

# BUILDING EU CIVIL JUSTICE

Challenges of procedural innovations—bridging access to justice

Newsletter 2, September 2019

## Building on a solid foundation – Forward with the research

The first year of this project was spent on setting the foundations for the work to come (see our first [News-letter](#)). At the end of this second year, we are proud to turn back and see our achievements. We further developed our research and explored new pathways; we met new colleagues and made new friends; we saw our research reach far and wide.

However, two things make us extremely proud. First, the Royal Netherlands Academy of Arts and Sciences has selected Xandra as a member. This is not only prestigious, but a source of joy and inspiration for all of us. It is a story that teaches us the importance of passion, work ethics, and kindness. We are happy to say, well deserved Xandra. Second, together as a group we organised two wonderful events: an international seminar on international commercial courts, and a conference on the various topics of our research. We were glad to see a large number of attendants, and pleased to hear from them nice compliments about the organisation.

In this newsletter we present some of the results and accomplishments of this second year. We hope they will spark your interest on our project as we move forward with building it.

The Building team

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*Daring ideas are like chessmen moved forward. They may be beaten, but they may start a winning game.*  
— Johann Wolfgang von Goethe

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## Xandra Kramer installed as member of the KNAW



**KNAW**

The Royal Netherlands Academy of Arts and Sciences (KNAW) has installed Xandra Kramer as a member based on her outstanding scientific achievements. The KNAW has around 550 members, of whom 39 within the legal domain. Members of the KNAW are leading scientists from all disciplines. The instalment entails a lifelong membership to the KNAW. The KNAW is the forum, voice and conscience of science in the Netherlands. With their research and collections, the institutes of the KNAW belong to the (inter)national scientific top. At the basis of all its activities is the conviction that knowledge and creativity are the most important ingredients for well-being and prosperity.

**Upcoming (expected October 2019):** Special Issue *Erasmus Law Review* on international commercial courts and the book *International Business Courts: European and Global Perspectives* (Eds. Xandra Kramer & John Sorabji)



Left to right: Emma, Erlis, Xandra, Jos, Georgia, Alexandre

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# RESEARCH

July 2018-July 2019

## EU Law Mobilization: Lessons from a Bottom-Up Approach

*Jos Hoevenaars*

This paper is a contribution to the 'methodological turn' in scholarship of the European legal field, and reflects on the usefulness of a bottom-up methodology in studying the dynamics behind litigation before the ECJ. By following cases, and the actors involved in them, from generation-to-conclusion, past litigation is analyzed within its proper social and political context. Going beyond the surface-level legal analysis, and combining in-depth semi-structured interviews with analysis of other available sources like legal documents, newspapers articles and personal documentation of parties involved, this approach is able to unearth the motives behind litigation as well as the extent to which litigating parties and their choices play a role in the litigation dynamics. Triangulating the insights from different sources this methodology is able to reconstruct the social processes that ultimately led to ECJ judgements, thereby uncovering the micro-foundations of EU law mobilisation. This paper discusses this bottom-up methodology and reflects on its analytical effectiveness, the sorts of empirical material that can (or cannot) be gathered, the practical and analytical difficulties involved in the practice of such research efforts, the limits of the approach as well as how it may combined with other, more quantitative approaches to litigation before the ECJ.

J. Hoevenaars, 'EU Law Mobilization: Lessons from a Bottom-Up Approach', In: M.R. Madsen, F.G. Nicola & A. Vauchez, *Researching EU Law: New Approaches and Methodologies* (forthcoming) Cambridge: Cambridge University Press.

## Towards high-quality consumer ADR: the Belgian experience

*Alexandre Biard*

Since the 1990s, the development of Consumer Alternative Dispute Resolution (CADR) schemes allowing consumers and traders to solve their disputes out-of-court has been an ever-growing phenomenon with increasing political importance at the European level. The EU regulatory framework for CADR started with informal measures and then evolved to more formal rules. Directive 2013/11/EU (the Consumer ADR Directive) has established a new regulatory framework with the intent to develop high-quality CADR schemes and to promote trust and confidence among consumers and traders. National 'Competent Authorities' are in charge of reviewing the quality of CADR providers and ensure that the quality requirements are met on an on-going basis. This paper investigates the impact of the Consumer ADR Directive at Member States level, and more specifically uses Belgium as a case study. It notably builds on an online survey completed in Winter/Spring 2018 by the Belgian Competent Authority. The objectives of the paper are threefold: it explores how quality criteria have been working in practice in Belgium, it sheds some light on several persisting issues, and finally tries to look to the future by proposing some policy recommendations aimed at further strengthening the Belgian framework for high-quality CADR.

A. Biard, 'Towards high-quality consumer ADR: the Belgian experience', in: L. Cadiet, B. Hess, M. Requejo Isidro (eds.), *Privatising Dispute Resolution - Trends and Limits*, Nomos 2019, vol.18 ([author copy](#))

## **Expériences et attentes des consommateurs vis-à-vis du Service de Médiation pour le Consommateur / Consumentenombudsdiensten (Ervaringen en verwachtingen van consumenten over de Consumentenombudsdienst / Service de Médiation pour le Consommateur)**

*Alexandre Biard, Stefaan Voet, Emma van Gelder & Kyra Hanemaaijer*

Depuis le début de ses activités en juin 2015, le Service de Médiation pour le Consommateur (SMC) est confronté à un nombre croissant de dossiers incomplets soumis par des consommateurs. Ces dossiers sont clôturés avant même qu'une procédure de médiation ait pu être mise en place. Cette étude enquête sur les causes de ces dossiers incomplets, et vise à mieux comprendre les attentes et les attitudes des consommateurs lorsque ceux-ci s'adressent au SMC. Elle s'appuie sur un questionnaire en ligne envoyé en janvier 2019 à 1.606 consommateurs, et qui a été complété par une partie d'entre eux de façon anonyme. Ce questionnaire éclaire sur les attentes des consommateurs, sur leur degré de familiarité avec les travaux et les missions du SMC, ainsi que sur la qualité et l'effectivité de l'information mise à leur disposition. L'enquête dévoile également les raisons multiples expliquant le choix des consommateurs de ne pas poursuivre le processus commencé. Celles-ci sont d'ordre technique, probatoire, relationnel ou encore psychologique. Ce rapport formule plusieurs recommandations pratiques pour améliorer le fonctionnement du SMC dans le futur, à savoir : mieux informer les consommateurs sur ce qu'ils peuvent attendre de l'intervention du SMC afin de mieux gérer leurs attentes ; établir un meilleur relationnel entre le SMC et les consommateurs dès l'envoi de leur demande ; et encourager une meilleure transparence sur l'ensemble du processus de traitement des dossiers.

A. Biard, S. Voet, E. van Gelder, K. Hanemaaijer, *Expériences et attentes des consommateurs vis-à-vis du Service de Médiation pour le Consommateur*, July 2019 (full text in [French](#) and in [Dutch](#)).

## **A Common Discourse in European Private International Law? A View from the Court System**

*Xandra Kramer*

On June 13 and 14, This paper discusses the institutional framework and judicial infrastructure for the application of European private international law, and how these can contribute to the Europeanisation of court practice in private international law cases. First it addresses the question of why we should have a European court practice at all. Then it turns to the court practice from the perspective of the dialogue between national courts and the European court of justice. Next, it discusses the existing infrastructures in a number of Member States, and the role of emerging international commercial courts in this regard.

It is concluded that fostering a European court practice on private international law is not an end itself but a means to an end, and that is to secure the effectiveness of judicial cooperation, primarily through the proper application of the European instruments. There seems to be little evidence that European private international law is not European enough. On the contrary, the present rules seem to be functional at the national level, and fundamental reform at the EU or the national level is therefore unnecessary.

The more important challenges result from the UK's exit from the European Union and from global perspectives. These call for a reflection on the question of how and to what extent the pan-EU legal order and the national legal orders can be usefully tied together, and for an outward look with regard to the relation to third countries in Europe and beyond. Finally, the challenges of migration, security, financial stability, and environmental protection call for a global approach to private international law questions and necessitates the EU to reach out to international organizations, notably the Hague Conference on Private International Law.

X.E. Kramer, *A Common Discourse in European Private International Law? A View from the Court System*, in Jan von Hein, Eva-Maria Kieninger and Giesela Rühl (eds.), *How European is European Private International Law*, Intersentia (forthcoming August 2019) p. 211-230 ([draft author copy](#)).

## Médiation de la consommation: un bilan, des défis, des pistes de réflexion pour l'avenir

Alexandre Biard & Christopher Hodges

La directive européenne 2013/11/UE a contribué à généraliser et institutionnaliser la médiation de la consommation en France. Trois ans après l'entrée en vigueur du nouveau cadre réglementaire, la médiation de la consommation a connu de profonds changements sous la supervision de la Commission d'évaluation et de contrôle de la médiation de la consommation (CECMC). Cependant, les défis à relever restent encore nombreux : le paysage de la médiation est aujourd'hui protéiforme, complexe, peu lisible et souvent encore mal compris tant par les consommateurs que par les professionnels. À bien des égards, son architecture est donc inachevée. L'expérience acquise dans d'autres pays européens permet de dégager des pistes de réflexion pour le futur. Cet article envisage de possibles évolutions pour une médiation de la consommation plus cohérente, attractive et efficace.

A. Biard & C. Hodges, Médiation de la consommation: un bilan, des défis, des pistes de réflexion pour l'avenir, *Contrats Concurrence Consommation*, février 2019, étude, n°2.

### Code-sharing agreements under the Brussels Ibis Regulation and the notion of matters relating to a contract – Case note on flightright – CJEU joined cases C-274/16, C-447/16 and C-448/16

Georgia Antonopoulou

This case note discusses the CJEU ruling on the *flightright* case. The court is faced with the question whether claims against the operating air carrier are characterized as contractual or non-contractual under the Brussels Ibis Regulation. The case note examines how the CJEU broadens the notion of contract under Article 7 (1) Brussels Ibis Regulation, and expands the scope of the provision by ruling that the special jurisdiction rule for contractual matters is based on the cause of action as opposed to the identity of the parties. In this manner, the CJEU alleviated the notion of 'matters relating to a contract' from the requirement of a direct contractual relationship between the parties, thereby allowing third parties to bring their claims before the *forum contractus*.

G. Antonopoulou, Code-sharing agreements under the Brussels Ibis Regulation and the notion of matters relating to a contract – Case note on flightright – CJEU joined cases C-274/16, C-447/16 and C-448/16, *Journal of European Consumer and Market Law* 2019(2), p. 89-92.

### The EU directive on representative actions for consumers: a milestone or another missed opportunity?

Alexandre Biard & Xandra Kramer

This article intends to contribute to ongoing policy discussions at the EU level by pointing out several loopholes in the current Commission's proposal. After highlighting a few key elements of the proposed representative action, we focus on selected issues. We submit that first, in view of the ever-increasing globalisation of goods and services, a revision of European private international law rules is urgently needed for resolving cross-border mass claims. Secondly, we argue that the Commission's proposal fails to fully consider new actors and new forms of mass litigation that are now emerging, in particular the rise of mass dispute entrepreneurs who are using online platforms and digital tools to structure and to create mass claims. Thirdly, we elaborate that the Commission's proposal leaves several questions relating to the financing of mass litigation still unanswered.

A. Biard & X.E. Kramer, The EU directive on representative actions for consumers: a milestone or another missed opportunity?, *Zeitschrift für Europäisches Privatrecht (ZEuP)* 2019, p. 249-259.



## Strengthening Civil Justice Cooperation: The Quest for Model Rules and Common Minimum Standards of Civil Procedure in Europe

*Xandra Kramer*

This paper discusses civil justice cooperation and perspectives of harmonisation in that context. It focuses on the European Parliament's initiative for establishing common minimum standards and the ELI/Unidroit European Rules of Civil Procedure in particular. The question is to what extent these contribute to the coherence in European civil procedure and to improving judicial cooperation in civil matters.

X.E. Kramer, *Strengthening Civil Justice Cooperation: The Quest for Model Rules and Common Minimum Standards of Civil Procedure in Europe*, in: Marco Antonio Rodrigues & Hermes Zaneti Jr, *Coleção Grandes Temas do Novo CPC - v.13 - Cooperação Internacional*, Editora Juspodivm 2019, p. 591-607 ([author copy](#)).

## Defining International Disputes – Reflections on the Netherlands Commercial Court Proposal

*Georgia Antonopoulou*

The last decade has seen the rise of international commercial courts also known as international business courts in Europe. Apart from the use of English as court language and the adoption of distinct procedural rules, the emerging courts share the aim to solely handle international disputes. Hence, the internationality of the dispute sets the jurisdictional scope of the international commercial courts and draws the line between these and the rest of the domestic courts. This article focuses on the upcoming Netherlands Commercial Court (NCC) and discusses the provisions defining the international character of a dispute under the respective proposal. First, the NCC internationality criteria are compared to the respective criteria under the Brussels Ibis Regulation and the Hague Convention on Choice of Court Agreements. Subsequently, this article zooms in on two internationality criteria, namely the application of foreign law and the use of a foreign language in the contract. In a comparative way, the suitability of these criteria to effectively encompass disputes with an international aspect is explored. This article concludes highlighting the need for narrow internationality criteria that are aligned with the criteria used under the Brussels Ibis Regulation and the Hague Convention on Choice of Court Agreements so as to safeguard the foreseeability of the NCC's jurisdiction and square its professed aim to solely handle international disputes.

G. Antonopoulou, *Defining International Disputes - Reflections on the Netherlands Commercial Court Proposal*, NIPR 2018, issue 4, p. 740-755 ([full text](#)).

## The Rule of Law in the European Union: Standards of the Ombudsman, Judge, and Auditor

*Emma van Gelder & Alex Brenninkmeijer*

The rule of law is one of the fundamental values on which the European Union is built. The EU ensures its upholding through various means and the EU institutions play an essential role in this process. This chapter focuses on the roles of the Court of Justice of the European Union, the European Ombudsman and the European Court of Auditors in upholding the rule of law. To this end, the chapter analyses the institutions' different mandates, standards, outputs and possible impact, and subsequently provides a comparative overview of how these institutions create a complementary framework for the safeguard of the rule of law in the EU.

E.M. van Gelder & A. Brenninkmeijer, *The Rule of Law in the European Union: Standards of the Ombudsman, Judge, and Auditor*, in: M. Hertogh & R. Kirkman (eds.), *Research Handbook of the Ombudsman*, Edward Elgar 2018.

## Impact of Directive 2013/11/EU on Consumer ADR: Evidence from France and the UK

*Alexandre Biard*

One of the objectives of Directive 2013/11/EU was to promote high-quality consumer alternative dispute resolution (ADR) schemes in the European Union (EU) through the creation of certification processes and regular monitoring by Member States. To obtain and keep certification, ADR bodies must continuously comply with several binding requirements set down in the Directive testifying –among other things– of their impartiality, expertise, transparency, accessibility, as well as of the fairness, timeliness and effectiveness of their procedures. The objective of this regulatory architecture was to trigger some long-term effects on the procedural design and functioning of ADR bodies and to enhance their credibility and legitimacy vis-à-vis consumers and traders. As such, the new rules have aimed to respond to the criticisms sometimes expressed about the way ADR providers operate, in particular concerns regarding schemes' lack of independence, limited accountability and possible effects on due process. Yet, doubts have been expressed about the ability of the Directive to secure a consistent approach fully supporting high-quality ADR in the EU. This paper intends to test these doubts against facts and evidence. Based notably on replies to a questionnaire sent to Competent Authorities, it zooms in on experiences in two Member States, namely France and the United Kingdom (UK) (more specifically for the latter in the civil aviation and non-regulated sectors). It highlights how the binding quality criteria have been working in practice and the impacts that the Directive has had on ADR bodies in those Member States and sectors. It sheds light on several persisting issues, and makes some policy recommendations, which may be relevant for policymakers not only in France and the UK, but also in other Member States and at the EU level when further developing a sustainable framework for high-quality ADR. In 2019, the European Commission is expected to publish a report on the implementation of the Consumer ADR Directive in all Member States. This contribution may be viewed as a first small step in that direction.

A. Biard, *Impact of Directive 2013/11/EU on Consumer ADR: Evidence from France and the UK*, *Journal of Consumer Policy*, 2018, p. 1-39 ([full text](#)).

## Challenges of Electronic Taking of Evidence: Old Problems in a New Guise and New Problems in Disguise

*Xandra Kramer*

The rapid evolution of technology and the digitisation of our society are without doubt the biggest accelerators of change in the law and practice of evidence taking. In the United States, electronic discovery has been referred to as the hottest topic in litigation. Electronic evidence taking not only raises legal questions but also has societal implications. People share their thoughts and – usually insignificant – daily events through wide-reaching social media, often with little forethought, and, for most of us, our smart phone contains a rich body of information on many aspects of our lives. In recent years, the gathering of electronic evidence has also attracted media attention. One topic that has gained attention is the use of information gathered from social media and networks. This paper discusses present problems and future challenges of electronic evidence. It is to a great extent based on eleven national reports and overviews collected for this research. It aims to map the legislative frameworks, to discuss the most important legal issues electronic evidence has raised in the different jurisdictions, and to point to some of the future challenges. Key issues are (1) the collection and production of evidence by means of e-discovery and e-disclosure; (2) the admissibility, reliability, and authentication of electronic evidence; and (3) the interpretation and evaluation of electronic evidence, including the use of social media and emojis.

X.E. Kramer, *Challenges of Electronic Taking of Evidence: Old Problems in a New Guise and New Problems in Disguise*, in: *La Prueba en el Proceso/Evidence in the process (II Conferencia Internacional & XXVI Jornadas Iberoamericanas de Derecho Procesal IIDP & IAPL)*, Atelier 2018, p. 391-410 ([author copy](#)).

## Contribution on France for the study Collective Redress in the Member States of the European Union,

*Alexandre Biard*

This study, commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the Committee on Legal Affairs, aims to assess the current state of play of collective redress at national and European levels, evaluate the opportunity of a European intervention in the matter and provide the European Parliament with concrete recommendations. Both the assessment and the recommendations have been drafted keeping in mind the essential issue raised by collective redress: access to justice. This principle, which is essential in a Union enforcing the rule of law, is currently challenged by the existing divergences. As such the creation of harmonised collective redress mechanism is becoming an increasingly pressing matter.

A. Biard, contribution on France for the study Collective Redress in the Member States of the European Union, European Parliament, September 2018 ([full text](#)).

## Online Dispute Resolution: een veelbelovend initiatief voor toegang tot het recht?

*Emma van Gelder*

Against the background of the current problems in civil justice, there is increasing interest in the unique possibilities that ICT offers to make dispute resolution more accessible. However, recently, Online Dispute Resolution is encountering increasing resistance due to insufficient legal protection within ODR procedures. This article focuses on the potential of ODR for the accessibility of justice, with e-Court as a case study.

E.M. van Gelder, Online Dispute Resolution: een veelbelovend initiatief voor toegang tot het recht?, *Maandblad voor Vermogensrecht* 2018, issue 7/8, p. 262-267.

# SHORT PAPERS, BLOGS & MEDIA

- ◆ X.E. Kramer, [Updated European Small Claims Guides](#), [conflictoflaws.net](#), 18 July 2019;
- ◆ G. Antonopoulou & E. Themeli, Seminar Report - Innovating International Business Courts, Rotterdam, *European Review of Private Law* (forthcoming 2019);
- ◆ G. Antonopoulou & X.E. Kramer, [The International Business Courts saga continued: NCC First Judgment – BIBC Proposal unplugged](#), [conflictoflaws.net](#), 27 March 2019;
- ◆ X.E. Kramer, Celebrating the Life of Professor Marcel Storme (1930-2018): A Cathedral Builder in Praise of Folly, *International Journal of Procedural Law* 2018, p. 224-228;
- ◆ G. Antonopoulou & X.E. Kramer, [The Netherlands Commercial Court holds its first hearing!](#), [conflictoflaws.net](#), 18 February 2019;
- ◆ G. Antonopoulou, E. Themeli & X.E. Kramer, [No Fake News: The Netherlands Commercial Court proposal approved!](#), [conflictoflaws.net](#), 11 December 2018;
- ◆ J. Hoevenaars, [Legal Aid Reform in the Netherlands: LASPO 2.0?](#), [conflictoflaws.net](#), 14 November 2018;
- ◆ A. Biard, [Current policy discussions on ADR/ODR in France: towards greater regulation for the Legal-tech?](#), [conflictoflaws.net](#), 13 November 2018;
- ◆ E. Themeli, X.E. Kramer & G. Antonopoulou, [International Commercial Courts: Should the EU Be Next? – EP Study Building Competence in Commercial Law](#), [conflictoflaws.net](#), 23 September 2018;

# ORGANISED ACTIVITIES

## Successful seminar Innovating International Business Courts



On 10 July 2018, the seminar *Innovating International Business Courts: A European Outlook* was held at the Erasmus School of Law. It was the first big event within our ERC consolidator project *Building EU Civil Justice*. In total five speakers and seven panellists from the Netherlands, England, France, Germany and Belgium discussed their existing and recently established international commercial courts or initiatives to establish such a court of court chamber (see the seminar flyer).

The sometimes heated debates evolved around the need to establish such courts for international business, the court design and procedural innovations, using English as the court language, the challenges for the judicial system, and the (potential) competitiveness of these courts, also in view of the exit of the UK from the EU as well as the need for collaboration in Europe. Approximately 100 participants from almost twenty European and other countries (including China, South Korea, Iran, and the United States), including judges, practising lawyers, academics, policy makers and business representatives, actively took part in the discussions. These discussions continued during the drinks where four selected PhD candidates presented their poster on a topic relating to international commercial courts.

Papers authored by the speakers and a number of additional papers, selected following a call for papers, will be published in the *Erasmus Law Review* mid-2019. In addition, a book will be prepared for publication in 2019. Both will not only cover the recent European developments but will take a global perspective. The seminar was organised by Erasmus School of Law (ERC project 'Building EU Civil Justice') of Erasmus University Rotterdam, in collaboration with the Max Planck Institute for Procedural Law Luxembourg, and the Montaigne Centre for Rule of Law and Judicial Administration (Utrecht University).

## Successful two-day conference on 'Pathways to civil justice in Europe'

On 19-20 November 2018, the *Challenge Accepted! Exploring Pathways to Civil Justice in Europe* was held at the Erasmus School of Law. It was the second big event within our ERC consolidator project 'Building EU Civil Justice'. With keynotes from Ruth de Bock (AG Supreme Court, NL) and Judith Resnik (Yale Law School, USA) and 4 panels with a total 17 speakers from the Netherlands, UK, Italy, Canada, France, Germany and Belgium the conference covered many issues surrounding civil justice innovations, including specialization of courts and judges, self-representation and the future of lawyers, the transformation of civil justice through the use of Artificial Intelligence (AI), and the practice of ADR/ODR schemes in different European countries.



With the broad variety of panelists as well as participants the conference managed to capture current and future issues in the ongoing transformation of civil justice around the world. With the conundrum of the ethical use of AI in adjudication, the general reduction in subsidized legal aid and the changing and often diminishing role for lawyers, the seemingly ever-expanding options for out-of-court and online dispute resolution schemes as well as current establishments of specialized international business courts, the discussions during the conference made clear just how timely questions about the current and future state of civil justice are. Approximately 100 participants, including judges, practicing lawyers, academics, policy makers and business representatives, actively took part in the discussions.

Papers authored by the speakers and panelists will be published in an edited volume in 2019. The seminar was organized by Erasmus School of Law (ERC project 'Building EU Civil Justice') of Erasmus University Rotterdam, with funding from the European Research Council.



## Expert Meeting on the Use of AI in the Administration of Justice

On Thursday 18 April, Erlis Themeli and Stefan Philipsen (Montaigne Centre for the Rule of Law and Justice) organised an expert meeting on the use of artificial intelligence in the administration of justice in Utrecht. The aim of the meeting was to present some recent research results in the field of artificial intelligence in the judiciary. During the meeting, participants exchanged views on the opportunities and dangers of the use of artificial intelligence in the judiciary. Recent developments were mapped out, and some suggestions for future research were advanced. This meeting builds on an previous meeting organized in 2018 in Rotterdam, which was financed by the Erasmus Initiative Dynamics of Inclusive Prosperity. Artificial Intelligence is one of the avenues that the digitization of justice is taking. This research falls within the ERC funded project Building EU Civil justice.

## Conference: 'e' meets justice

On 2 and 3 May 2019, Xandra Kramer's ERC Team organised the conference " 'E' meets Justice". At this conference, held in Lisbon, academics, IT and legal professionals met to discuss how to improve the collaboration between these communities in cross-border civil procedures. The aim of the conference was to offer a platform for different stakeholders to meet, engage in discussions and exchange ideas in order to find a meeting point between the legal world and the digital world, arriving at 'e-justice'. Focusing on e-CODEX as a potential tool to improve the current situation, participants were encouraged to propose ideas, engage in discussions and develop a mind-set to foster the future of e-Justice in the EU.

### *The need for agile collaboration*

In her inspiring opening speech, Anabela Pedroso, the Portuguese Secretary of State for Justice, stressed the need to collaborate to make justice more humane, more agile and in closer proximity to the end user. Pedroso shared the best practices of the 'Justiça + Próxima' project, which achieved an agile and digital transformation of the Portuguese justice system in just four years. Pedroso: "What we are doing on a national level is the same as what e-CODEX will do on a European scale."

### *Dazzling facets of the diamond*

The diverse and dynamic mix of speakers and panelists presented a myriad of views on e-Justice: optimistic, critical, visionary and pragmatic. The two-day conference concluded with a symbolic visit to the helipad on the roof of the Polícia Judiciária, offering participants a stunning 360-degree view of Lisbon as well as of the e-Justice landscape. The common denominator of the conference was expressed by Hrvoje Grubisic, Secretary of the European Judicial Network at the European Commission: "e-Justice is the future of EU justice."

### *Contribution from project members*

Together with Professor Kramer, project members Jos Hoevenaars, Emma van Gelder, and Erlis Themeli participated as well. Kramer acted as host of the event together with Ernst Steigenga from the Ministry of Justice of the Netherlands. Jos Hoevenaars chaired the panel on 'Perspectives on the collaboration between academia, the tech community and practitioners regarding cross-border EU procedures'. Emma van Gelder and Erlis Themeli gave their contribution as speakers in panels focused on consumers and the technical issues of justice respectively.



# PRESENTATIONS

July 2018-August 2019

## International Civil and Commercial Dispute Resolution and Judicial Cooperation in Asia Pacific

On 18 July, Georgia Antonopoulou and Alina Ontanu gave a presentation at the 'International Civil and Commercial Dispute Resolution and Judicial Cooperation in Asia Pacific' conference organized by the China-Australia Private International Law Forum in Shanghai, China. During her presentation Alina focused on the potential of the newly established international commercial courts to address the needs of cross-border litigation. Georgia in turn compared the international commercial courts established in Europe and Asia. Despite their common features, Georgia highlighted the differentiated approaches the European vs. the Asian courts adopt with regard to the international character of the disputes they handle, their voluntary establishment of jurisdiction and their arbitration like features.



## Seminar 'It Takes Two to Tango'

On June 13 and 14, Jos Hoevenaars joined a group of scholars working on the preliminary reference procedure of the EU legal system for an exchange of ideas and perspectives on the 'dance' between national courts and the Court of Justice of the EU. The seminar 'It Takes Two to Tango' and organised by the Radboud University of Nijmegen took place in Ede (the Netherlands) and brought together an interdisciplinary group of scholars with various empirical point(s) of view in terms of how national courts (do not) send references to the ECJ. Jos was invited to present his work on the ECJ and empirical insights into the preliminary reference procedure from the perspective of legal practitioners that have participated in these proceedings.

## Presenting at the conference on collective redress by UCALL, Utrecht University



On Friday 28 June, Alexandre presented at the conference organized by the Utrecht Centre for Accountability and Liability Law (UCALL) of Utrecht University. The conference

focused on collective redress in the Netherlands and in Europe. Alexandre presented the experience with class actions in France, and new interactions between collective redress and *Legaltech*.

## Presentations on European civil procedures in Trier

Xandra Kramer gave a presentation on pathways to European civil procedures and delivered a workshop on the use of these procedures and the e-Justice portal at the Summer course on cross-border civil litigation at the European Law Academy (ERA) in Trier on 26 June 2019. This Summer School is attended by practicing lawyers from across Europe and aims at building knowledge on EU justice and cross-border litigation.

## Annual Meeting of the Club des Médiateurs de Services au Public in Paris

On Wednesday 26 June, Alexandre was invited to speak in Paris at the annual meeting of the Club des Médiateurs de Services au Public, which is the association gathering all key French ombudsmen operating in a wide range of sectors (such as energy, education, financial services, telecom, transports, tourism, etc.). He discussed the past, present and future of consumer ADR in Europe and in France with a presentation entitled "Médiation de la consommation en Europe et en France: hier, aujourd'hui et (surtout!) demain". This event was also an excellent opportunity to exchange with French stakeholders about ongoing developments in the field, in particular on issues relating to ADR and digitalisation, use of Artificial Intelligence and Predictive Justice tools, relationships between ADR and courts, simplification and rationalisation of ADR sectors, and many others important topics.

## Attending the Public Private Justice Conference on Class Actions in Dubrovnik

On 27 and 28 May, Xandra and Alexandre presented at the Public and Private Justice (PPJ) Conference organised in Dubrovnik. The theme of this year's conference was 'Class Actions – the Holy Grail for (European) civil procedure?'. Xandra gave insights on collective redress from a Dutch and transnational perspective, and Alexandre highlighted the latest developments in France.



## 'Sharing Power and Responsibility: On the Role of European Courts in EU Soci(et)al Challenges'

On May 23 and 24, Jos Hoevenaars joined the community of scholars working on the role of the ECJ for the seminar 'Sharing Power and Responsibility: On the Role of European Courts in EU Soci(et)al Challenges' at Helsinki University in Finland. The seminar focused on the role of the ECJ in responding to social challenges as well as on national point(s) of view in terms of how national courts (do not) mobilise EU law to affect change in socio-economic yet ultimately legal situations – or legal yet ultimately socio-economic – which they consider problematic. Jos was invited to present his work on the ECJ and empirical insights into the preliminary reference procedure. His contribution focused on the advantages of in-depth bottom approaches to litigation in the European sphere and the role of individual litigants in shaping the European legal field through the ECJ's jurisprudence.

## Presenting empirical study investigating consumer behaviour to the main Belgian Ombudsmen in Brussel

On 29 April, Alexandre Biard and Stefaan Voet presented the results of a field research conducted in collaboration with the Consumer Mediation Service (Service de Médiation pour les Consommateurs/Consumentenombudsdienst) to the main Belgian ombudsmen (telecom, energy, rail, financial services). The research intends to investigate consumer expectations and experiences when they engage with the Consumer Mediation Service, and seeks to make policy recommendations to promote more effective services. The report is written also in collaboration with Kyra Hanemaaijer and Emma van Gelder, and will be available online shortly.

## Presentation at the Legal Data Mining Conference, Paris (FR)

On 21-22 March, Erlis Themeli participated in the "Legal Data Mining Conference" organised in Paris by the HEC Paris, École Polytechnique, DATAIA, and the Japanese National Institute of Informatics. The purpose of this Conference was to structure a conversation on both the fundamental and practical issues of legal data mining between scholars from AI, law, and logic. Erlis presented some preliminary findings from his empirical study on the perception of an AI-judge by court-users. This study, which is part of his research on the digitisation of justice, is conducted in collaboration with colleagues from the Rotterdam School of Management, the Erasmus School of Law, and the Utrecht University. The aim of the study is to better understand the reaction of court-users when facing a non-human judge.

## How Do People Navigate the Maze of the Law?

Xandra Kramer and Christoph Engel (ESL; Max Planck Institute for Research on Collective Goods) presented the results of their vignette study on how laypeople navigate the maze of the law at the Workshop on Experiments at the Crossroads of Law and Economics (organised by the Erasmus School of Law and Erasmus School of Economics) on 27 March 2019. The study aimed to investigate the relevance of legal uncertainty for the decision of laypersons to rely on the legal system as a means for seeking redress.



## Presenting at the ADR/ODR conference in Oxford

On 18-19 March, Xandra, Emma and Alexandre participated in the 'CONSUMER ADR: Delivering Fairness and Justice for Consumers, Business and Markets' conference organised at Wolfson College, Oxford. The event gathered key stakeholders of the European ADR/ODR community, including representatives of several EU ombudsmen, academics and policy experts. Alexandre presented the latest developments on ADR in France. Xandra and Alexandre took part in a panel on policy and research issues, focusing among others on the interaction between courts and ADR/ODR and strengthening of the quality of consumer ADR.



## Presenting at the EU-China Legal Affairs Dialogue in Beijing

On 21-22 March, Alexandre participated in the 3rd EU-China Legal Affairs Dialogue in Beijing. The event was co-hosted by the European Commission, the European External Action Service, the Chinese Ministry of Justice and the Chinese Ministry of Foreign Affairs, and gathered EU and Chinese public officials, experts and academics. Exchanges focused on new developments in consumer dispute resolution, ethical and legislative challenges related to the use of artificial intelligence, and the future Chinese civil Code. Alexandre gave a talk on 'ensuring the quality of consumer ADR'.

## Presentation European Rules of Civil Procedure in Hamburg

On 14-15 March, the Bi-Annual Conference of the Wissenschaftliche Vereinigung für Internationales Verfahrensrecht took place at Bucerius Law School in Hamburg. Xandra Kramer presented the mission, general principles, and the prospects of the ELI-Unidroit European Rules of Civil Procedure, and participated in a discussion panel.

## Presentation at the Max Planck Guest Forum

On 12 March, Georgia Antonopoulou presented at the Max Planck Guest Forum her research on European international commercial courts. The Guest Forum at the Max Planck Institute for International, European and Regulatory Procedural Law offers guests the opportunity to present their current research and discuss their ideas with other guests and researchers of the Institute. During her talk, Georgia focused on the recently established Netherlands Commercial Court (NCC) and the anticipated German Chambers for International Commercial Disputes (Kammern für Internationale Handels-sachen). She presented the provisions regulating the jurisdiction of these courts aiming to assess how accessible they are to interested parties.

## Last joint meeting ELI-Unidroit European Rules of Civil Procedure



On 25-26 February, the last joint meeting of the Steering Committee, the overarching Working Group (WG) on Structure, the co-reporters of the other working groups and the institutional observers of the ELI-Unidroit project on European Rules of Civil Procedure took place in Rome.

Xandra Kramer presented the progress of the WG on Structure and the new consolidated draft rules, followed by a fruitful discussion between the present members of the working group and the participants. The latest drafts of the three last ongoing working groups were also presented and discussed.

The consolidated draft will be completed this year and is scheduled for adoption early next year. The ELI-Unidroit European Rules of Civil Procedure will be a model law on civil procedure for Europe.

## Presenting latest EU developments on consumer law enforcement at the Slovak Judicial Academy

On 6-7 February, Alexandre presented the EU toolbox for consumer law enforcement (with a special focus on ADR/ODR and collective redress) to 40 European judges and prosecutors, as part of the training programme "Consumer protection and the role of the national judge" organised by the European Judicial Training Network (EJTN) at the Slovak Judicial Academy in Omšenie.



## Presentation at the International Seminar "Algorithmis of Dispute Resolution"

On 28 and 29 January, Erlis Themeli participated in the International Seminar "Algorithmisation of Dispute Resolution" organised by the Vilnius University and Vrije Universiteit Brussel in Vilnius, Lithuania. The Seminar was intended as a discussion platform on the use of artificial intelligence in dispute resolution. Erlis presented some preliminary findings from his empirical study on the perception of an AI-judge by court-users. This study, which is part of his research on the digitisation of justice, is conducted in collaboration with colleagues from the Rotterdam School of Management, the Erasmus School of Law, and the Utrecht University. The aim of the study is to better understand the reaction of court-users when facing a non-human judge.

## Joint ERA-EJTN event: Consumer protection within Europe - the role of the national judge

On Thursday 29 November in Trier (Germany), Alexandre Biard presented latest policy discussions on ADR/ODR and collective redress in the EU to more than 50 judges and prosecutors coming from all over Europe. This took place in the context of the event 'consumer protection within Europe – the role of the national judge when applying consumer rights and Law', jointly organised by the European Judicial Training Network (EJTN) and the Academy of European Law (ERA).

## ELI Conference European Rules of Civil Procedure

On 27 November, Xandra Kramer gave a brief presentation on the work of the Structure working group of the ELI-Unidroit project on European Rules of Civil Procedure. The work of this group is to consolidate the drafts of the different working groups in this project and to ensure the combined efforts result in a coherent set of European rules on civil procedure.

This two-day conference in Trier was jointly organized by the European Law Institute and the European Law Institute to discuss topical issues and ongoing work of the project.



## Presentation at the Graduate Law and Artificial Intelligence Conference, Montreal (CA)

On 25 February, Erlis Themeli participated in the "Graduate Law and Artificial Intelligence Conference" organised by the Cyberjustice Laboratory of the Montreal University in Canada. The Conference was intended as an outlet platform for young researchers and as an opportunity to discuss on the use of artificial intelligence in fostering empowerment. Erlis presented a paper on how the rights of court-users may be affected by the use of artificial intelligence in courts. This paper is co-authored by Stefan Philipsen from the Utrecht University and serves to complete the theoretical framework of an empirical research conducted in collaboration with colleagues from the Rotterdam School of Management, the Erasmus School of Law, and the Utrecht University. The aim of the study is to better understand the reaction of court-users when facing a non-human judge.

## Presentation EU Law Mobilization at VSR Annual Conference 2019

On 10 and 11 January, Jos Hoevenaars joined the community of legal sociologists in the Netherlands and Belgium for the Annual Conference of the VSR (Dutch/Belgian Sociology of Law Society) at Schiermonnikoog, the Netherlands.

The theme of the conference was 'Shifting Powers', and Jos was invited to present his work on the ECJ and the strategic use of the preliminary reference procedure on a panel about Diversity and Claims-making organized by Professor Betty de Hart and Iris Sportel. His contribution focused on a case study around national actors that mobilized EU rules and jurisprudence from the Court of Justice to challenge a Dutch policy of increased fees for residence permits.

## Presentation at BICCL celebrating anniversaries



On 29 November, Xandra Kramer joined in celebrating a tripple anniversary in London: 60 years BIICL, 50 years Brussels Regime, 60 years New York Convention. At this very interesting conference roundtables were organized around the Brussels Regime, Civil Justice Cooperation after Brexit and the New York Convention. Xandra participated in the roundtable on the Brussels Regime, highlighting the achievements for businesses and citizens of this key instrument in international litigation.

## Presentation on Globalizing Business Litigation



On 5 November, Xandra Kramer gave a presentation in Bergen on globalizing business litigation. She discussed the role of arbitration and court litigation and business needs, developments at the Hague Conference on Private International Law and in particular the promising Hague Judgments Project, developments in Europe and the establishment of international business courts at the national level as well as the interaction between global, European and national regulation.

## The Future of Harmonization of Civil Procedure in Europe

On 4 October, Xandra Kramer gave a presentation on the future of the harmonization of civil procedure in Europe at the European Civil Procedure Conference in Milan. She discussed the overriding aims of EU Civil Justice (improving access to justice), the dangers of the multi-regulatory system, the interaction between national and European civil procedure, ongoing harmonization project (including the ELI-Unidroit Rules of European Civil Procedure), and the big challenges in the harmonization of civil procedure in Europe, including the question of how far Europeanization can and should go.

## Presentation ERC Project at BACT Annual Meeting

On 21 September 2017, Xandra Kramer presented the ERC project and all team members introduced their subproject at the annual meeting of the multi-disciplinary and international research program BACT at Erasmus School of Law. The synergies with projects of other researchers within the program strengthens the ERC research.

## Presentation at iCourts in Copenhagen

On 21 September, Jos Hoevenaars was invited to present his work on the European Court of Justice and the preliminary reference procedure at the workshop 'Studying EU Law and the European Court of Justice – New Approaches and Methodologies' organized by Professors Jan Komarek, Mikael Rask Madsen and Antoine Vauchez. As the title suggests the workshop was aimed at bringing together researchers in the field of EU studies who employ innovative methodologies in studying the European Court of Justice (ECJ). His contribution, which focused on a bottom-up approach to litigation before the ECJ, will be part of an edited volume to be published in 2019.

## Presentation on the Challenges of e-Evidence



Between 17 and 20 October, Xandra Kramer and Erlis Themeli attended an international conference on evidence in the judicial process organized by

the Iberoamerican Institute of Procedural Law and the International Association of Procedural Law. Xandra Kramer presented a paper on the current problems and future challenges of e-Evidence. It discusses technology as the big game changer in the taking of evidence, the use of electronic documents, and the role of social media and electronic devices. It zooms in on e-discovery and disclosure and technology assisted review, the reliability, authentication and admissibility of e-evidence, and the interpretation and evaluation of e-evidence, including social media and the use of emoticons and emojis. At the end of the conference day, by way of tribute to Prof. Marcel Storme who passed away in April of this year, she presented a video including a collection of pictures and quotes, and arranged for a singing tribute.

## Presentation at 3rd IAPL-MPI 2018 Summer School in Luxembourg



Alexandre Biard and Alina Ontanu participated in the 3rd IAPL-MPI Summer School entitled Privatizing Dispute Resolution and Its Limits that took place from 1-4 July in Luxembourg. Alexandre presented evidence that he collected on the impact of the Consumer ADR Directive on the quality of ADR entities in several EU Member States. Alina pleaded for a more comprehensive framework covering both court and out-of-court procedures so as to facilitate consumers' access to justice in cross-border litigation. Presentations were followed by fruitful discussions with participants coming from all over the world.

## Presentation 50th Anniversary of European Civil Procedure

On 28 September, Xandra Kramer gave a presentation at conference hosted by the European Court of Justice and the MPI Luxembourg celebrating the 50th anniversary of the European Law of Civil Procedure in Luxembourg, entitled 'The application of the European law of civil procedure in the dialogue between the CJEU and national courts.' She discussed the multi-regulation and multi-methodology of European civil procedure and the impact on the application by national courts and the dialogue between the CJEU and national courts as institutionalized by the preliminary reference procedure on the basis of statistics on the area of freedom, security and justice, and civil matters in particular. These show the huge differences between the Member States. For example, Germany alone referred more cases to the CJEU than did the nineteen Member States with the combined lowest rates. She gave recommendations on how the dialogue can be improved.

## Presentation at SLS Conference 2018



On 7 September, Emma van Gelder gave a presentation together with Alina Ontanu at the SLS Conference 2018 at Queen Mary University, London. Their presentation was entitled 'A Consumers' Crisis in EU Civil Procedure' and held within the panel 'Law in Troubled Times'. The presentation explored pathways to ensure consumer access to justice in the EU internal market.

## Presentation at the ELI Annual Conference in Riga

On 6 September, Xandra Kramer gave a presentation on the ELI/Unidroit Rules of European Civil Procedure at the Annual Conference of the European Law Institute in Riga. She gave an overview of the work and progress of the Structure group that has the task to compile the drafts of the working groups, to ensure coherence and to fill gaps.

# OTHER ACTIVITIES

## A SELECTION

### Xandra Kramer scientific fellow Max Planck Institute Luxembourg

Xandra Kramer has been appointed as an external scientific fellow at the Max Planck Institute for Procedural Law in Luxembourg. In August she stayed at the Institute to work on several research projects.

### R3 & INSOL Europe's International Restructuring Conference

11 July Georgia chaired the panel 'The rise of commercial courts across the globe' during the R3 & INSOL Europe's International Restructuring Conference. Justice Michael Quinn from the Dublin Commercial Division, judge Martin Vaessen from the Netherlands Commercial Court, Mr. Jacques Bouyssou from the Paris Place de Droit and judge Ulrike Willoughby from the Frankfurt Chamber for International Commercial Disputes presented the international commercial courts established in their home jurisdictions. During a Q&A session the chair and the panel speakers discussed the advantages of international commercial courts, their distinguishing features and the role they could possibly play in cross-border insolvency proceedings.

### New Small claims Practice Guide and User Guide

Xandra Kramer has authored the updated Practice Guide and User Guide for the European Small Claims Procedure, approved by the European Judicial Network. The Small Claims Regulation became applicable on 1 January 2009, and an amended version became applicable on 14 July 2017, necessitating updates of the Guides. The European Small Claims Regulation aims to provide a low threshold procedure for consumers to claim their rights in cross-border cases in the EU. The amended Regulation enables to pursue claims with a value up to 5,000 EUR. It strengthens the electronic support and conduct of the procedure, making it more accessible to in person litigants. A novelty in the User Guide and the extensive Practice Guide is the link to available ADR mechanisms and the reference to the ODR platform, which informs consumers and practitioners about the existing alternatives. These are part of a consumer campaign launched in July to inform consumers about their rights. The new Guides as well as other tools on and information about the Small Claims Procedure is available in the [Small Claims Section](#) of the e-Justice Portal.



## Research stay at the University of Oxford

Emma van Gelder conducted two-month visiting research at the University of Oxford, Centre for Socio-Legal Studies as part of her PhD under supervision of Professor Christopher Hodges (Trinity Term 2019 May and June). As the UK forms one of her selected case-studies of her PhD, she chose to conduct her research at Oxford. During her time there she researched the UK civil justice system and more specifically, the sector of Consumer ADR within the justice system. Next to theoretical research, she conducted about ten interviews with Consumer ADR schemes throughout the UK that used IT within their dispute resolution process.

## European Council meeting on e-Justice

Xandra Kramer participated in the legal panel at the Annual Meeting of the Working Party on e-Law (e-Justice) of the European Council in Brussels on 24 June 2019. This meeting is part of the Multiannual European e-Justice Action Plan 2019-2023 that brings together representatives of the Member States, judiciaries and lawyers, with the aim to further develop e-justice. She discussed developments in the Netherlands and at the European level, as well as problems encountered in enhancing e-justice and views on the future.

## Guest lecturer at the Moscow State Law University

Erlis Themeli was invited as a guest lecturer at the Moscow State Law University (MSAL) from 11 to 19 May 2019. This invitation was supported by an Erasmus+ grant of the European Union. Erlis delivered a series of lectures on international commercial courts. The audience showed considerable interest in the topic and in particular on its significance for the Russian legal landscape. Erlis had also the possibility to have meetings with colleagues from the MSAL, which will serve as a collaboration bridge for the future.

## Interview with the French National Energy Ombudsman - April 2019

In the latest Lettre du Médiateur National de l'Énergie of April 2019, Alexandre was asked by the French National Energy Ombudsman to give his viewpoint on recent developments on consumer ADR in Europe and in France. He evaluated the changes occurred since 2013, and gave food for thought for the development of effective and sustainable consumer ADR landscapes in the coming years. Full interview (in French) available [here](#).

## Pax Moot Court 2019



Alina Ontanu, Emma van Gelder and Erlis Themeli in collaboration with Priskila Penasthika, Georgia Antonopoulou and Marta Kolacz, coached the Erasmus Law School team in the Pax Moot Court 2019 on Private International Law. Four students from the Erasmus Uni-

versity Rotterdam were selected to participate in the Pax Moot Court to represent the Erasmus School of Law (ESL): Mirna van Oers, Sarah Mourahine, Stijn Voogt and Azdin Mataich. The students had to prepare a case which concerned issues on same-sex marriage, child adoption and labour law issues. The first month the students studied international private law intensively in order to submit the written Memorials in April 2019. The Memorial of our team was received very well by the judges of the Pax Moot team.

The weeks before the pleadings were devoted to practicing their oral pleadings. On Friday 24 May, the first round of pleadings was held at Sorghvliet Gymnasium in The Hague. The team competed against the University of Antwerp and against Paris Dauphine University in the morning. In the afternoon, the team had to compete against the University of Heidelberg and Sciences Po. Although the students debated intensively with sharp arguments and got involved into heated pleadings, the score was just too low to make it to the finals.

All in all we are proud of our students and it was a great experience coaching them.

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## Big Think on Justice

On invitation Xandra Kramer participated in the Big Think on Justice, organized by the Knowledge Platform Security & Rule of Law, the Dutch Ministry of Foreign Affairs, and The Pathfinders' Task Force on Justice, taking place in the Hague on 15 November 2018. This meeting gathered justice experts from civil society and justice institutions to provide input to a Task Force report 2019 aiming to improve access to justice for all at a global scale. She contributed to the session on Innovating and Investing in Justice. This focused on the solutions that people need, strengthening local delivery, system innovation and overcoming institutional barriers.



## The NCC's best advocate!

During the guest lecture 'International commercial courts in Europe: Tips and tricks to go viral' Georgia Antonopoulou and Erlis Themeli asked the master students of the Private Law master program of the Erasmus School of Law to prepare a pitch and a logo promoting the Netherlands Commercial Court (NCC), which just opened its doors in January 2019. In their assignments, the students had to highlight the strengths of the NCC in comparison to similar international commercial courts in Europe. The students actively promoted the new court and translated its pros and innovative features in a short pitch and logo. Interestingly enough, few students questioned the need to advertise courts and claimed that justice is a public service that should not be approached from a market perspective. In the end the students voted in favour of Dorian Acoca. Acoca's pitch was the most persuasive and his logo was the most eye-catching.



## Poster Presentation Workshop for PhD Candidates of the EGSL

On 30 October 2018, Erlis Themeli together with Dirma Jansen organized a poster presentation workshop for PhD candidates of the Erasmus Graduate School of Law (EGSL). The workshop aims at helping participants to visualize their research, present it through imagery, and briefly describe it in 3-5 minutes. This workshop is part of the training that the EGSL provides to PhD candidates, and Erlis is often invited as a presenter and role model during this training.

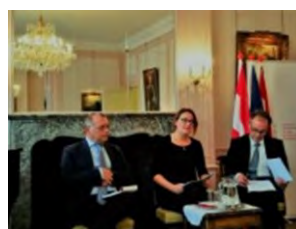
## ERC team chairing at A2J conference at UCL and court visit London

From 11 June till 13 June 2018, Xandra, Erlis, Georgia and Emma attended the International Conference on Access to Justice and Legal Services in London, hosted by Centre for Empirical Legal Studies of the UCL. Participants included international researches, policy makers and legal service professionals and came from all across the world from Brazil to the USA and from Australia to Norway.

Xandra chaired two sessions: on litigants in person, on how to support litigants in person and about pro se litigation in US federal courts, and on 'Legal aid eligibility'. Erlis chaired a session on 'Profession', which included an economic analysis of the benefits of early legal advice. The panels led to evolving discussions and insights on how other countries worldwide deal with access to justice issues and provided the opportunity to enter into dialogue on recent developments and innovations.



## Moderating Austrian Council Presidency Meeting Private International Law



On 1 October 2018, Xandra Kramer moderated a meeting on the Role of the European Union in Private International Law, organised by the Austrian EU

Council Presidency at the Austrian Embassy in The Hague. The speakers were Christophe Bernasconi, Secretary General of the Hague Conference on Private International Law, and Robert Fucik, Director of the Department for International Family Law of the Federal Ministry of Justice of Austria. The goal of this meeting was to raise awareness on the importance of private international law in the European Union. The discussion focused on the global perspective and the role of the Hague Conference on Private International Law, the achievements of European Private International Law and the dialogue between the Hague Conference and the EU.

## Summer Courses the Hague Academy

Last summer (2018) Georgia Antonopoulou (ERC PhD candidate) and Priskila Penasthika attended the Hague Academy courses on Private International Law. Expanding over three weeks, the summer courses consisted of lectures given by 'great' names of public and private international law. While Prof. Ruth Okediji from Harvard Law School captivatingly lectured on the international aspects of intellectual property law, Prof. Marc-Philippe Weller from Heidelberg University unraveled the 'tripartite' method of international private law. In addition, during the PhD meetings, Georgia and Priskila introduced their research to fellow participants and exchanged ideas on their topics. Last but not least, Georgia and Priskila enjoyed the international environment of the summer courses where students, legal practitioners and academics from more than 100 countries gathered under the roof of the historic Peace Palace.

# TEAM

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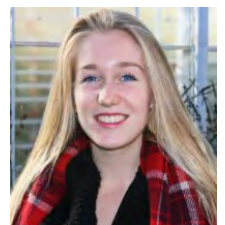
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