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# **METHODEN- UND VERFASSUNGSFRAGEN DER EUROPÄISCHEN RECHTSANGLEICHUNG**

**SCHRIFTEN ZUM EUROPÄISCHEN  
UND INTERNATIONALEN PRIVAT-, BANK-  
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# Wahlbarkeit Nichtstaatlicher Europäischen Internationalen Vertragsrecht

**Evelyn Woitge**



## **Wählbarkeit Nichtstaatlicher Europäischen Internationalen Vertragsrecht:**

### **Die Wählbarkeit nichtstaatlicher Regelwerke europäischen Ursprungs im internationalen Vertragsrecht**

Evelyn Woitge, 2015 Die kollisionsrechtliche Wahlbarkeit nichtstaatlicher Regelwerke anstelle staatlichen Rechts als Vertragsstatut ist nicht nur Gegenstand der wissenschaftlichen Diskussion sondern hat auch den europäischen Gesetzgeber beschäftigt Die Arbeit zeichnet daher den Einfluss des EU Rechts auf das Kollisionsrecht und die nichtstaatliche Regelbildung nach Dafür untersucht die Autorin Werke des europäischen Vertragsrechts wie den DCFR und das CESL die sie von ungenauen Oberbegriffen wie lex mercatoria und soft law abgrenzt Sie diskutiert das Konzept der Parteiautonomie im europäischen Kollisionsrecht und gelangt zu dem Ergebnis dass die Wahlbarkeit der europäischen Vertragsrechtswerke vom europäischen Grundrechtsgehalt der Parteiautonomie umschlossen ist De lege ferenda pladiert die Autorin daher für eine entsprechende Öffnung der Rechtswahl im internationalen Vertragsrecht

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