

**What is the Role of the ECJ in EC Private Law? -  
A Comment on the ECJ judgments in *Océano Grupo*,  
*Freiburger Kommunalbauten*, *Leitner* and *Veefald***

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**Abstract**

The article by Prof. Dr. Peter Rott discusses the role of the ECJ by indicating to the ongoing European harmonisation process. Having ascertained that EC private law will be increasingly a matter that has to be dealt with, it is clear that the effects of this development will concern national courts as well as the ECJ.

The author examines relevant judgments, which show that the ECJ has taken views hard to determine in advance. This constitutes one reason why national courts face difficulties when questions concerning compatibility and interpretation of EC law arise. If according to the author law in Europe becomes more and more harmonised, it will be a decisive issue to clarify the distinguishing roles of the jurisdictions, national as well as supranational.

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