

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 reception (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
13.30-14.00	General Assembly (ESELS 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 Session 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 ESELS President **Catrien Bijleveld**
President of the European Society for Empirical Legal Studies

Opening of the Conference by the Rector of the University **Juan José Ruiz Martínez**

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 Vandenbossche - 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 conceptualisations 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.

Serkan Yolcu – Bilkent University

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

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

Sarah Lee – KU Leuven University

Suing or Settling? The Sunk Cost Fallacy and Loss Aversion: Evidence from Vignette Experiments

Ioan Sumandea-Simionescu - European Banking Institute/Babes-Bolyai University Law School

What we lost in the fire? The impact of remuneration policies on the riskiness of European banks

Ricardo Cunha - University of Minho

The return of legal empiricism on a global scale

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

13.30-14.00

GENERALASSEMBLY (EELS Members only)

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

Maria Contreras Roman, Nacho Díaz Castaño, Sandra Pérez Domínguez - Miguel Hernández University*Perceptions of judicial and penitentiary operators in Spain about the impact of predictive algorithms on their work***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

METHODOLOGY – COURTS AND POLITICS

14.00-15.30

Room 1.5

Chair: Barry Rodger

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

Classifying legal interpretations using large language models

Marie-José Garot – IE University

Preliminary references on validity: an effective tool for judicial review?

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

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

Paulien de Winter – Utrecht University

Finding the human dimension: From tough to tender?

Panel session III.1

SUSTAINABILITY AND (CORPORATE) BEHAVIOUR I

14.45-17.15

Room 1.3

Chair: Bethany Houghton

Liliana Lizarazo-Rodriguez, Joao Teixeira de Freitas – Vrije Universiteit Brussels*Empirical legal studies on transnational ecological litigation***Federica Raffone – University of Modena***European Harmonisation on Sustainability: a preventive-punitive approach.***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***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

14.45-17.15

Room 1.4

Chair: Tessa van der Rijst

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.***Melody Bozinova - University of Neuchâtel***Storying Transnational Corporate Bribery: Corporate Offenders in Focus***Ghulam Mujtaba – University of Szeged***A Qualitative Analysis of International Collaboration in Combating Financial Crimes under International Criminal Law***Tessa van der Rijst – VU University***Silence as evidence?*

Panel session III.3

ONLINEREGULATION & PRIVACY

14.45-17.15

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.

Lucas Haitzma – Groningen University

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

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

TAXAND FINANCIAL LAW

14.45-17.15

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

Morten Nadim – University of Bergen

Constitutional Reasoning in the Nordic Supreme Courts

Przemysław Mroczkowski, Justyna Sobolewska - University of Warsaw

Effectiveness of the Polish quasi-reform of local government to boost political participation

Tanja Porčnik – 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: Csaba Gyory

Gregor Maucec – University of Amsterdam

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

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

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

Csaba Gyory, Lili Mark, Matyas Bencze – ELTE University

The Vagaries of Punitivity? Identifying Punitive "Hot Spots" in Hungarian Sentencing Practice

Panel session IV.3
Room 1.5
Chair: Urska Sadl

EUROPEAN COURT OF JUSTICE

09:00-10:30

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

Alexandra Nouvel Guerricagoitia – European University Institute

The role of the reporting judge in the CJEU

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 Hola, Vrije Universiteit, Amsterdam

Doing Justice after Atrocities - Case Study of Bosnia and Herzegovina

12:15-13:15

LUNCH

HALL

Panel session V.1

ENERGY AND ENVIRONMENTAL LAW

13:15-14:45

Room 1.3

Chair: Esther Staes

Axelle Francx, Sandra Rousseau - KU Leuven University

Monetary valuation of fauna in legal frameworks of European countries: A comparative analysis

Amélie Rastoll, Julien Bétaille – Toulouse Capitole University

Preventing Environmental Harm Through Litigation: The Effectiveness of French Summary Proceedings

Jamie Behrendt – Groningen University

Microgrids and National Regulatory Authorities in the EU: An Empirical Analysis

Esther Staes - Jagiellonian University

Therivalry between states and corporations in the energy transitions

Panel session V.2

CRIMINAL LAW IV

13:15-14:45

Room 1.4

Chair: Jose Pina-Sánchez

Isabel García-Domínguez, Fernando Miró-Llinares - Miguel Hernández University

Sentencing in Spain? A systematic review

Koldo Fernández Martínez - Miguel Hernández University

The application and management of behavioral criminological counseling in police institutions. A qualitative analysis.

Javier Guardiola-García - Universitat de València

Sentences, convictions and enforcement of criminal sanctions in Spain

Jose Pina-Sánchez – University of Leeds

The Interrelationship between Area Deprivation and Ethnic Disparities in Sentencing

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

Maurus Wollensak, Noah Stäuble – University of Zurich/Swiss Federal Institute of Technology
Unveiling Judicial Authorship in Majority Decisions: A Natural Language Processing-Approach to Decisions of the International Criminal Court

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

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

Saylon 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

Rengin Tarhan – Utrecht University

Why not to bring a case before the European Court of Human Rights: A qualitative exploration of factors influencing lawyers in Turkey

Cathérine Van de Graaf – University of Cologne

The forced (dis)appearance of article 14 of the European Convention on Human Rights

Zoe Crine – KU Leuven University

"Negotiating autonomy": perceptions, practices and issues in reception centres 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.1 **ACCESS TO JUSTICE** **15:15-16:15**
Room 1.3
Chair: Kaijus Ervasti

Maximilian Volland – University of Bayreuth

(Unmet) Legal Needs in Europe: A Comprehensive Review of Empirical Research and Methodological Approaches

Kaijus Ervasti, Anna Mäki-Petäjä-Leinonen, Mikko Aaltonen, Katri Gadd – University of Eastern Finland

Access to Justice for Marginalized Groups of Older People in Ageing Society (AMIS)

Panel session VI.2 **EXTREMISM, TERRORISM AND WAR CRIMES** **15:15-16:15**
Room 1.4
Chair: Elanie Rodermond

Anne Brekoo, Elena Kantorowicz-Reznichenko – Erasmus University Rotterdam

Bringing War Crimes to the Lab

Lisette Dirksen, Masha Antokolskaia, Nadia Ismaili, Elanie Rodermond – VU University

Child protection systems around Western-Europe in the context of extremism

Elanie Rodermond – VU University/NSCR

Adolescent criminal law in terrorist cases: linking theory to practice

Panel session VI.3
Room 1.5
Chair: Rok Spruk

COURTS AND SANCTIONS

15:15-16:15

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

SUSTAINABILITY AND BEHAVIOUR

15:15-16:15

Room 1.6

Chair: Benoit Mayer

Blanca Tena Estrada – University of Kassel

Evidence on Society's Disposition Toward Nature's Legal Rights

Benoit Mayer - The Chinese University of Hong Kong

The real-world effect of climate litigation: the case of Urgenda v the Netherlands

16:15-16:45

CLOSING CEREMONY

ROOM 1.1

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