



ASSOCIAZIONE ITALIANA  
DIRITTO COMPARATO



**SIRD**

SOCIETÀ ITALIANA  
PER LA RICERCA  
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## Joint Young Comparatists Conference AIDC/SIRD

# Comparative Law in the Practice of European Supranational Courts A People's History of Living in Multilayer Legal Systems

University of Luxembourg  
June 16 and 17, 2022

*The conference will be held in hybrid mode*

### PROGRAMME

Thursday June 16,

#### Morning Session 10:00 – 12:30

Court of Justice of the European Union  
Rue du Fort Niedergrünwald, L-2925 Luxembourg

10:00 – Welcome of participants

10:20 – Welcome addresses

Prof. **Katalin Ligeti**, Dean of the Faculty of Economics, Law & Finance of the University of Luxembourg Prof. **Michele Graziadei**, President of SIRD, Prof. **Salvatore Sica**, President of AIDC, Prof. **Elise Poillot**, University of Luxembourg

#### 11:00 – Introductory Session: Comparative Law in a Supranational Context

##### Key notes speeches by

Judge **Lars Bay-Larsen**, Vice-President of the Court of Justice of the European Union  
Judge **Mattias Guyomar**, European Court of Human Rights

##### Institutionalizing Comparative Law: A Hint of the Courts' Practice

**Celestina Iannone**, Court of Justice of the European Union  
**Stefano Piedimonte-Bodini**, European Court of Human Rights

12h20 discussion with the audience

12h40 end of the session

Snack Lunch at the Department of Law, 4 rue Alphonse Weicker  
L-2721 Luxembourg



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### Afternoon Session 15:00 – 18:30

Department of Law – Weicker Building – University of Luxembourg  
4 rue Alphonse Weicker L-2721 Luxembourg

#### People in their Environment

15:00 – 17:00

#### Session 1: Living in the Context of Coordinated Legal Systems – Chair Judge Raffaele Sabato

**Matteo Di Donato:** *The Promotion of Rule of Law in the Decisions of the European Supranational Courts: An Overview of the Concept through National Identities and Multilayer legal systems*

**Ignazio Spadaro:** *The political framework as an implicit term of comparison in the ECJ's ruling on the retirement age for Polish supreme judges*

**Jesse Claassen:** *A Bottom-Up Assessment of the Obligation to Refer Preliminary Questions*

**Davide Zecca:** *Blanket Restrictions on Voting Rights: The Limitation of the Access to Suffrage in the Multilevel Dynamics*

**Davide Gianti:** *The Several Functions of "Just Satisfaction" in the Case-Law of the European Court of Human Rights. A Comparison with the Traditional Functions of Tort Law Developed at a National Level*

#### Session 2: People in their Everyday Life – Chair Prof. Cristina Amato

**Lena Hornkohl & Walter Bruno:** *Entropy in Progress - A Comparative Outlook on Standing in the Climate Actions Across the EU*

**Damien Negre:** *Defining Autonomous Concepts through the Comparative Method of Interpretation: The Example of Professional Activity in European Consumer Law*

**Katia De Blasio:** *Comparative Law Method in the Opinions of Advocates General: The Case of Product Liability*

**Paola Valerio:** *Legal Comparison as Driving Force for Housing Rights in Europe: The CJEU and the ECHR trails*

17:00 – 18:30

#### Session 3: People's Identity and Dignity– Chair Prof. Ermanno Calzolaio

**Marco Rizzuti:** *Family Law and Migration in Europe: Between Pluralism and the Enforcement of Gender Equality*

**Chiara Graziani:** *Counterterrorism and the Use of Torture: A "Failed" Transatlantic Dialogue among Courts?*

**Maja Łysienka:** *Comparing Human Rights Standards: Judicial Dialogue between the ECHR and CJEU on Asylum and Return*

**Maria Di Maggio:** *The Phenomenon of Whistleblowing in Europe, between Rulings of the European Court of Human Rights and the Need for Standardization of National Legal Systems*



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**Friday June 17,**

**Morning Session 10:00 – 13:00**

Department of Law – Weicker Building – University of Luxembourg  
4 rue Alphonse Weicker L-2721 Luxembourg

**People and the Market**

**10:00 – 11:30**

**Session 4: Living in a Market Oriented World - Chair Prof. Luca Ratti**

**Rosalba Potenzano:** *Remedying Non-Conformity with Refurbished Goods. The Dialogue Between National and Supranational Courts in the Circular Economy*

**Edoardo Ruzzi:** *The Role of Comparative Law in the Product Liability Jurisprudence of the Court of Justice: Balancing Consumer Protection and Market Efficiency*

**Gianmatteo Sabatino:** *The Internal and External Dimension of Judicial Dialogue on European Competition law. A Comparative Outlook*

**Sonia Caldarelli:** *ECJ - National Courts Intercourse in Recent Supranational Case law. Reference for Preliminary Ruling and Remedies Correlated for Infringements of EU Law*

**Session 5: Living in an Innovative World – Chair Advocate General Giovanni Pitruzzella**

**Sirio Zolea:** *European Courts and Predictive Justice: A Feasible Symbiosis?*

**Marco Giraud:** *The Emerging Legal Foundations of the Digital Economy through the Dialogue Between National and Supranational Courts*

**Nasir Muftic:** *Reasonable Expectation of Privacy in Benedik v Slovenia - Interpretation of Global Privacy Standards by the European Court of Human Right*

**Giorgia Bincoletto:** *The Use of Remote Teaching and E-Proctoring by Universities Considering the Case Law of the European Court of Justice on International Data Transfers*

**11:00 – 11:45: break**

**11:45 – 12:30**

**Closing Session:**

Prof. **Barbara Pozzo** & Prof. **Vincenzo Zeno-Zencovich**

**12:30: Cocktail**