

# ZEuP - Zeitschrift für Europäisches Privatrecht 3/2025

A new issue of ZEuP – Zeitschrift für Europäisches Privatrecht is now available and includes contributions on EU private law, comparative law and legal history, legal unification, private international law, and individual European private law regimes. The full table of content can be accessed here: <https://rsw.beck.de/zeitschriften/zeup>.



The following contributions might be of particular interest for the readers of this blog:

- **Pacta Sunt Servanda's Soliloquy Amidst Sanctions: The Impact of EU Sanctions on Contractual Performance in Arbitration**

## **Proceedings**

*Helmut Ortner, Veronika Korom and Marion* on the Impact of EU Sanctions on Contractual Performance in Arbitration Proceedings: EU sanctions against Russia and Russia's countermeasures have significantly disrupted trade, supply chains, and contractual relations, sparking disputes frequently resolved through arbitration. European legal systems provide a range of mechanisms—including force majeure, impossibility, frustration, and hardship—to address sanctions-related performance impediments. Despite doctrinal divergences, these frameworks tend to converge on practical outcomes. To mitigate risks and increase legal certainty, parties are well-advised to incorporate tailored clauses in their contracts.

- **Eigentumsvorbehalte in grenzüberschreitenden Warenkaufverträgen mit englischen Käufern**

*Insa Stephanie Jarass* on retention of title clauses in contracts with English buyers: In *PST Energy 7 Shipping LLC v OW Bunker Malta Ltd (The Res Cogitans)* [2016] UKSC 23, the Supreme Court held that the Sale of Goods Act 1979 no longer applies to certain contracts containing retention of title clauses which had previously always been categorised as contracts for the sale of goods. This article analyses the legal implications of this decision for contracts for the supply of goods to England. In addition to the legal uncertainties that have always surrounded the validity in rem of retention of title clauses under English law, the decision adds a new level of complexity at the contractual level that requires particular attention when drafting international contracts.

- **Die europäische vis attractiva concursus - Altbekanntes, Neues und Ungeklärtes zu Reichweite, Kompetenzkonflikten und materieller Sperrwirkung**

*Fabian Kratzlmeier* comments on the decision by the ECJ in C-394/22, addressing the law applicable in the context of insolvency proceedings.