

European Society for **Empirical** **Legal Studies**

Conference Program Elche 2024



UNIVERSITAS
Miguel Hernández

**FACULTAD DE CIENCIAS
SOCIALES Y JURÍDICAS
CAMPUS ELCHE**

PROGRAM

Elche Conference 2024 European Society for Empirical Legal Studies

Conference location

Arenals Building
Universidad Miguel Hernández
Altabix-3, 55
03207 Elche (Alicante)
Spain

Wednesday 19 June 2024

18:00 **Welcome event** (with stories on the city of Elche)

Location:

Ayuntamiento de Elche
Plaça de Baix
03202 Elche (Alicante)

Thursday 20 June 2024

08.00-17.15	Registration desk open	Hall
09.00-10.30	Opening and Plenary Session I	Room 1.1
10.30-11.00	Coffee and tea	Hall
11.00-12.30	Panel Sessions I	Rooms 1.3 - 1.6
12.30-14.00	Lunch	Hall
13.15-14.00	General Assembly (EELS members)	Room 0.1
14.00-15.30	Panel Sessions II	Rooms 1.3 – 1.6
15.45-17.15	Panel Sessions III	Rooms 1.3 – 1.6
17.15-18.45	Drinks+ Poster session	Hall
19.00-22.00	Conference dinner	Hotel Huerto del Cura

Friday 21 June 2024

08.00-15.00	Registration desk open	Hall
09.00-10.30	Panel Sessions IV	Rooms 1.3 – 1.6
10.30-11.00	Coffee and tea	Hall
11.00-12.15	Plenary Sessions II	Room 1.1
12.15-13.15	Lunch	Hall
13.15-14.45	Panel Sessions V	Rooms 1.3 – 1.6
14.45-15.15	Ice Cream Social	Hall
15.15-16.15	Panel Sessions VI	Rooms 1.3 – 1.6
16.15-16.45	Closing session	Room 1.1

Thursday 20 June

09:00 – 10:30

OPENING CONFERENCE AND PLENARY SESSION I

Room 1.1

Welcome to the conference by EELS President prof. **Catrien Bijleveld**
President of the European Society for Empirical Legal Studies

Opening of the Conference by the Vice-Rector of Internationalization and Cooperation **Mr. Vicente Micol Molina**

Plenary address by **Juan S. Mora-Sanguinetti**

Constructing new indicators of regulatory complexity: the impacts of anti-discrimination legislation and “green regulation”

10:30 – 11:00

Coffee and tea

Hall

Panel Sessions I**Rooms 1.3 - 1.6****11.00-12.30****Panel session I.1****CORPORATE INSOLVENCY LAW****11.00-12.30****Room 1.3****Chair: Jessie Pool****Defne Tasman - Leiden University***A qualitative survey study on the use of mediation within the EU corporate restructuring framework***Joël Lozeman - Leiden University***An experimental study into legal uncertainty under the Dutch restructuring act***Anne Verboom - Leiden University***An interview study into the perspective of restructuring practitioners on abuse of the Dutch restructuring act***Gauthier Vandebossche - Leiden University***Bankruptcy proceedings of empty estates: a TDABC-analysis***Jessie Pool - Leiden University***Causes and consequences of empty estates in Dutch bankruptcies***Panel session I.2****FAMILY LAW****11.00-12.30****Room 1.4****Chair: Lisa van Roermund****Loran Kostense - VU University***The consequences of divorce-related relocation: An empirical-legal perspective***Aline Bodson – Université de Namur***The principle of the best interests of the child in and out of the migration context: different approaches for similar children?***Roos Nieuwboer - VU University***The Constellation of Older Adults under Guardianship in the Netherlands: A Court File Study***Lisa van Roermund - Radboud University***Definitions and conceptualizations of biological parenthood in the context of future artificial reproductive technologies: A scoping review*

Panel session I.3

COURTS AND BEHAVIOUR

11.00-12.30

Room 1.5

Chair: Maciej Światała

Samo Bardutzky, Mojca Mihelj Plesnicar, Tilen Stajnpihler Bozic - University of Ljubljana

Merit in judicial appointments: an empirical approach

Anouk Lamé – University of Copenhagen

Routinized Justice in Lower Courts: Judges as Bureaucrats in Deportation Proceedings.

Mateusz Stępień - Jagiellonian University

Impartiality and Empathy: Friends or Foes in Judicial Context? The Polish Judges' Perspective

Maciej Światała - University of Warsaw

In what types of cases does the location of the court make a difference to its workload? Analysis based on the example of the Polish judicial system.

Panel session I.4

LAW AND BEHAVIOUR

11.00-12.30

Room 1.6

Chair: Mahdi Khesali

Luciana Romano Morilas - University of São Paulo (FEA-RP/USP)

Unveiling LGPD Compliance: A Five-Year Journey Through Brazilian Courtrooms

Ricardo Cunha – ESG/IPCA

The return of legal empiricism on a global scale

Catrien Bijleveld, Erik Wesselius, Victor van der Geest et al. – VU University/NSCR

Environmental damage: a vignette study on factors impacting perceived seriousness of manure spills

Mahdi Khesali, Stefan Voigt, Nadia von Jacobi – Hamburg University/University of Trento

“Eliciting Values and Social Norms from Folktales – Introducing the Historical Values Survey”

12.30– 14.00

LUNCH

HALL

13.15-14.00

GENERAL ASSEMBLY (ESELS Members)

ROOM 0.1

Panel session II.1**PRIVATE LAW, CONSUMER LAW AND ADR****14.00-15.30****Room 1.3****Chair: Gitta Veldt****Roman Uliasz - University of Rzeszów***The Impact of Interpreters' Legal and Linguistic Backgrounds and Applicable Law on the Interpretation of International Commercial Contracts***Rosa Barceló, Yaiza Moreno, Joan-Josep Vallbé - University of Barcelona***Arbitration for effective consumer protection. Empirical analysis of consumer ADR cases in Catalonia***Johan Lindholm—Umeå University***Party-Appointed Arbitrators: Why the 'Haves' Come Out Ahead in Arbitration***Hatsuru Morita—Tohoku University***Fine Print Fraud and Fairness Perception: Experimental Evidence from Japan***Gitta Veldt, Niek Strohmaier, Lisette Velema— Leiden University***Liability for negligence and moral character inferences***Panel session II.2****CRIMINAL LAW I****14.00-15.30****Room 1.4****Chair: Libor Dušek****Francisco J. Castro-Toledo, Ana B. Gómez Bellvís, José Pina Sánchez - Miguel Hernández University***The influence of the quality of democracy on crime: an analysis of European within-country variability from 2011 to 2021.***Petra Zhřivalová, Tereza Raszková, Lucie Háková - The Institute of Criminology and Social Prevention***Assessing the Impact of Legislative Changes on the Prison System***Alba Díaz Ortega, Jesús C. Aguerri, Fernando Miro - Miguel Hernández University***Less disinformation about disinformation? A systematic review of empirical studies on the phenomenon following the explosion of research after COVID-19***Libor Dušek, Josef Montag – Charles University***The Effects of a Simplified Criminal Procedure: Evidence from One Million Czech Cases*

Panel session II.3
Room 1.5
Chair: Barry Rodger

METHODOLOGY – COURTS AND POLITICS

14.00-15.30

Gaspar Dugac, Tilmann Altwicker – Center for Legal Data Science University of Zurich

Classifying legal interpretations using large language models

Aylin Aydin-Cakir, Rok Spruk, Nuno Garoupa – Erasmus University/Ljubljana University/George Mason University

How does the Context affect the Governments' Choice of Court-Curbing Practices?

Jaroslav Kantorowicz, Bastián González-Bustamante – Leiden University

The Changing Concepts of the Rule of Law

Barry Rodger, Or Brook -University of Strathclyde/University of Leeds

The First Comprehensive Empirical Mapping of Judicial Review of Competition Law Enforcement in the EU and UK – A Comparative Analysis

Panel session II.4

SOCIAL SECURITY, LABOUR LAW AND JOB MARKET

14.00-15.30

Room 1.6

Chair: Paulien de Winter

Merel Cornax – Leiden University

Employers' (legal) responsibility for psychosocial well-being in the workplace: an exploratory study of attitudes and approaches

Lucía López Zurita, Dorte Sindbjerg Martinsen – University of Copenhagen

When legal infrastructures disconnect. The European Union and precarious employment

Anja Eleveld, Erik Wesselius – VU University

Solo self-employed platform workers in the hospitality sector: between freedom and vulnerability

Paulien de Winter – Utrecht University

Finding the human dimension: From tough to tender?

Panel session III.1 **SUSTAINABILITY AND (CORPORATE) BEHAVIOUR** **15.45-17.15**
Room 1.3
Chair: Bethany Houghton

Eve Ernst – VU University

European disclosure regime for non-financial information: what impact on environmental performances for European companies?

Sofia de Jong – Leiden University

Promoting sustainable corporate behaviour - The effectiveness of directors' liability as an instrument for influencing behaviour to achieve sustainability goals

Liliana Lizarazo-Rodriguez, Joao Teixeira de Freitas – Vrije Universiteit Brussels

Empirical legal studies on transnational ecological litigation

Bethany Houghton – VU University

Rights of Nature as a Response to Climate Change Harms? Empirical Perspectives of the Use of Rights for Climate Change Responsibility

Panel session III.2 **CRIMINAL LAW II** **15.45-17.15**
Room 1.4 Chair:
Barbara Błońska

Laura Andreu – University of Barcelona

Pornography Consumption and Sexually Violent Behavior in Adolescents.

Melody Bozinova - University of Neuchâtel

Storying Transnational Corporate Bribery: Corporate Offenders in Focus

Barbara Błońska, Katarzyna Witkowska-Rozpara – University of Warsaw

When the non-binary world enters the binary prison - the penitentiary system facing the issue of sexual identity. Case of Poland.

Panel session III.3

ONLINE REGULATION & PRIVACY

15.45-17.15

Room 1.5

Chair: Elena Beatriz Fernández Castejón

Mario Santisteban Galarza - University of the Basque Country

The automatization of content moderation activities in the DSA transparency database

Jorge Constantino Torres– TU Delft University

Re-thinking accountable actors in the Dutch intelligence and security sectors in the digital age

Aiala Tejada García de Garayo, Mario Santisteban Galarza - Miguel Hernández University/University of the Basque Country

Preliminary findings: a systematic review on harms around videogames.

Elena B. Fernández Castejón, Jesús C. Aguerri, Sara Sampayo Sande - Miguel Hernández University

Answers, and doubts, to the gamblification of digital leisure: An analysis of the monetization mechanisms of the most popular mobile games in Spain

Panel session III.4

TAX AND FINANCIAL LAW

15.45-17.15

Room 1.6

Chair: Katarzyna Metelska-Szaniawska

Meret Cajacob – University of Basel

The Limits of the Law. A Qualitative Study on Administrative Decisions with Regard to Tax Avoidance in Switzerland

Gabriela Kubala - Jagiellonian University

Empirical studies on tax morale - a qualitative study in the form of a board game

Johan Van den Cruyce – Vlerick Business School

The Value of Control in Private Companies

Antoni Mut – University of Barcelona

Information Vulnerability in the Financial Sector: An Empirical Approach

Katarzyna Metelska-Szaniawska, Jaroslaw Kantorowicz – University of Warsaw/Leiden University

How does the public make sense of fiscal rules?

17.15-18.45

POSTER SESSION AND DRINKS

HALL

Esther Nanclares González, Sandra Martínez Sitjes - Miguel Hernández University

Guide for action and coordination: services for protection against violence in childhood and adolescence

Tereza Raszková, Petra Zhřivalová, Lucie Háková -The Institute of Criminology and Social Prevention

Differentiation of convicts in Czech prisons in numbers and experts 'opinions

Raquel Botía-López - Miguel Hernández University

Investigating the influence of social media on perceptions of crime and the criminal justice system: a survey project

Mariana Sebastião Machado, Cândido da Agra, Carla Cardoso – University of Porto

Incorporating Methods: Vignette Development for Analyzing Aggressive Driving Behaviors

Rocío Martínez Almanza, Jesús Aguerri Carreras, Fernando Miró Llinares - Miguel Hernández University

It's about the government, not the law: The social media debate on the reform for the abolition of prostitution in Spain.

19.00-22.00

CONFERENCE DINNER

Hotel Huerto del Cura

Friday 21 June

Panel Sessions IV

Rooms 1.3 – 1.6

09:00-10:30

Panel session IV.1

CONSTITUTIONAL, PUBLIC AND ADMINISTRATIVE LAW

09:00-10:30

Room 1.3

Chair: Tanja Porčnik

Serkan Yolcu – Bilkent University Ankara

Different Judges but the Same Court? An Empirical Analysis of Panel Rotation in the Turkish Constitutional Court

Lucas Haitzma – Groningen University

Governing Discrimination in Algorithmic Profiling: An analysis of risk mitigation in data-driven supervision and enforcement in the Netherlands

Morten Nadim – University of Bergen

Constitutional Reasoning in the Nordic Supreme Courts

Tanja Porčnik, Pedro Christofaro – University of Hamburg

Open Justice in the Technological Age: A Case Study of Live Streaming of the Supreme Court of Brazil

Panel session IV.2

CRIMINAL LAW III

09:00-10:30

Room 1.4

Chair: Jakub Drápal

Gregor Maucec – University of Amsterdam/University of Maribor

Moving into Uncharted Waters: Comparative Intuitive-Cognitive Judging at International Criminal Courts

Jesús Martín Muñoz - Complutense University of Madrid

'Getting by with a little help from my "friends"'. Cooperation with authorities in tax fraud criminal cases: Spain's situation

Jakub Drápal, Hannes Westermann, Jaroslav Šavelka - Czech Academy of Sciences/Université de Montréal/Carnegie Mellon University

Generalizing case facts from verdicts using LLMs: New approach to sentencing

Panel session IV.3

EUROPEAN COURT OF JUSTICE

09:00-10:30

Room 1.5

Chair: Urska Sadl

Federica Raffone – University of Modena

European Harmonisation on Sustainability: a preventive-punitive approach

Hubert Bekisz - European University Institute

Below the ECJ's Radar: The On-the-Ground Enforceability of Asylum Seekers' Right to an Effective Remedy

Greta Spanò - European University Institute

Worker as an autonomous concept of EU law. A comparative corpus linguistics analysis among the EU, Italy and France

Urska Sadl, Lucía López Zurita, Eun Hye Kim, Stein Arne Brekke – University of Copenhagen/EUI

The European Court of Justice dataset 1952-2022: adding law to the analysis of judicial behaviour

Panel session IV.4

COMPLIANCE AND DETERRENCE

09:00-10:30

Room 1.6

Chair: Elena Kantorowicz-Reznichenko

Yoan Hermstrüwer, Mahdi Khesali – University of Zurich/Max Planck Institute

Doing It Right, Doing It Wrong: Experimental Evidence on the Expressive Power of Legal Mechanisms

Anne Brekoo, Elena Kantorowicz-Reznichenko – Erasmus University Rotterdam

Sentencing Disparities in International Crimes Cases: An Empirical Analysis

Ranae Jabri – University of Sydney

Algorithmic Policing

Elena Kantorowicz-Reznichenko – Erasmus University Rotterdam

Do Income-Dependent Fines Enhance Deterrence?

10.30-11.00

COFFEE AND TEA

HALL

11:00-12:15

PLENARY SESSION

ROOM 1.1

Mathias Siems, European University Institute, Florence

European Studies in Empirical Comparative Law

Barbora Holá, Vrije Universiteit, Amsterdam

Doing Justice after Atrocities - Case Study of Bosnia and Herzegovina

12:15-13:15

LUNCH

HALL

Panel session V.3 **METHODOLOGY - COURTS AND REGULATORY FRAMEWORKS** **13:15-14:45**
Room 1.5
Chair: Saylor Pereira

Pablo Cerezo Martínez, Alejandro Nicolás Sánchez, Flavia Roteda Ruffino, Francisco J. Castro-Toledo, Dévika Pérez Medina – Plus Ethics

Advancing the Assessment of Regulatory Frameworks: Introducing a multi-level quantitative tool based on SELP+I components

Simeon Djankov, Alessandro Melcarne, Giovanni Ramello, Rok Spruk

Timely justice as determinant of economic growth

Saylor Pereira, Andressa Viera e Silva, Thiago Amparo– Insper/University of São Paulo/FGV

Methods for automatic extraction of arguments in legal texts

Panel session V.4 **HUMAN RIGHTS AND MIGRATION** **13:15-14:45**
Room 1.6
Chair: Tilmann Altwicker

Catharina Lopes Scodro, Audrey Deverson – University of Strasbourg

Using a systematic literature review to define the concept of “precariousness” in the field of labour migration

Zoe Crine – KU Leuven University

"Negotiating autonomy": perceptions, practices and issues in reception centers for women asylum seekers in French-speaking Belgium.

Nina Fokkink – VU University

“The Heart of the Matter”: The Relevance of Love in Proceedings on Relationships of Convenience

Tilmann Altwicker, Zhivko Taushanov – Center for Legal Data Science University of Zurich

Hard Cases at the European Court of Human Rights

14:45-15:15 **ICE CREAM SOCIAL** **HALL**

Panel session VI.3

COURTS AND SANCTIONS

15:15-16:15

Room 1.5

Chair: Rok Spruk

Katarzyna McNaughton - The Social Sciences and Humanities Research Council of Canada

Securing Implementation and Enforcement of the EU Russian Sanctions: The Newly Emerging Role of Financial Intelligence Units and Their Cooperation with National Competent Authorities

Dmitrii Shchetinin – Utrecht University

Recognition of Foreign Judgements and Awards in Russia and Ukraine: Crimean Consequences

Rok Spruk, Nuno Garoupa, Virginia Rosales - University of Ljubljana

Populist Assaults on Judicial Independence under the Pretense of Modernization: Evidence from Venezuela

Panel session VI.4

PRESIDENTIAL PANEL

15:15-16:15

Room 1.6

Chair: Catrien Bijleveld

When is empirical research on the law ELS?

In this panel we will discuss different takes on the extent to which empirical research from various disciplinary vantage points (such as law and economics, or sociology of law) constitutes empirical-legal research or ELS. After a number of pitches, we will have a round table discussion.

16:15-16:45

CLOSING CEREMONY

ROOM 1.1

START BONFIRES OF SAN JUAN TO CELEBRATE THE ARRIVAL OF THE SUMMER