principles of EU Law and Private Law, Kluwer Law International, The Hague, 2013, p. 233-247

Western Law of Contract, Chapter 6 in M. Bussani & F. Werro (eds.), European Private Law. A Handbook, Volume I, Stämpfli, Bruyant, Carolina Academic Press and Sellier, Berne, 2009, p. 161-202

The Principle of Social Conformity. Society as a third party in the law of contract, in: K. Boele-Woelki & W. Grosheide (eds.), The future of European Contract Law (Hondius-Bundel), Wolters Kluwer, Alphen aan den Rijn, 2007, p. 115-131

Ancillary activities

- Member Board of Governors of the UNIDROIT Foundation
- Editor of the *Tijdschrift voor Europees en economisch recht* (Journal of European and Economic Law);
- Chair of the Dutch section of the Private Law Division of the Association for the Comparative Study of the Law of Belgium and the Netherlands;
- Board member Domain of Behavioral, Social and Legal Sciences at the Royal Dutch Academy of Arts and Sciences;
- Lecturer in European Private Law at the Study Center for the Judiciary;
- Member of the Advisory Council of the Asser series;
- Member of the board of the Walter van Gerven Foundation;
- Member of the editorial board of the Dutch Civil Code monographs;
- Member of the editorial advisory board of the Belgian Journal of Private Law.