



METHODS IN LEGAL DISCIPLINE: POST-DOCTORAL INSIGHTS ACROSS RESEARCH FIELDS

Dec 8-9,
2025

8 DECEMBER 2025

13:30 **WELCOME ADDRESS**

Full Professor Katalin Ligeti, Dean of the Faculty of Law, Economy and Finance
Associate Professor Martin Stierle, Chair of the Research Committee of the Faculty of Law, Economy and Finance

13:45 **KEYNOTE SPEECH**

Professor Emeritus Hans-Wolfgang Micklitz (European University Institute)



Prof. Dr. Hans-W. Micklitz is an Emeritus Professor of Economic Law at the European University Institute's Robert Schuman Centre for Advanced Studies in Florence, Italy. Prior to this role, he held academic positions at the Berlin School of Business and the University of Bamberg in Germany. With a rich academic background, he has also been a visiting scholar at renowned institutions including the universities of Bologna (Italy), Columbia (USA), Florence (Italy), Helsinki (Finland), Michigan (USA), and Oxford (UK). His achievements include an ERC Grant from 2011 to 2016 focused on European Regulatory Private Law, as well as a Grant from the Academy of Finland from 2017 to 2022, dedicated to the External Dimension of European Private Law. Professor Micklitz's research areas encompass European and transnational private law, compulaw, and legal theory, contributing significantly to the field of law and regulation.

14:15 **DISCUSSION**

Moderation: Tamar Khuchua & Salomé Lannier

14:30 **PANEL 1: COMPARING AND WORKING ACROSS LEGAL ANALYTICAL FRAMEWORKS**

Chair: Associate Professor Niovi Vavoula, Faculty of Law, Economy and Finance, University of Luxembourg

14.30 **Comparing what counts – A functional framework for doctrinal analysis across Europe and beyond**

Across Europe, doctrinal debates in criminal law and criminal procedure often appear to use a shared vocabulary – effectiveness, proportionality, participation, confiscation – yet these concepts frequently perform different functions depending on three factors: (a) institutional design; (b) enforcement priorities and (c) national legal cultures. Building on my recent research across several EU-funded projects (including FORCE on freezing and confiscation, DIGIRIGHTS on digital defence rights, and PRIVILEGED on financial investigations), this presentation outlines a functional comparative framework to better understand how doctrinal concepts operate across systems, and why they diverge. The proposed framework shifts attention from terminology to function: (i) What problem is a rule meant to address?; (ii) Which actors shape its implementation?; (iii) What practical constraints – from digitalisation to cross-border cooperation – inform its evolution? Drawing from empirical insights on asset freezing and confiscation, the criminalisation of sanctions circumvention, and the digital transformation of trial participation, the analysis highlights recurring trends such as the rise of “crimeffectiveness” in EU policymaking, the procedural reshaping of presence and participation, and the hybridisation of administrative and criminal enforcement in complex regulatory fields. By examining these profiles, the presentation clarifies the scope of my intervention: to show how a functional method can make doctrinal differences visible, enable more meaningful comparison, and uncover the normative tensions – especially concerning proportionality and fair-trial rights – that remain hidden when analysis stops at black-letter law. Ultimately, the aim is to offer a structured way to “compare what counts” in an increasingly integrated European criminal justice framework.



Dr. Lorenzo Bernardini is a Postdoctoral Researcher in European and Comparative Criminal Law at the University of Luxembourg. He teaches and writes about fair trial rights in Europe, EU criminal law, digitalization of criminal justice, sanctions enforcement and immigration law. He is a member of several EU-funded projects – including DIGIRIGHTS (on the digitalization of defence rights across the EU), and PRIVILEGED (on professional privileges in administrative and criminal financial investigations), where he serves as co-PI – and he was awarded the 2025 Best Early Career Researcher Prize by the University of Luxembourg. He has held visiting positions at Columbia Law School and the University of Florence, acts as legal counsel in high-profile cases before the Court of Justice of the EU (including Case C-460/23 Kinsa), and regularly trains European judges, prosecutors and practitioners. His research has been published in leading journals such as European Criminal Law Review, Common Market Law Review, European Papers, and Maastricht Journal of European and Comparative Law.

Research project(s)

Lorenzo's research is closely connected to two major EU-funded projects at the University of Luxembourg, which together frame a broader inquiry into the future of procedural safeguards in Europe. As co-PI of PRIVILEGED – Professional Privileges in Financial Investigations, I study how legal privilege, journalistic confidentiality, medical secrecy and other protected relationships operate in administrative and criminal investigations across EU Member States. The project adopts a comparative and practice-driven perspective, mapping divergences, identifying risks for fundamental rights, and developing proposals for more coherent standards in financial and corporate enforcement. In parallel, within the framework of the DIGIRIGHTS project (led by KU Leuven), I am researching how digital tools – including videoconferencing, remote participation – reshape defence rights, presence, participation and equality of arms in criminal proceedings. My work examines the compatibility of these transformations with Article 6 ECHR and EU procedural guarantees, contributing to a broader reflection on how digitalisation is redefining the architecture of fair-trial rights in Europe.



Highlighted publication

Bernardini L., "Criminalising the Violation of EU Restrictive Measures: Towards (Dis)Proportionate Punishments vis-à-vis Natural Persons?", *European Criminal Law Review*, 2024, vol. 14, no. 1, pp. 4-26, DOI:10.5771/2193-5505-2024-1-4.

14.45 Researching Across Borders: Advantages and Methodologies of Comparative Legal Research

This presentation will discuss conducting comparative legal research across different jurisdictions. It will do so by first providing a general introduction to the comparative law method, including the challenges inherent in this methodology, such as the barriers of language, legal reasoning, and interpretation. It will then examine three specific theories of the comparative law method: the functional approach, the legal cultures approach, and the legal formants approach. The first, the functional approach, advocates for an external, neutral "position" when comparing legal systems. Focusing as it does on legal doctrine, functionalism regards the law as a body of rules. Accordingly, a fundamental principle of this method is that only law which fulfils the same function can be compared. In contrast is the legal cultures approach, which proposes that the law cannot be properly understood unless it is placed in a broad(er) historical, socio-economic and ideological context. The concept of law as culture emphasises the law is more than just a set of rules or concept—it is also a social practice within a legal community. The promise of the legal cultures method is that it can facilitate the making of comparisons that are more sociologically meaningful. Thirdly, the legal formants approach will be explored. This method explicitly rejects the assumption that there is 'exactly one legal rule for each question'; rather, it holds that anything which can influence interpretation can itself be considered a source of law. In order to see the 'entirety' of a legal system, the legal formants method presupposes the existence of a plurality of legal rules and institutions. The discussion of these three comparative methods will be used to highlight an important attribute of comparative legal research: while there may be no singular, comprehensive approach to comparison, each methodology offers its own benefits. Each allows the researcher to both understand and bridge the differences between legal systems.



Dr. Ashlee Beazley is a Marie Skłodowska-Curie Postdoctoral Fellow at the University of Luxembourg and a Research Associate at KU Leuven. Her current research project explores the application of Critical Race and Intersectional Theories to procedural rights in criminal proceedings. Prior to joining Uni.lu, she was a Postdoctoral Research Associate, Teaching Assistant and Assistant Project Coordinator at the Faculty of Law and Criminology, KU Leuven, where she assisted in the coordination of the European Commission-funded consortium projects DigiRights (Digitalisation of Defence Rights in Criminal Proceedings), MEIOR (Mould EIO Review) and NonIncrimInA (Non-Incrimination principle In Administrative and OLAF investigations). Ashlee obtained her PhD in comparative criminal law and procedure from KU Leuven in 2023, with a thesis on poor defence lawyering and ineffective defence assistance in criminal proceedings in England & Wales and Belgium.

Research project(s)

Ashlee's current research project is the Marie Skłodowska-Curie Action-funded CRITICL (Critical Race and Intersectional Theories in Criminal Law) which, over the next two years, will undertake an interdisciplinary European study of hidden biases and veiled discrimination in criminal justice, through the lens of critical race theory and intersectionality. Criminal law, like all legal disciplines, has long assumed a "universality" of function: that the law itself is neutral, capable of equal and indiscriminate application; this is particularly true of the right to a fair trial, and those who are able to enjoy this right to its fullest. As Critical Race and Intersectional Theories show, the law itself may entrench and reinforce structures of subordination, inferiority and discrimination against particular groups. Despite this, the equality of criminal law and procedure, particularly of defence rights such as the right to a fair trial, have not received much attention. CRITICL hopes to contribute to this lacuna by applying the theories of critical race and intersectionality to a study of two components of the right to a fair trial: (a) the presumption of innocence, as analysed through the pre-trial assessments of flight-risk; and (b) the right to be present at trial, and the possibility for an accused to appear remotely.



Highlighted publication

Beazley A., "Take (what they say) with a pinch of salt: Engaging in Empirical Research to Understand the Parameters of the 'Quality' in 'Poor-Quality Defence Lawyering'", *Journal of Legal Research Methodology*, 24 November 2022, vol. 2, no. 1, pp. 75-99, DOI:10.19164/jlrm.v2i1.1289.

15.00 Selected challenges in the conduct of international legal research

When carrying out legal research in international contexts, legal scholars often encounter challenges that may be specific to the international nature of their subject. These difficulties go well beyond the mere linguistic hurdles that researchers will have to face at the literature review stage. This presentation thus offers to discuss some of the more unexpected ways in which international legal scholars may be tested in their research endeavours. The presentation will be structured in the following way: first, I will be looking at several selected challenges (e.g., access/ gaps in resources, fast-moving developments threatening the validity of the findings, fragmentation of the fields of study on the international plane often leading to the need for interdisciplinary research, etc.) and then I will be discussing possible solutions (or at least ways to attempt to mitigate those challenges; e.g., a solid and properly delineated theoretical framework, design of the research questions, etc.).



Dr. Léo Gargne is a postdoctoral researcher in EU law at the University of Luxembourg. He is affiliated with the Doctoral Training Unit on the Green and Digital Transitions in the Single Market (DTU-GREITMA) led by Prof. Neframi. Prior to joining the GREITMA project, Léo was a PhD candidate at Tilburg University where he completed his doctoral thesis on the integration of sustainability considerations in EU Free Trade Agreements (FTAs).

Research project(s)

Léo's research is at the intersection of EU law (external relations), international economic law, and sustainability. In particular, he focuses on the various ways in which the EU attempts to integrate sustainable development into its external policies and activities (e.g., via its international and investment policy).

Highlighted publication

Gargne L., "GSP as an expression of the EU's trade and development policy", in Delimatsis P., Dimopoulos A. (eds), *Research Handbook on EU trade and investment law*, Edward Elgar Publishing, forthcoming 2026.

15:15 DISCUSSION AND QUESTIONS

Commentator: Professor Vincent Forray (Sciences Po Paris)



Prof. Dr. Vincent Forray is a professor of private law and legal theory at Sciences Po. He currently teaches legal epistemology, personal law, freedom of expression law, and How Lawyers Think. He directs the Law School's doctoral programme. He is a member of the International Academy of Comparative Law and the scientific committee of the *Canadian Law and Society Review*. He is co-editor of the general works section of the *Revue trimestrielle de droit civil*, where he has published more than thirty articles. He is one of the co-founders of the *Jurisprudence – Revue critique* collection and the recent U-TurnS project with Jean d'Aspremont and Horatia Muir-Watt. He was a professor at McGill University's Faculty of Law (Montreal, Canada) for nine years and has taught at numerous universities around the world, including Vilnius (Lithuania), Santiago de Compostela (Spain), Cairo (Egypt), Chisinau (Moldova) and Porto Alegre (Brazil). After completing a thesis in the field of general contract theory, his research focused on the law of obligations and consumer law. For the past fifteen years, his research has been in line with critical legal theories. In this capacity, he has translated the works of emblematic authors of the CLS movement, such as Duncan Kennedy, Janet Halley and Pierre Schlag, into French. In general, his work seeks to contribute to what could be called a critical philosophy of law. In recent years, he has been particularly interested in the modalities of existence, ways of being and forms of law. It is from this perspective that he and Sébastien Pimont (with whom he has collaborated for over twenty years) published an essay on the phenomenon of the decline of law and, in a recent book, defended a cross-cutting and cultural conception of the rule of law. They are currently embarking on a new research programme on non-normative techniques of government as they constitute the modalities of a new natural law.

15:45 COFFEE BREAK

16.15 **PANEL 2: MAKING SENSE OF EVOLVING TECHNOLOGIES ACROSS LEGAL DISCIPLINES**
Chair: Full Professor Johan Van Der Walt, Faculty of Law, Economy and Finance, University of Luxembourg

16.15 **The Law of the Jockey: is there anything beyond Law and Tech?**

Technology is not a new subject to the law, but its relevance has grown over the past few years. Between developments such as the spread of AI and other digital technologies, the role of mRNA technologies in the response to the Covid-19 pandemic, and the push for a green transition, technological questions can no longer be seen as niche interests for lawyers. Accordingly, scholars working on questions of law and technology have developed studies and methodologies of increasing sophistication. But does the ubiquity of technological change mean that all lawyers must become tech lawyers? In this presentation, I examine how this methodological turn should affect the work of legal scholars who are not primarily interested in technological questions but nonetheless find their work affected by them. After discussing how the growing relevance of technological factors for the law does not mean all lawyers must develop extensive technical expertise, we examine how non-tech lawyers can approach questions of technique in a way that gives them their due without putting them at the centre of analysis. Finally, we discuss the role of interdisciplinary collaboration and the distinctive value of legal expertise in this context.



Dr. Marco Almada is a postdoctoral researcher at the University of Luxembourg's Chair in Cyber Policy, working on matters of artificial intelligence, digital sovereignty, and cybersecurity. He holds a PhD and an LLM in Law from the European University Institute, as well as bachelor's and master's degrees in computing from the University of Campinas.

Research project(s)

Marco's current research is oriented around three strands. The first deals with the legal framework of regulatory learning in the EU, a project that builds on his PhD thesis on the concept of technology-neutral regulation. The second strand of research focuses on the EU's efforts to pursue sovereignty and security through its digital policy, integrating discussions about the role of public values across different legislative instruments. Finally, Marco works on the dynamics of convergence and divergence of AI regulation amid the current geopolitical developments. Across these three strands, his research engages with the ramifications of digital regulation in other policy domains, such as taxation, public procurement, and the boundaries of the EU single market.



Highlighted publication

Almada M., "The EU AI Act in a Global Perspective", in Furendal M., Lundgren M. (eds.), Handbook on the Global Governance of AI, Edward Elgar Publishing, forthcoming 2026, online <https://papers.ssrn.com/abstract=5083993>.

16.30 Labour Law and Technology: Rethinking Methods in the Digital Age

The digital transformation of work compels labour lawyers to rethink their traditional methods and go beyond the confines of this discipline. New, digitally mediated forms of work (e.g., platform work), and the increasing use of AI and algorithmic management (AM) tools at work, expose the limitations of doctrinal approaches developed for standard employment relations. This presentation explores how digitalisation disrupts the methodological 'comfort zone' of labour lawyers and argues for an interdisciplinary research agenda capable of addressing the complex interplay between labour law, social policy, and technology. At the same time, it highlights some of the challenges in adapting such an interdisciplinary approach. Using the EU Platform Work Directive as a central case study, the presentation examines how the law seeks to respond to the digital risks faced by platform workers, such as opacity of algorithmic decision-making, lack of human oversight, and algorithmic control. It argues that adequate protection cannot rely solely on traditional labour rights; rather, it requires the articulation of a new set of digital rights, such as transparency, accountability, and data access, which extend beyond the classical labour law framework. These emerging rights signal a shift in regulatory technique: from the protection of the employment relationship to the governance of digital infrastructures that shape the work organisation and working conditions. Methodologically, this shift calls for a dialogue between labour law and fields such as data protection, AI regulation, and digital governance. The presentation will position the Platform Work Directive within this broader constellation of digital and social legislation and reflect on the future of labour law regulation that needs to respond to a broader set of AM-related risks.



Dr. Nastazja Potocka-Sionek is a Postdoctoral Researcher in European and Comparative Labour Law at the University of Luxembourg. She holds her PhD degree from the European University Institute (EUI) in Florence, and an LL.M. degree (Master of German Law) from the University of Münster. She has worked as an Adjunct Professor at IE Law School in Madrid and as a postdoctoral researcher at Ca' Foscari University in Venice. She has also carried out a research stay at Ewha Womans University and Sogang University in Seoul, and an internship at the International Labour Organisation in Geneva.



Research project(s)

Nastazja was involved in the interdisciplinary project Wellbeing @ Work (W@W) funded by the Institute of Advanced Studies (until September 2024). In 2026, she will be a Coordinating PI in the BRAINSTORM project 'A(l)geing@Work: the impact of AI on ageing at work'. More broadly, her current research focuses on the intersection of labour law and technology, in particular algorithmic management, AI, platform work, and the right to disconnect. She also studies occupational safety and health, well-being at work, precarity, and fundamental rights at work.



Highlighted publication

Aloisi A., Potocka-Sionek N., Ratti L., "Straddling Two Horses: Digital or Social Regulation? Behind, Within and Beyond the EU Platform Work Directive", *Common Market Law Review*, 1 October 2025, vol. 62, no. 5, online <https://kluwerlawonline.com/api/Product/CitationPDFURL?file=Journals\COLA\COLA2025082.pdf>

16.45 DISCUSSION AND QUESTIONS

Commentator: Research Professor Gloria González Fuster (VUB)



Prof. Dr. Gloria González Fuster is a Research Professor at the Vrije Universiteit Brussel (VUB)'s Faculty of Law and Criminology, and Director of the Law, Science, Technology and Society (LSTS) Large Research Group. She holds a BOF research position on the theme 'Digitalisation & a Europe of rights and freedoms', and teaches 'Privacy and data protection law' and 'Bruxelles: La ville et le droit'. Additionally, she lectures on data protection law at the LL.M. in European and Transnational Law of Intellectual Property and Information Technology of Georg-August-Universität Göttingen. She is also a Professorial Fellow at the United Nations University – Institute on Comparative Regional Integration Studies (UNU-CRIS).

17.00 Technology-Sensitive Approaches to Intellectual Property Law Research

Intellectual property (IP) law governs a remarkably diverse range of intangible creations, from industrial inventions to artistic and literary works. Unsurprisingly, IP regimes also vary substantially across domains: the protected subject matter, eligibility criteria, and duration of protection can differ significantly. When focusing on industrial innovation in technologically dynamic sectors, the question for legal research becomes not merely whether IP law applies, but how IP mechanisms can be adapted in a technology-sensitive way so as to function optimally for innovators, policymakers, and relevant markets. This presentation argues that field-specific technological particularities should inform both legal methodology and the design of IP governance, whether through public policy intervention or private strategic decision-making. Drawing on recent research (including the presenter's recent co-authored publication "FinTech Start-Ups and IP: Current Status and Future Potentials in Luxembourg"), the presentation illustrates that even within a single regime (e.g. patent law), there is no "one-size-fits-all" approach. Formally similar rules can lead to materially different outcomes once technology-specific features are taken into consideration. Methodologically, the presentation advocates for technology-sensitive IP research that combines doctrinal analysis with empirical and evidence-based inquiry, in order to uncover nuances that are not visible at the surface of legal texts. The objective is to show how methodological choices shape our understanding of the optimal design and evaluation of IP regimes – and why legal research on IP must increasingly engage with technology in a differentiated and contextualised way.



Dr. Tamar Khuchua is a post-doctoral researcher at the Faculty of Law, Economics and Finance of the University of Luxembourg. She holds a joint PhD from the University of Strasbourg and Queen Mary University of London, as well as an LL.M. in European Business Law from Lund University. Her research focuses primarily on intellectual property law, with particular emphasis on patent law and the institutional design of judicial systems. Before joining the University of Luxembourg, she worked on the topic of the Unified Patent Court as part of a joint research consortium between Sciences Po Paris and the University of Heidelberg. Her current projects explore patent law and sustainability and examine the role of intellectual property rights in enabling FinTech innovation.

Research project(s)

Tamar contributes to two major projects: one on sustainable patent frameworks (BUGPAF), and another on the intersection of IP law and FinTech innovation (AI LegaLake), within the FutureFinTech framework. Both projects are supported by the Luxembourg National Research Fund. BUGPAF examines the relationship between patent law and sustainable, ethical, and responsible development, while AI LegaLake explores the role of IP protection for FinTech startups in Luxembourg, with the aim of aligning industry needs with existing legal and institutional support structures, and – where appropriate – proposing policy recommendations.



Highlighted publication

Khuchua T., Stierle M., Galeotta G., "Fintech startups and IP: current status and future potentials in Luxembourg", *Revue internationale de la Propriété Intellectuelle et du droit du Numérique (PIN CODE)*, Legitech, 15 October 2025, vol. 23, no. 3, pp. 29-40, DOI:10.3917/pinc.023.0029.

The intersection between law and technology has rapidly evolved into a distinct field of research. Yet, its methodological identity remains elusive. The presentation explores the search for such an identity through the lens of method, arguing that the consolidation of “Law & Tech” as a research field depends on shared methodological foundations capable of fostering interdisciplinary dialogue. Building on the first significant contributions in this direction – such as the work of Professor Ryan Calo, discussant for this session, and recent proposals emerging within European academia – the presentation will map and compare the methodological landscapes shaping the US and EU debates. These differing contexts highlight how methodological choices reflect underlying conceptions of law’s relationship with technology, and how this, in turn, affects the capacity of the field to engage with traditional legal disciplines. Focusing specifically on criminal law, the presentation will examine whether and how a dialectical interaction can be established between criminal law methods and the interdisciplinary approaches typical of Law & Tech studies. This inquiry aims to outline possible frameworks for cross-fertilization that can enrich both fields without diluting their respective rigor. The presentation will conclude with a brief case study drawn from current research, illustrating how methodological cross-pollination between criminal law and Law & Tech can guide the analysis of technological mediation on issues of responsibility and regulation.



Dr. Beatrice Panattoni is a postdoctoral researcher at the Department of Law, Faculty of Law, Economics and Finance, University of Luxembourg. She previously held a postdoctoral position at the University of Verona (Italy), where she worked on projects on “Criminal digital investigations and intelligence” and on “Unlawful Contents Online and Platforms’ Responsibility in Criminal and Comparative Law.” She holds a Ph.D. in European and International Law from the University of Verona and the title of Doctor Europaeus for her research at the Max Planck Institute for the Study of Crime, Security and Law. Her work integrates criminal law with Law & Tech, focusing on the Digital Services Act, the Artificial Intelligence Act, and comparative models of platform responsibility..

Research project(s)

Beatrice’s current research encompasses two interrelated initiatives. She contributes as postdoctoral researcher to the ROBOTic Process Automation in Anti-Money Laundering (AML) COMPLIance (ROBOCOMP) project. The project investigates the increasing integration of automation and machine-learning tools into anti-money-laundering (AML) compliance processes within financial institutions. This interdisciplinary project examines both the technological design of RegTech tools (such as due-diligence automation and transactional anomaly detection) and the legal and normative frameworks regulating them. Second, Beatrice is finalizing a monograph – funded and scheduled for publishing beginning 2026 – which offers a comparative and doctrinal analysis of the interactions between criminal law and online platforms in the digital age.



Highlighted publication

Panattoni B., “Generative AI and criminal law”, Cambridge Forum on AI: Law and Governance, January 2025, vol. 1, p. e9, DOI:10.1017/cfl.2024.9.

17.30 Frescoes of Law and Technology: Critical Reflections on Layers, Durability, and Perspectives

This paper employs the metaphor of the fresco to explore the evolving relationship between law and technology as a complex, multi-layered, and interpretive field. Just as a fresco consists of successive (i) layers of plaster, pigment, and surface – each essential to the image's integrity – the law–technology nexus is composed of intertwined strata: normative frameworks, social values, technical infrastructures, and everyday practices. These layers interact dynamically, shaping and reshaping how societies regulate and understand technological change. The (ii) durability draws attention to the temporal dimension of both frescoes and legal-technical systems. While frescoes may fade, be covered, or rediscovered, their traces persist beneath new surfaces. Similarly, debates surrounding justice, rights, and accountability reappear across technological epochs, from industrialization to digitalization and artificial intelligence. Beneath each new 'surface' of innovation, enduring questions about power, agency, and equity remain embedded in the legal substrate. Finally, the (iii) perspective of the fresco invites a reflection on the multiplicity of viewpoints inherent in the field of law and technology. Renaissance artists mastered perspective to create depth and relationality; likewise, understanding the interplay between legal norms and technological systems demands shifting among perspectives – those of the jurist, the engineer, the ethicist, and the citizen. Each offers a distinct, yet partial, rendering of the same scene. Through this fresco metaphor, the paper argues for a critical, interdisciplinary approach that recognizes law and technology not as separate disciplines but as co-constitutive layers of a shared cultural image – an image that endures, transforms, and invites continuous reinterpretation.



Dr Elif Biber is a legal scholar specialising in European public law and digitalisation at the University of Luxembourg and a former Academic Visitor at the Oxford Institute for Ethics in AI. She earned her PhD (summa cum laude) from Sant'Anna School of Advanced Studies, Pisa, with a dissertation on rights-based approaches to AI. Her forthcoming book, *A Rights-Based Inter-Legal Approach to Artificial Intelligence*, will be published by Hart (Oxford) in May 2026. Before joining Luxembourg, she conducted research at the European University Institute and Harvard Law School. Recognised globally as a leading early-career scholar, she won a competitive PhD scholarship from the Italian Ministry of University and Research. Her work explores fundamental rights in AI governance, inter-legality, and transnational regulation. She has presented at major conferences (ICON-S, CPDP, UN IFIP) and teaches AI law and comparative administrative law. Since 2023, she heads Digital Rights at Digital Constitutionalist (EUI).

Research project(s)

Elif's research agenda encompasses a set of interrelated projects situated at the intersection of European public law and digitalisation. Her forthcoming monograph, *A Rights-Based Inter-Legal Approach to Artificial Intelligence* (Hart Publishing, Oxford), develops an original theoretical and methodological framework for addressing the fundamental and human rights challenges posed by AI systems used by public authorities, drawing on the theory of inter-legality (Klabbers & Palombella CUP 2019). Second, in collaboration with Professor Herwig Hofmann, Elif is co-editing *AI in European Law – A Deep View*, a volume that critically examines how AI transforms diverse areas of EU law beyond the AI Act, integrating public, private, and criminal law perspectives. Finally, she is advancing theoretical research on inter-legality and digital constitutionalism, exploring how technological transformations reshape fundamental rights and constitutional frameworks in the EU. Her work aims to fill key theoretical gaps in understanding constitutionalism in the digital age, emphasizing Arendtian notions of human rights, agency, and digital sovereignty within an increasingly digitalized public sphere.

Highlighted publication

Biber S.E., *A Rights-Based Inter-Legal Approach to Artificial Intelligence*, Hart Publishing, forthcoming 2026.

17.45 DISCUSSION AND QUESTIONS

Commentator: Professor Ryan Calo (University of Washington)



Prof. Dr. Ryan Calo is the Lane Powell and D. Wayne Gittinger Professor at the University of Washington School of Law. He is a founding co-director (with Batya Friedman and Tadayoshi Kohno) of the interdisciplinary UW Tech Policy Lab and a co-founder (with Chris Coward, Emma Spiro, Kate Starbird, and Jevin West) of the UW Center for an Informed Public. Professor Calo holds a joint appointment at the Information School and an adjunct appointment at the Paul G. Allen School of Computer Science and Engineering. Professor Calo's research on law and emerging technology appears in leading law reviews (California Law Review, Columbia Law Review, Duke Law Journal, UCLA Law Review, and University of Chicago Law Review) and technical publications (MIT Press, Nature, Artificial Intelligence) and is frequently referenced by the national media. His work has been translated into at least four languages. Professor Calo has testified four times before the United States Senate, most recently providing witness testimony on July 11, 2024, before the United States Senate Committee on Commerce, Science and Transportation at a hearing titled "The Need to Protect Americans' Privacy and the AI Accelerant." Professor Calo stressed the importance of a comprehensive federal privacy law that both protects Americans' personal privacy and sets guidelines for businesses developing and implementing AI technology.

18.15 CLOSING OF THE FIRST DAY

08.30 ARRIVAL AND BREAKFAST BUFFET

09.15 PANEL 3: RETHINKING DESK-BASED RESEARCH: FROM WRITTEN LAW TO EMPIRICAL ANALYSES

Chair: Associate Professor Stanislaw Tosza, Faculty of Law, Economy and Finance, University of Luxembourg

09.15 The challenges of doing quantitative empirical research in the field of EU civil judicial cooperation

The 1997 Amsterdam Treaty brought the possibility of legislating in the field of EU civil judicial cooperation within the scope of EU competences. This led to the adoption of more than twenty instruments in this area in less than two decades. Nonetheless, the EU legislator did not conceive these instruments in a static manner, but rather as subject to periodic changes and reforms. To assess the need for those reforms, the EU required statistical monitoring of those instruments. What began with a general, vague collection of data in the first instruments, the most recent ones have required Member States to have a more comprehensive monitoring. For instance, the European Order for Payment ('EOP'), approved in 2005, required Member States to 'provide the Commission with information relating to the cross-border operation of the European order for payment. This information shall cover court fees, speed of the procedure, efficiency, ease of use and the internal payment order procedures of the Member States'. Against this more general approach, the European Account Preservation Order ('EAPO'). Introduced in 2014, it is much more specific about the statistical data that must be gathered regarding the functioning of this instrument (e.g., the number of EAPOs requested on the basis of an authentic instrument). Nonetheless, the monitoring of these instruments was not only circumscribed to the authorities of the Member States. Since the 2000s, the European Commission has been funding an increasing number of projects carried out by academic institutions to evaluate the functioning of these instruments in practice. Those projects were not limited to assessing quantitative statistical data retrieved by the Member States, but also relied on qualitative data from practitioners' first-hand experience and from judicial authorities, as well as on case law from national courts. The main purposes of these projects were to find out patterns in the use of those instruments, identify uses, and ultimately make policy-making recommendations for the EU legislator when the time for reform comes. In other words, having a well-informed legislator who can adopt reforms that respond to real needs. Nonetheless, when it comes to the methodology of these projects, it is sometimes rather vague or poorly defined, revealing a lack of proper knowledge of how to conduct empirical research in the social sciences. Furthermore, some practical issues arise when setting the project's scope: how many practitioners should be interviewed, how many Member States should the project cover, and how to obtain empirical data when it is not published. The three examples referred to are among the most common when designing empirical research projects to evaluate civil judicial cooperation. Those examples and others will be the object of scrutiny in this presentation.



Dr. Carlos Santaló Goris has been a Postdoctoral Researcher at the University of Luxembourg since November 2024. Prior to joining the University of Luxembourg as a Postdoctoral Researcher, he worked at the European Institute of Public Administration in Luxembourg between 2023 and 2024. Before that, he served as a Research Fellow at the Max Planck Institute Luxembourg for International, European, and Comparative Procedural Law for five years during his doctoral studies. He holds a PhD from the University of Luxembourg obtained with a dissertation about the European Account Preservation Order and its application from a comparative perspective in Germany, Luxembourg, and Spain.

Research project(s)

In broad terms, Carlos is devoting his research to EU Private International Law. In the past few months, he has been working on three specific topics. The first one is the incorporation of the EU acquis in civil judicial cooperation by EU candidate countries. This part of his research explores and compares the measures adopted by candidate countries, particularly those of the Western Balkan candidate countries. His second research topic is the cross-border taking of evidence in civil and commercial matters within the EU, in light of the 2020 Taking of Evidence Regulation. Finally, he has been exploring the intersection between the civil status of LGBTQI+ people and the EU citizens' right to freedom of movement and residence following the recent case law of the CJEU. This is the embryo of a book proposal he is currently working on.



Highlighted publication

Santaló Goris C., The Application of the European Account Preservation Order in Germany, Luxembourg and Spain: A Comparative-Empirical Analysis, Baden-Baden, Nomos Verlagsgesellschaft mbH & Co. KG, Studies of the Max Planck Institute Luxembourg for International, European and Regulatory Procedural Law no. 29, 2025, DOI:10.5771/9783748917786. For a summary, see: Ontanu E.A., "Santaló Goris on the European Account Preservation Order: Book and Roundtable", EAPIL, 19 November 2025, online <https://eapil.org/2025/11/19/santalo-goris-on-the-european-account-preservation-order-book-and-roundtable/> (retrieved on 19 November 2025).

09.30 The case for an Evidence-Based Approach in European Private Law

This presentation explores how evidence-based and data-driven approaches can strengthen regulation and compliance in European private law. The European Union legislates extensively in areas such as consumer protection, digital markets, and financial services. Yet enforcement remains (primarily) national, creating a structural disconnect between rule-making and real-world outcomes. Despite the EU's global regulatory influence through the Brussels Effect, its laws often rely on incomplete or politically motivated evidence. The presentation and subsequent paper draw in parts on my recent monograph *Compliance with European Consumer Law* (Oxford University Press, 2024), where I empirically examined 300 e-commerce traders across four Member States, assessing compliance with 35 consumer rights derived from the Unfair Contract Terms Directive (UCTD), the E-Commerce Directive (ECD), the Consumer Rights Directive (CRD), and related case law. The findings reveal widespread non-compliance, with fewer than 20 per cent of traders fully adhering to EU rules. Company size was found to correlate with compliance, and even regulators' pre-drafted terms of service occasionally contain violations—highlighting the complexity of the existing framework. Building on these insights, the presentation critically evaluates the EU's current evidence infrastructure, including stakeholder consultations, impact assessments, and fitness checks. While these mechanisms mark progress toward Better and Smart Regulation, they remain fragmented, methodologically uneven, and largely detached from enforcement realities in the Member States. In response, the talk proposes a model inspired by EU financial law, where real-time data collection and regulatory technology (RegTech) enable continuous supervision and feedback loops between enforcement and policymaking. Applying similar tools to consumer protection—such as automated detection of unfair clauses—could yield a dynamic, adaptive system in which data informs legislation and enforcement in turn. Ultimately, the presentation argues for a paradigm shift: from policy-based evidence to truly evidence-based policy, underpinned by real-time, data-driven monitoring that bridges the persistent gap between law in books and law in action.



Dr. Felix Pflücke is a Research Scientist in Law at the ADA Chair in Financial Law (Inclusive Finance). As a scholar specialising in European Union Law, comparative private law, and law and technology, his interdisciplinary research integrates legal, empirical, and regulatory perspectives. He has authored two books published by Oxford University Press: 'Compliance with European Consumer Law' and a co-edited volume (with Professor Herwig Hofmann) titled 'Governance of Automated Decision-Making and EU Law'. He has presented his research to various public bodies, including the European Commission's E-Enforcement Academy, the ERA in Trier, and the International Organization of Securities Commissions (IOSCO). His research appeared in the New York Times, the Financial Times, RTL, Virgule, the UK Parliament, and the Council of Europe. Before he joined the University of Luxembourg, Felix was a Lecturer in Law and a Doctoral candidate at the Faculty of Law of the University of Oxford.

Research project(s)

Felix is the project coordinator of the CATALux NCER FutureFinTech FNR project, which focuses on the regulation and enforcement of claims regarding digital assets. He is currently working on several papers in the area of European Private Law and Law and Technology.



Highlighted publication

Pflücke F., *Compliance with European Consumer Law: The Case of E-Commerce*, Oxford University Press, 22 August 2024, DOI:10.1093/9780198906414.001.0001.

09.45 DISCUSSION AND QUESTIONS

Commentator: Assistant Professor Elena Alina Ontanu (University of Tilburg)



Dr. Elena Alina Ontanu is Assistant professor at the Department of Private, Business and Labour Law. Before joining Tilburg Law School, she was Assistant professor of Private International Law at Erasmus University Rotterdam. Alina carried out her PhD research at Erasmus University on cross-border debt-recovery in the EU. During her PhD she was a visiting researcher at Clare College, Cambridge University (2012), Research Institute on Judicial Systems-National Research Council of Italy (2014), and Max Planck Institute for International, European and Regulatory Procedural Law (2015). She is a board member of the Judicial Administration Research Association (JAR-Association), a member of the European Association of Private International Law (EAPIL) and European Law Institute (ELI), and an editor of the EAPIL Blog. She has acted as expert for the Council of Europe and European Commission on matters of digitalisation and court procedures. Alina is a lawyer with the Bucharest Bar Association.

10.00 What are the judges actually doing? From individual perspectives to empirical overviews towards evidence-based policies

While sociological and criminological literature often emphasises the role of law enforcement in identifying survivors of human trafficking, their legal recognition and protection ultimately depend on judicial interpretation. Judges assess whether a situation constitutes exploitation under criminal law by drawing on broad international indicators as well as national legal standards. This presentation introduces an innovative methodology for analysing judicial decision-making—not through isolated rulings, but via a dataset of approximately 350 decisions across four European jurisdictions. The approach shifts the focus from doctrinal interpretation of legal norms to the empirical classification of factual situations encountered in court. By examining how judges categorise cases—whether as human trafficking, labour law violations, or other forms of exploitation—the analysis uncovers patterns in judicial reasoning and evidentiary thresholds. It also considers the interplay between national legal frameworks and international standards, revealing how abstract indicators of exploitation are concretely applied in practice. This method allows for the identification of recurring elements that trigger legal recognition of trafficking, such as coercion, deception, or abuse of vulnerability, and highlights which types of evidence (e.g. testimonies, employment records, living conditions) are most influential in judicial outcomes. This comparative overview enables the translation of international standards into operational indicators tailored to national contexts. It supports the development of policy recommendations at the national level, particularly regarding evidentiary elements that are crucial during investigations. Furthermore, the analysis reveals interpretative divergences and gaps between countries, offering insights for EU-level policy harmonisation aimed at improving the identification and assistance of trafficking survivors.



Dr. Salomé Lannier's expertise intersects between criminal, labour and digital law, as her research focuses on the fight against human trafficking, a gender-based approach to law, and the legal framework around sex work. Salomé is a doctor of law and criminal sciences, after defending in 2023 her thesis on "New technologies and human trafficking" (cum laude), in joint supervision between the University of Bordeaux (France) and the University of Valencia (Spain). Previously to her doctoral studies, Salomé worked for a year in the Criminal Affairs and Pardons Department of the Ministry of Justice, as a legal draftsman for the magistrate in charge of France's evaluation by the Financial Action Task Force.



Research project(s)

Salomé is currently the PI of the project "PROtect against EXploitation: exploitative offences versus legitimate work in a digitalised labour market". PROTEX aims to conceptualise an updated legal definition of "exploitation" in rapidly changing work sectors.



Highlighted publication

Lannier S., Meiselles M., "Challenging the criminal liability of online services providers for sex trafficking – A comparison of the American and French approaches", *Crime Law and Social Change*, 2025, vol. 83, no. 1, pp. 1-24, DOI:10.1007/s10611-025-10222-9, <https://link.springer.com/article/10.1007/s10611-025-10222-9>

10.15 **Disrupting a Monolithic Legal Science: Methodological Pluralism for Complex Legal Realities**

The dominant paradigm in legal science has long been constrained by a positivist methodology, which is often mistakenly equated with scientific rigour itself. This conflation has historically served to validate certain realities without substantially challenging them, limiting the law's ability to address complex, multi-layered social problems. This presentation argues for a fundamental disruption of this monolithic view, proposing methodological pluralism as an essential framework for engaging with complex legal realities. The critique begins by deconstructing the positivist equation of science with objectivity and neutrality, revealing its specific philosophical underpinnings in Cartesian dualism. Moving beyond this critique, the presentation puts forward three pivotal alternative methodologies: critical realism, analyticism, and reflexivity. While critical realism seeks the deep structures and causal mechanisms that generate events, and analyticism constructs ideal-typical typologies to understand the internal logic of practices, this talk will place a particular emphasis on reflexivity. Reflexivity, as a scientific methodology, rigorously scrutinises the process of knowledge creation itself, problematising the role of the researcher and the influence of power relationships within the scientific and social fields. By making these influences explicit, reflexivity allows legal research to denaturalise the status quo, unveil unresolved tensions, and foreground the connection between knowledge and social order. The core argument is that if the objective of science is to see beyond appearances, then each of these methodologies offers a unique and crucial lens. Embracing this pluralistic toolkit—with a spotlight on reflexivity—enables a more holistic, critical, and effective legal science capable of apprehending the fluid and power-laden nature of law.



Dr. Felipe Costa Lima is a Postdoctoral Researcher at the University of Luxembourg, holding a dual Doctorate in Public International Law (University of Strasbourg) and International Relations (Pontifical Catholic University of Minas Gerais). His research agenda unfolds along three interconnected lines. The first examines how legal epistemologies naturalise violence through oppressive continuities in international investment law and human rights regimes, building on his published analyses of imperial foundations in legal ontology, procedure, and content. The second investigates the tensions between global economic systems and local justice claims, a core inquiry of his doctoral dissertation on subaltern legalities in South America. The third forges novel socio-legal frameworks for just transitions by treating legal norms as living texts, aiming to create an epistemological dialogue between critical theories and subaltern knowledge.



Research project(s)

As part of the project 'Rule of Law Principles - Which Model for the Global South? The People's Democratic Republic of Laos' transition to a constitutional state,' Felipe's research analyses this process from a human and environmental rights perspective. It specifically investigates the international and national political-economic and legal pressures that affect food sovereignty, security, and sustainable agricultural production. By situating Laos's experience within a broader theoretical framework, his work connects these local pressures to global patterns of socio-legal transformation.

Highlighted publication

Costa Lima F., Dos Santos Acerbi V., Nunes Correa I.Z., "Redefining human-nature relations: decolonial perspectives on Inter-American Court environmental jurisprudence", *Canadian Journal of Latin American and Caribbean Studies*, Taylor & Francis, 2 January 2025, vol. 50, no. 1, pp. 79-100, DOI:10.1080/08263663.2024.2421124.

10.30 **DISCUSSION**

Commentator: Associate Professor Mojca M. Plesničar (Institute of Criminology Ljubljana)



Dr. Mojca M. Plesničar is a Senior Research Fellow at the Institute of Criminology at the Faculty of Law, and an Associate Professor of Criminology at the University of Ljubljana. Her main field of research is criminology, with a particular focus on criminal justice decision-making, sentencing, and the institutional, psychological, and emotional dimensions of law in practice. She is the Principal Investigator of the ERC-funded project SENTRIX – Sentencing Architecture, which explores how sentencing decisions emerge within the wider architecture of legal, institutional, and cultural influences. Her broader research examines the judiciary and prosecution service, judicial appointments, conditional release, and the everyday functioning of courts. She has also studied responses to violent and sexual crime and the impact of new technologies, including artificial intelligence, on decision-making in the justice system. Mojca's work is grounded in criminology and socio-legal studies. She is interested in how legal norms translate into practice and

how empirical insight can enrich doctrinal and normative understandings of law. Methodologically, she strives to apply a triangulated approach that integrates doctrinal, qualitative, and quantitative methods, seeking to connect the normative foundations of law with its practical realities. Her research combines empirical data with theoretical reflection to reveal how institutional settings, professional cultures, and individual perceptions shaped decisions across the criminal process. She has published papers on sentencing, penal policy, and criminal procedure, and regularly contributes to policy debates and legislative reforms in Slovenia. She is an active member of the European Society of Criminology's WG on Sentencing and Penal Decision-Making, and a founding member of the Empirical Research on Sentencing (ERoS) network and the European Society of Empirical Legal Studies (EELS) WG Empirical Criminal Law, promoting interdisciplinary collaboration and evidence-based approaches to legal research.

11.00 **COFFEE BREAK**

11.30 **PANEL 4: SHEDDING LIGHT ON PUBLIC POLICIES THROUGH LEGAL RESEARCH**
Chair: Senior Professor Mahulena Hofmann, Faculty of Law, Economy and Finance, University of Luxembourg

11.30 **Addressing the Unknown: Shedding Light on Legal Research through Public Policies**

Emerging fields often confront legal researchers with activities that are technologically undefined, scientifically uncertain, or normatively unregulated. Traditional doctrinal analysis offers limited guidance in such contexts: when no established rules exist, interpretation alone cannot resolve foundational governance questions. This presentation introduces to a methodological approach that draws on public policies and sheds light on how legal frameworks can be constructed around unresolved issues. Rather than treating uncertainty as a methodological obstacle, the approach focuses on systematically examining how States respond to analogous challenges in other domains. They themselves have drawn on diverse policy regimes to address a domain where direct legal precedent is absent. By analysing these policy choices comparatively, the method outlines cross-sector governance principles that can help translate abstract legal obligations into workable frameworks. This approach demonstrates how public policies can guide legal reasoning, reduce uncertainty, and support the development of coherent frameworks for new and unresolved legal questions.



Dr. Gabrielle Leterre's expertise lies at the intersection of public international law, space law, and environmental law, with a particular focus on the long-term sustainability of space activities. She earned her PhD in Law at the University of Luxembourg, supported by an individual research grant from the Luxembourg National Research Fund. She also holds an LL.M in Space, Communication and Media Law from the University of Luxembourg and an Advanced Master in Public International Law from the Université Libre de Bruxelles.

Research project(s)

Gabrielle's current research focuses on three interconnected areas. The first investigates legal frameworks for ensuring the long-term sustainability of space activities beyond Earth orbit, with particular attention to emerging private ventures and crewed missions to celestial bodies. The second explores the intersection of space law and international environmental law, examining how customary obligations and environmental principles can guide the governance of outer space. The third addresses broader questions in public international law, including the interaction and coherence of norms across different legal regimes, using space activities as a lens to assess States' duties and responsibilities in a rapidly evolving context. Together, her research aims to strengthen responsible and sustainable exploration and use of outer space, drawing on insights from both Earth- and orbit-based experiences to anticipate and address emerging challenges in this expanding domain.

Highlighted publication

Leterre G., *Protecting the Last Frontier: Space Mining and Environmental Sustainability*, Wolters Kluwer Law International, Aerospace Law and Policy Series, 2024.

11.45 When Legal Research Leaves the Library: Engaging Policy, Practice, and the Public

A doctoral degree in law and related disciplines provides scholars with strong skills for processing and presenting complex information. We can compare legal systems, analyse legislation, speculate about legal values, or discuss the theoretical foundations of newly adopted EU directives. Yet, scholars are often unprepared to engage with non-academic audiences or to present their findings effectively to non-lawyers, even practitioners can sometimes be a challenge. However, this gap can be bridged, even after many years in academia. In my presentation, I will demonstrate how this can be achieved and how one can effectively use the entire "doctoral toolbox" to conduct policy research and communicate findings in contexts outside academia.



Dr. Oleksiy Kononov - Prior to joining the University of Luxembourg, Oleksiy worked as a researcher at the Central European University (Budapest, Hungary) and taught various business-law-related subjects in China, Oman, Bosnia and Herzegovina, and the United States. He also worked as a legal expert for the Committee for EU Integration of the Verkhovna Rada of Ukraine, as well as in government relations consultancy in Ukraine and Moldova. In addition, he served as a consultant for several international development aid projects focused on decentralization reform, state aid, and state-owned enterprise reform in Ukraine. Oleksiy holds an SJD in International Business Law from the Central European University, awarded summa cum laude, a Master's degree from the same university, and a Master's degree from Donetsk National University in Ukraine.

Research project(s)

Up until September 2025, Oleksiy was engaged in Marie Skłodowska-Curie (MSCA) project "Small and Medium-Sized Enterprises and the EU Preventive Restructuring Directive 2019/1023 Success or Failure?" (SMEPRD). Currently he is finalizing the research 'Electronic Filings in EU Company Law and the 28th Regime (ESSU) Option for SMEs' funded by FinnovationHub/AI-LegalLake and FinnovHub/ROBOCOMP



Highlighted publication

Kononov O., "The place of micro and small Enterprises in European Insolvency law", International Insolvency Review, 2025, DOI:10.1002/iir.70010.

12.00 DISCUSSION AND QUESTIONS

Commentator: Professor Oana Stefan (Kings College London)



Prof. Dr. Oana Stefan is a Professor at The Dickson Poon School of Law, which she joined in 2013. Previously, she was an Assistant Professor within the legal department of HEC Paris (a leading business school), after having taught European Union law at the College of Europe and University College Dublin. She holds a PhD in European Law from University College Dublin, a Master in European Legal Studies from College of Europe and undergraduate law degrees from University of Bucharest and the Sorbonne.

12.30 CLOSING REMARKS

Full Professor Dirk Zetzsche, Head of the Department of Law, Faculty of Law, Economy and Finance, University of Luxembourg
Tamar Khuchua, Salomé Lannier

12.45 LUNCH BUFFET

METHODS IN LEGAL DISCIPLINE: POST-DOCTORAL INSIGHTS ACROSS RESEARCH FIELDS

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