



2024-2025



# Annual Report

**IECL**

Institute of European  
and Comparative Law



# Table of Contents

Director's Introduction	3
Staff	5
Staff Biographies and Activities	8
Visitors to the Institute	29
International Institutional Links: Report from Recent Participants	33
The Centre for Competition Law and Policy (CCLP)	42
Law with Law Studies in Europe and the European Student Exchange Programme	43
A Year in Munich	44
Conferences and Seminars	47
In Memoriam: A Tribute to Professor Guido Alpa	72
Financial Supporters of the Institute	78
Governance of the Institute	79



# Director's Introduction



**T**he IECL has continued to promote the study and teaching of European, Comparative and Competition law; it is proud to be a special place for ideas, research, community and connection, for the Faculty of Law and for a wider international network of colleagues and friends. As this report shows, the Institute has expanded its activities in many ways, from a dramatic rise in lunchtime seminars, to ever increasing special events. We have nonetheless not lost anything of the core mission: promoting important subjects, connecting people, and supporting the work of the wider Law Faculty.

This is the last report I will write in my term as Director of the IECL. The 2025-2026 year will begin with a new Director, Professor Iyiola Solanke. I am particularly grateful to the administrative team, Bronwen, Sara and Damien, my colleagues in the IECL, and the wider Faculty for their support during my tenure. More widely, the Dean, John Armour, and the Head of Administration and Finance, Charlotte Vinnicombe, and the whole team in the faculty, have supported what has been a period of significant change for the IECL. The Dean in particular has attended and spoken at many of our events, which is a very taxing but immensely welcome part of that role.

There is much to be proud of in what the IECL has achieved, and a great deal it yet can do. Promoting both EU and Comparative Law, and providing a home for Competition Law in Oxford, is as full of challenges as it is opportunities, but we have, and I believe will continue to rise to meet that challenge.

Thanks to two previous Directors, Stefan Vogenauer and John Carwright, we have a modest but prime location in the faculty, which we will continue to have with the changes to the space in the St Cross Building. We have been through a process of renewal in the last three years to make even more use of the space and facilities we have. That includes more than doubling the number of desks in the IECL in the last two years, and more than doubling the number of exchange agreements we have. We have similarly tackled several persistent and knotty issues that had understandably never been a priority individually, but which, once resolved, give the IECL space to proceed much more smoothly. On a rather prosaic level, this has included furniture changes and digitisation of records; on a more substantive level, re-evaluating and re-organising how we deal with the small Trust Funds on which the IECL makes recommendations to Law Board about.

One of the developments I am most proud of concerns our two in-house lecturers for Course II, Geneviève Helleringer and Johannes Ungerer were promoted, a fitting recognition for their talent, hard-work and achievements. They are now Senior Research Lecturers, a new title in the Social Sciences Division, and they are the first to hold it in the Faculty of Law. Their titles also include greater recognition for the full range of their expertise, respectively being French and Business Law, and German Law, European and International Private Law. Two colleagues of this quality should be cherished and nurtured, and I am thrilled that the University has broken new ground in doing so. It is also important to note that we continue to be immensely grateful to the Erich Brost Foundation for their generosity in covering the costs of the German law post.

Perhaps the most important thing for the IECL to hold onto is a culture of community, scholarship and humanity. This spirit and atmosphere is steeped in our events, seminars, interactions with visitors and weekly coffee mornings, and inculcated by effort and care.

The IECL is not just a place, a centre, a set of spreadsheets and teaching of Course II. It is a set of values, sustained by its members and shared with others beyond our walls. Long may that continue!

*Matthew Dyson*

September 2025



# Staff

## Academic Staff

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Professor Matthew Dyson, Director of the Institute and Professor of Civil and Criminal Law

Professor Ariel Ezrachi – Deputy Director of the Institute and Director of the Centre for Competition Law and Policy

Dr Geneviève Helleringer – Deputy Director of the Institute, Director of the Undergraduate Law Exchange Programme and IECL Senior Research Lecturer in French Law and Business

Professor Iyiola Solanke – Deputy Director of the Institute and Jacques Delors Professor of EU Law

Professor Lionel Smith – Deputy Director of the Institute and Chair of Comparative Law

Dr Johannes Ungerer – Erich Brost Senior Research Lecturer in German Law, European and International Private Law

Professor Javier García Oliva – Tutor in Spanish Law

Mr Nello Pasquini – Tutor in Italian Law

## Research Fellows

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Dr Fabricio Fortese - Stockholm Research Fellow and Postdoctoral Fellow of Christ Church

Professor Jeremias Adams (Professor of Law)

Professor Freya Baetens (Professor of Law and Fellow of Regent's Park College)

Professor Sanja Bogojević (Professor of Law and Fellow of Lady Margaret Hall)

Professor Ngoc Son Bui (Professor of Asian Laws and Fellow of St Hugh's College)

Professor Başak Cali (Professor of International Law and Fellow of Mansfield College)

Dr Marco Cappelletti (Fellow of Worcester College)

Professor John Cartwright (Emeritus Professor of the Law of Contract and Emeritus Fellow of Christ Church)

Professor Ignacio Cofone (Professor of Law and Regulation of AI)

Professor Horst Eidenmüller (Professor of Commercial Law and Fellow of St Hugh's College)

Professor Stefan Enchelmaier (Professor of European and Comparative Law and Fellow of Lincoln College)

Professor Luca Enriques (Professor of Corporate Law and Fellow of Jesus College [until February 2025])

Professor Wolfgang Ernst (Regius Professor of Civil Law and Fellow of All Souls College)

Professor Liz Fisher (Professor of Environmental Law and Fellow of Corpus Christi College)

Professor Sandy Fredman (Professor of the Laws of the British Commonwealth and USA and Fellow of Pembroke College)

Professor Mark Freedland (Emeritus Professor of Employment Law and Emeritus Fellow of St John's College)

Professor Joshua Getzler (Professor of Law and Legal History and Fellow at St Hugh's College)

Professor Barbara Havelkova (Associate Professor of Law and Fellow of St Hilda's College)

Professor Jonathan Herring (Professor of Law and Fellow at Exeter College)

Professor Angus Johnston (Professor of Law and Fellow of University College)

Professor Ciara Kennefick (Associate Professor of Law and Fellow of Christ Church)

Professor Dorota Leczykiewicz (Associate Professor of Law and Fellow of St Peter's College)

Dr Natalie Mrockova (Supernumerary Teaching Fellow, Lecturer in Law and Fellow of Merton College)

Professor Donal Nolan (Professor of Private Law)

Professor Catherine O' Regan (Professor of Human Rights Law)

Associate Professor Peter Petkoff (Tutorial Fellow in Law)

Professor Justine Pila (Professor of Law and Fellow of St Catherine's College)

Professor Fernanda Pirie (Professor of the Anthropology of Law and Fellow of St Cross College)

Professor Sandy Steel (Professor Law and Fellow of Wadham College)

Professor Kristin van Zwieten (Clifford Chance Professor of Law and Finance and Gullifer Fellow at Harris Manchester College)

Professor Stephen Weatherill (Emeritus Jacques Delors Professor of European Law)

Professor Rebecca Williams (Professor of Public and Criminal Law and Fellow at Pembroke College)

Associate Professor Paul Yowell (Associate Professor of Law)

## **Visiting Research Fellows**

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Professor Hugh Beale (Emeritus Professor, University of Warwick and Visiting Professor in the Oxford Law Faculty)

Dr Fabina Bettini (Lecturer in Property Law, University College London)

Rachel Brandenburger (APCO Worldwide)

Professor Alexandra Braun (Lord President Reid Chair of Law, University of Edinburgh)

Professor Laura Carlson (Professor in Private Law, University of Stockholm)

Professor Gerhard Dannemann (Professor of English Law, British Economy and Politics, Humboldt University, Berlin)

Professor Eric Descheemaeker (Professor, University of Melbourne)

Professor Bénédicte Fauvarque-Cosson (President of the Conservatoire national des arts et métiers)

Professor Samuel Fulli-Lemaire (Professor, University of Strasbourg)

Professor Birke Häcker (Director of the Institute of International and Comparative Private Law and Schlegel Chair in Civil Law, common Law and Comparative Law, University of Bonn)

Professor Martijn Hesselink (Professor of Transnational Law and Theory, European University Institute)

Professor Rodrigo Momberg Uribe (Professor of Civil Law, Catholic University of Valparaíso)

Professor Juan Pablo Murga Fernández (Senior Lecturer, University of Seville)

Dr Julian Nowag (Senior Lecturer in EU Law and Competition Law, University of Lund)

Conor Quigley QC (Serle Court Chambers)

Professor Wolf-Georg Ringe (Director of the Institute of Law and Economics, University of Hamburg and Visiting Professor in the Oxford Law Faculty)

Professor Helen Scott (Regius Professor of Civil Law, University of Cambridge)

Professor Volodymyr Venher (Dean of the Faculty of Law and Associate Professor in the Department of General Theoretical Jurisprudence and Public Law, National University of Kyiv-Mohyla University)

Dr Jan Zglinski (Assistant Professor, London School of Economics)

Professor Katja Ziegler (Sir Robert Jennings Professor of International Law, University of Leicester)

## **Administrators**

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Bronwen Phillips

Damien Chen [as of August 2025]

Sara Logie [as of February 2025]

*\*Note: The following pages feature (only) those staff biographies and activities which the Institute received in time for inclusion in this report. A number were not submitted*

# Staff Biographies and Activities



**Hugh Beale** is an Emeritus Professor at the University of Warwick, Visiting Professor at the Oxford Law Faculty and Senior Research Fellow at the Commercial Law Centre at Harris Manchester College, Visiting Research Fellow at IECL.

During the period 1 October 2024 to 30 September 2025, Hugh published four pieces on comparative law topics:

- “Concluding Remarks”, in K Krishnaprasad, N Venkatesen, S Swaminathan and U Varotttil (eds), *Foundations of Indian Contract Law* (OUP, 2024), 527-554
- “Relational Contracts and Good Faith in English Contract Law”, in V Saggaert and J Vananroye, *Privaatrecht Plenis Coloribus: Liber Amicorum Matthias Storme* (Wolters Kluwer, 2024), 75-88
- “Diversity among Contract Laws: What are the measures, and what are the drivers” (2024) *XI Revista de Derecho Civil* 4, 163-191
- ‘An alternative approach: Private law in the Common Law system’ in Veress, E. (ed.) *Codification of Civil Law: Assessment, Reforms, Options* Budapest – Miskolc: Central European Academic Publishing (2025) pp. 81-113

He presented a paper entitled “Illegality: looking inside the ‘black box’” at the Symposium in honour of John Cartwright, “Comparing Contract Laws”, held in Oxford on 25-26 September 2025.

With B Häcker, Hugh continued to develop a new series of books, *Contract Law in a Comparative Context*, now to be published by Hart, in particular working with the three authors writing on Spanish Contract Law. They met with the authors from China, Italy and Spain on 1-2 September 2025 in Bonn.

He also served as a member of the Council of the European Law Institute and was one of small group of UK Fellows of the ELI who reinvigorated the UK Hub with a “re-launch” meeting held at the City University on 8 September. At this meeting the work of the ELI and others on Third-party litigation funding was addressed by three experts (Dame Sara Cockerill DBE, Dr John Sorabji and Professor Eva Lein), who reviewed the current position of Third-party litigation funding.

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**Rachel Brandenburger** is a Visiting Research Fellow of IECL/CCPL and a Visiting Law Fellow at St Hilda’s College.

Rachel is recognised globally as a leading international antitrust and competition law and policy advisor. She is currently a global senior advisor on competition & regulatory policy to APCO Worldwide, based in New York, and a non- governmental advisor to the International



Competition Network (European Commission 2013 to 2019; UK Competition & Markets Authority 2020-).

She lectures on “The Global Dimension of Competition Law Enforcement” in conjunction with Professor Ariel Ezrachi’s course on competition law for BCL/MJur/MSc in Law & Finance students. She is also the editor of the Agency Insight section of Oxford University Press’ Journal of Antitrust Enforcement. At her invitation, senior officials of the European Commission, the Chief Executive of the COMESA (Common Market for Eastern and Southern Africa) Competition Commission and the President of the Autorité de la Concurrence contributed essays during 2024/2025.

**Publications** during 2024/2025 include:

- The Challenges of Shifting Alliances, *Competition Policy International* (with Brad Staples)
- The Increasing “Politicisation” of Merger Control and the Role of Government Affairs, *Lexology, Merger Control, Edition 16* (with Benjamin Faull and Lucas Browne)
- American Bar Association’s Antitrust Law Section Special Report on Competitiveness and Its Relevance to Analysis in Competition Law Cases, co-author – *to be published shortly*.

**Presentations** during 2024/2025 include:

- Oxford University, Law Faculty - seminar series on “The Global Dimension of Competition Law” for BCL/MJur/MSc in Law & Finance graduates – lecturer
- New York State Bar Association, Antitrust Law Section - “Geopolitics, Merger Control and Foreign Investment Developments” – panelist
- APCO, Washington DC - “Antitrust at a Crossroads: Trump, Trade & the Weaponisation of M&A” – panelist
- International Competition Network Annual Conference, Edinburgh - Mergers Working Group Plenary on “Entrenchment Theories of Harm in Merger Reviews” – panelist.

Also:

- Participant by invitation in University of Southern California – University of Cambridge’s Antitrust Virtual Law Workshops 2024/2025.



**Alexandra Braun** holds the Lord President Reid Chair of Law at the University of Edinburgh. She is also Professor Extraordinary at the Department of Private Law of the University of Stellenbosch.

Professor Braun has broad research interests in comparative law and legal history, in particular, in the areas of trusts, succession law, and gifts. She is also interested in the impact of the transfer and gift. She is also interested in the impact of the transfer and distribution of wealth

on death on questions of intergenerational equality and in the cultural history of inheritance, as well as in the study of how law conceptualises death. She has been particularly interested in exploring informal testamentary practices, including informal promises of a future inheritance. This research has culminated in her monograph entitled ‘Claiming a Promised Inheritance: A Comparative Study’ published by OUP in 2022. The book provides a comparative study of unfulfilled promises of an inheritance and of their legal treatment across various areas of the law in both the civil and common law legal traditions. In 2023 the book was selected as one of the “Law Books of the Year” in the

German law journal *JuristenZeitung*.

Over the past academic year Professor Braun has worked on three different projects. A project that explores the onshoring in Scotland of offshore private purpose trusts. It shows that transplanting a foreign instrument is a delicate process that requires careful consideration not just of the context of the original jurisdiction but also of the receiving jurisdiction within which the new instrument is intended to operate. Professor Braun has further worked on a book project exploring law's construction of death as well as a journal article examining ways in which forced heirship can be justified in a climate that tends to favour and celebrate testamentary freedom and to be critical of any restraints.

### Selected publications

- A Braun, 'The onshoring of private purpose trusts in Scotland' (2025) 19 *Journal of Equity* 1-26.
- A Braun, 'Introduction' to 'Symposium on Alexandra Braun, *Claiming a Promised Inheritance: A Comparative Study*' (2025) 29(1) *Edinburgh Law Review* 89-91.
- A Braun, 'A Reply to Commentators' as part of the Symposium on Alexandra Braun, *Claiming a Promised Inheritance: A Comparative Study*' (2025) 29(1) *Edinburgh Law Review* 116-124.

### Selected presentations

- 'The value of the comparative legal inquiry in the context of succession law', University of Barcelona, 13 June 2025.
- 'Claims of cohabitants against the estate in England and Wales, and in Scotland', Webinar on 'Claims Against the Estate for Unmarried Partners' within the European Succession Law Seminars (ESLS) organised by the European Law Institute, 23 October 2024.

### Other activities

- In July 2025 Professor Braun was appointed as a Member of the Academic Advisory Board of the Centre for Private Law, University of Hong Kong .

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**Başak Çalı** is Professor of International Law and Head of Research, Bonavero Institute of Human Rights.

My current research is at the intersection of international law; international human rights law and the European Convention on Human Rights with a strong comparative focus. I currently investigate the reception of the UN human rights treaties before regional human rights courts in the context of my German Science Council research project on 'Leading Cases in UN Human Rights Law'. My research on the European Convention of Human Rights employs comparative methods to examine how the European Court of Human Rights responds to cases that concern authoritarian practices, climate litigation and migration.



My research on general international law examines how legal issues that arise in international human rights law relevant for re-examining doctrines of general international law.

## Selected publications

- ‘Travaux Préparatoires and Progressive Interpretation: Article 18 of the European Convention on Human Rights’ (with Joseph Finnerty) (2025) Vol. 36(2) *European Journal of International Law* 475.
- ‘Rethinking human rights treaty withdrawals: a process-based approach’ (with Laurence Helfer) (2025) 26(1) *Melbourne Journal of International Law* 1

## Selected presentations

- ‘Logis of Case Selection in Single and Small N case studies in Human Rights Research’ Masterclass, delivered at the Hertie School Centre for Fundamental Rights, Berlin, 16 June 2025.



**Marco Cappelletti** is a Tutorial Fellow in Law at Worcester College, Oxford, and a Research Fellow at the Institute.

His research interests lie primarily in the field of comparative law and private law, particularly tort. In the past year, Marco has been involved in several research projects. Together with Professor Ciara Kennefick and Professor Dorota Leczykiewicz, Marco is co-editing a volume intended to celebrate the retirement and the scholarship of Professor

Simon Whittaker. The volume, entitled *Comparative Reflections in Private Law: Essays in Honour of Simon Whittaker*, will be published by Oxford University Press in 2026 and will feature contributions from world-leading comparative law scholars. Marco will contribute a chapter himself, exploring the concept of foreseeability in the English and French laws of torts. The chapter is entitled ‘Foreseeability in the Law of Torts: A Comparative Analysis’.

In addition, Marco has worked on a project which investigates the role of private law in responding to building safety issues in residential buildings. This project, co-authored with Dr Fabiana Bettini (UCL), compares English and Italian law, assessing if and how private law is used to address building safety problems in the two legal systems. This chapter has been published as ‘Tackling Building Safety through Private Law: A Comparative Analysis’ in, Matthew Bell, Susan Bright, Ben McFarlane, and Andrew Robertson (eds) *Private Law and Building Safety*, published by Hart in July 2025.

Finally, Marco has completed an article that critically assesses Professor Gregory Keating’s justificatory reasoning on strict liability, as presented in his book *Reasonableness and Risk: Right and Responsibility in the Law of Torts* (OUP 2023). The article, entitled ‘Justifying Harm-Based Strict Liability: Reflections on Keating’s Reasonableness and Risk’, has been published in *Law and Philosophy* in June 2025.

**Laura Carlson** is a Professor in private law at [Stockholm University](#) and a Visiting Research Fellow at the Institute.



Laura's research centers on comparative law, exploring such legal topics as employment, labour, discrimination, access to justice, migration and academic freedom from national and EU perspectives.

Laura is Editor-in-Chief of Brill Research Perspectives in Comparative

Discrimination Law, co-editor of the International Journal of Discrimination and the Law, and a board member of the Berkeley Center for Comparative Equality & Anti-Discrimination Law. Laura is the Academic Director of Internationalization at the Department of Law, Stockholm University and is a Fellow at the Stockholm Centre for Commercial Law (SCCL) as well as a member of the Scientific Council at the SCCL.

Laura is currently working as a co-editor of a multi-volume encyclopaedia project to be published by Edward Elgar beginning 2026 on Equality and Non-Discrimination Law, with the ambition of both comparative and global perspectives on the different topics. Laura is lead for the work-package on human rights justifications within migration law for the EU horizon project, States' Practice of Human Rights Justification: a study [in civil](#) society engagement and human rights through the lens of gender and intersectionality ([HRJust](#)).

### Cooperation Oxford-Stockholm

Laura is chair of the SCCL Oxford Committee and as such is responsible for the cooperation between the IECL and the SCCL, including the post-doctoral fellowship affiliated with the IECL and Christ Church, other academic exchanges, and joint conferences and seminars.

### Selected publications

- 'Chapter 4: With or without the social partners? Addressing the gender pay gap in Sweden' (2024) in Sara Benedí Lahuerta, Katharina Miller, and Laura Carlson (eds.) [\*Bridging the Gender Pay Gap Through Transparency : Comparative Approaches and Key Regulatory Conundrums\*](#) Edward Elgar.

### Selected presentations

- 8 April 2025, 'Seeking effectiveness: Remedies and Sanctions in Discrimination Cases', ERA seminar 'Applying EU Anti-Discrimination Law', European Academy of Law, Uppsala University
- 14-16 May 2025, 'The Precariousness of migrations in light of the Human Rights Justifications in the EU and in Sweden', Workshop on States' Human Rights Obligations & Justifications of States' (in)actions, European University Institute
- 2-4 July 2025, 'States' Use of Human Rights Justifications to limit Human Rights in the Context of Migration', Annual conference for the Berkeley Center on Comparative Equality and Non-Discrimination Law, Ljubljana Law School

## Other activities

Laura is convenor and instructor for the upper-level elective law courses, Equality Law and Comparative Law at Stockholm University. She is also co-convenor and instructor, together with Prof. David Oppenheimer, UC Berkeley School of Law and Assoc. Prof. Panos Kapotas, University of Portsmouth, Faculty of Business and Law, for a multi-university course, [Comparative Equality Law](#). Over twelve universities, twenty teachers and 120 students from five continents participated in the 2024-2025 iteration.



**John Cartwright** is a former Director of the IECL, Emeritus Professor of Contract Law in the University of Oxford, and Emeritus Student (Fellow) of Christ Church. He is a Research Fellow at the Institute. He retired from teaching at Université Paris Panthéon-Assas at the end of August 2024.

His research is in English and comparative private law, with a focus on contract law and property law. His work in comparative law involves in particular the comparison between English law and French (and French-related) systems, but in his work on (national) English law, whenever appropriate he also engages in comparison with the civil law tradition, to help the reader better understand the approach taken by English law.

## Selected Publications

- 'The Role of Consideration in English Law' in B Rodriguez-Rosado, R Caro Gándara and A Legerén-Molina (eds) *Cause and Consideration: Exploring the Foundations of Contract Law* (Hart Publishing, 2025), 91-102
- 'The Nature and Function of Default Rules in Contract Law' in B Häcker and J Ungerer (eds) *Default Rules in Private Law* (Hart Publishing, 2025), 117-136

## Selected Presentations

- Seminar on comparative contract law within the undergraduate option on Comparative Law in the Oxford Law Faculty (January 2025)
- Seminars on the common law for Dutch practitioners (January and September 2025)
- 'Codification in the Common Law': presentation at conference on 'Crossroads of Codification: A Comparative Dialogue' at the Hungarian Academy of Sciences, Budapest, 8 November 2024
- 'Contract Law and the Unexpected: A Comparative Perspective': presentation at conference on 'Contract Law and the Unexpected' at University College London, 16 May 2025
- 'Change of Circumstances after Formation: "Force Majeure" and "MAC Clauses": English Law in a Comparative Perspective': seminar paper delivered at the Stockholm Centre for Commercial Law, 21 May 2025
- 'Precedent in English and Welsh Private Law' in C. Ramberg (ed) *The Role of Legal Precedent in Private Law: A Comparative Study* (Intersentia, 2024), 67-88

**Horst Eidenmüller** is Statutory Professor for Commercial Law at the University of Oxford, Professorial Fellow of St Hugh's College, and a Research Fellow of the Institute for European and Comparative Law (IECL). This report covers his research, publications, and scholarly activities during 2024 and 2025, with a focus on the period September 2024 to September 2025, while also including key work slightly before this timeframe where relevant.



### Research Focus (2024–2025)

During this period, Professor Eidenmüller's research concentrated on two main areas: (1) the impact of artificial intelligence on negotiation and dispute resolution, and (2) the development of innovative, technology-enabled platforms for corporate restructuring. In addition, he continued his long-term editorial and authorial work on the *Münchener Kommentar zum Insolvenzrecht* (C.H. Beck).

### Selected Activities

- September 30, 2024 – Gave a presentation at an international conference in Seoul on 'Arbitration as a Rescue Tool: Legal Interventionism and Procedural Atrophy in German Law Governed US-Style M&A Contracts.'
- October 1, 2024 – Delivered an invited lecture at Seoul National University (Asia-Pacific Law Forum) entitled 'Game Over: Facing the AI Negotiator.'
- January 20, 2025 – Gave a talk at Universität Hamburg (NAIL Research Seminar #19): 'Game Over: Facing the AI Negotiator.'
- March 17, 2025 – Gave a presentation at the University of Innsbruck (Montagsseminar) on 'Introducing the Corporate Restructuring Machine: An Open Platform Approach.'
- March 2025 – Participated as a guest on Hogan Lovells' podcast \*The Influencers\*, discussing how AI is changing commercial negotiations.
- March 20, 2025 – Delivered a lecture at the University of Bergamo (Italy) on corporate restructuring and negotiation theory.
- April 17, 2025 – As a Fellow at the Coase-Sandor Institute for Law and Economics and Visiting Professor at the University of Chicago, he presented his paper 'Introducing the Corporate Restructuring Machine' at a work-in-progress workshop before the entire Law Faculty.
- May 28, 2025 – Presented his draft paper 'Introducing the Corporate Restructuring Machine' at the Oxford Law Faculty Business Law Workshop.
- August 5, 2025 – Delivered a keynote address on 'The Corporate Restructuring Machine: AI-Assisted and Automated Corporate Workouts' at the Singapore Global Restructuring Initiative (SGRI) annual conference 2025.

### Publications

- 'Game Over: Facing the AI Negotiator,' University of Chicago Law Review Online, published November 18, 2024.
- 'The Advent of the AI Negotiator: Negotiation Dynamics in the Age of Smart Algorithms,' Journal of Business & Technology Law, Vol. 20(1), 2025.
- 'Introducing the Corporate Restructuring Machine: An Open Platform Approach,' with Jared I. Mayer. Published as ECGI Law Working Paper No. 830/2025 and University of Chicago Coase-Sandor Institute for Law & Economics Research Paper No. 25-15 (available on SSRN).

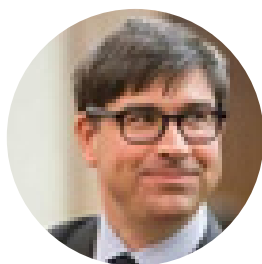
## Editorial and Commentary Work

Professor Eidenmüller continues to serve as editor and author of the *Münchener Kommentar zum Insolvenzrecht* (C.H. Beck). Volumes I and II have already been published. He is currently working on Volume III, where he contributes commentary on the German insolvency plan procedure (§§ 217 ff. Insolvenzordnung). This work provides an in-depth doctrinal and comparative analysis of restructuring frameworks.

## Research Dissemination & Impact

On April 21, 2025, Columbia Law School's Blue Sky Blog published his article 'The Corporate Restructuring Machine: How AI Could Improve Workouts,' summarising the arguments of his working paper.

The reporting period has been marked by significant progress in Professor Eidenmüller's research on AI and negotiation, on innovative restructuring mechanisms, and in his editorial and authorial contributions to German insolvency scholarship. His Visiting Professorship at the University of Chicago in April 2025 provided a valuable platform to present and debate his restructuring research before the entire Chicago law faculty. Through international lectures, publications, podcasts, and editorial work, he has disseminated his findings widely and engaged with both academic and practitioner audiences.



**Luca Enriques** is Professor of Business Law at Bocconi University. He was the Professor of Corporate Law in Oxford until January 2025. He is also a European Corporate Governance Institute Fellow and a Visiting Research Fellow at the Institute. Luca's research focuses on corporate governance, corporate law and financial regulation, covering them both with a focus on EU law developments and policy debates and from a comparative angle, with specific attention to the difference between

the US system and the European framework.

## Selected publications

- Green Gatekeepers (with Alessandro Romano and Andrew Tuch), 109 *Minnesota Law Review*(2024), 609-688.
- *The Placebo Effect of Insider Trading Regulation* (with Yoon-Ho A. Lee and Alessandro Romano), 45 *Oxford Journal of Legal Studies* (2025), 753-774.
- *No Private Ordering Please, We Are Italians!* (with Casimiro A. Nigro), 11 *Italian Law Journal*, 2025, 139-158.

## Selected presentations

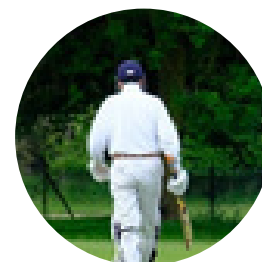
- (2024) **Unidroit, Rome 3 University and Bank of Italy**, Conference "The Many Shades of Climate Change Through the Lenses of Dispute Settlement, Rome, 8 November, panellist in the session "Beyond Disputes: Transnational Law to Address Drivers of Climate Change".
- (2025) **University of Lisbon, Faculty of Law**, Conference "Ethical and legal perspectives on Shareholder's agreements and freedom of contract in company law", Lisbon, 14-15 January, presentation of *No Private Ordering Please, We Are Italians!*

- (2025) **Imperial Business School and ECPI**, Global Corporate Governance Colloquium, London, 13-14 June, presentation of the working paper “How the EU Sustainability Due Diligence Directive Could Reshape Corporate America”.

### Other activities

Member of the Working Group on the UNIDROIT Project on the Legal Nature of Voluntary Carbon Credits

**Wolfgang Ernst** came to Oxford as the 28th Regius Professor of Civil Law in 2015. He has since then been a Research Fellow of the Institute. He continues to lecture on Roman Law. Prior to joining the Oxford Law Faculty, he held chairs at the Universities of Tübingen (1990–2000), Bonn (2000– 2004) and Zurich (since 2004). Since 2020, he serves as Integrity of Research Delegate for the University of Zurich, where he holds an ad personam chair in the Faculty of Law. From 1 October 2025, he will chair the Management Committee of the Institute.



During 2024-25, the bulk of his work was done in the field of Roman law. For the project ‘Money in Roman Law’, a second conference, bringing together an international team of contributors, was held at All Souls College. Ernst gave a keynote lecture at the SIHDA 2025 in Budapest, on ‘Change of Position in Roman Law’. Another lecture was given to the Association of Jurists in Cologne, on the occasion of the 125th anniversary of the German Civil Code (BGB), addressing the changing role of types of contract. His project to re-image the Veronese Gaius is still in full swing.

### Select Publications

- The Res Cogitans. UK Supreme Court [2016] UKSC 23’, in: Kalss et al. (eds.), Festschrift Dauner-Lieb, 2025, 251 seq.
- D 9.2.27.14 (Ulp 18 ad Ed): Weed in the Digest’, in: Sampson et al. (eds.), Essays in Law and History for David Ibbetson, 2024, 35 seq.
- Wandlungen der Vertragstypenordnung’, AcP 225 (2025) 46 seq.
- Oskar Pisko zu Gewährleistungs-, Nichterfüllungs- und Irrtumsfolgen bei Lieferung mangelhafter Ware (1920-1938)’, in: Thomale (Hg.), Oskar Pisko - Richter, Reformier, Rechtsgelehrter, Vienna 2024, 211 seq.



**Ariel Ezrachi** is Director of the Centre for Competition Law and Policy and Deputy Director of the Institute. He is the Slaughter and May Professor of Competition Law and a Fellow of Pembroke College. His research focuses on competition law and enforcement policies in digital markets. His work in recent years addressed the effects of algorithms and big data on competition dynamics, the rise in power of key gatekeepers, and the manipulation and exploitation of consumers.

### Selected publications

- ‘Can Competition Law Save Democracy? Reflections on Democracy’s Tech-driven Decline and How to Stop It’ (with R Robertson) (2024) Journal of Antitrust Enforcement
- ‘Innovation Misunderstood’(with M.S. Stucke) 73 American University Law Review 1941 (2024)

- 'Competition Policy and the Labour Share' (with A. Zac, C. Casti C. Decker) *The Journal of Law, Economics, and Organization*, (2024) 786–819
- 'Dark Patterns and Online Consumer Vulnerability' (with A. Zac, Y. Huang, A. Moltke, C. Decker) *Behavioural Public Policy* (2025) 1–50

### Selected presentations

- Digital Empires, Edinburgh University (2025)
- Innovation beyond Big Tech, Open Markets Brussels (2025)
- Personalisation and Behavioural Manipulations, Warwick University (2024)
- Innovation and Algorithms, CRA, Brussels (2024)
- Economic Inequality and Competition, OECD, Paris (2024)
- Competition Law, Digitalisation and Democracy, Amsterdam (2024)
- Competition Law and Democracy, CCLP (2024)
- Digital Innovation, Athens (2024)

### Other activities

- Co-editor-in-chief of the *Journal of Antitrust Enforcement* (OUP)
- Leads the pro-bono 'Value of Competition' programme, Oxford.
- Director, Advanced Programme on Competition Law and the Digital Economy, Oxford

**Liz Fisher** is Professor of Environmental Law, Faculty of Law and Corpus Christi College and is a Research Fellow of the Institute.

Liz works on comparative environmental and administrative law. She is in the final year of a three-year Leverhulme Major Research Fellowship concerned with how to imagine better when it comes to environmental law. Her work is comparative and grounded in a study of the legal cultures of the US, UK, and Australia in particular.



### Selected publications

- Elizabeth Fisher 'Telling Meaningful Stories About Climate Change and Public Law' (2025) 37 *Journal of Environmental Law* 1-22.
- Joanna Bell, ACL Davies, and Elizabeth Fisher, 'Tailored Judicial Review Doctrine, Tailoring Judicial Review Doctrine' [2025] *Public Law* 81-103.
- Elizabeth Fisher, 'Public Law, the Levels of the Law, and Environmental Problems' *Anuario De Derecho Público* 2023 (Universidad Diego Portales 2024) 353-368.
- Elizabeth Fisher, 'EU Environmental Law and The Importance of Active Legal Work' in Catherine Barnard, Adam Lazowski, Daniel Sarmiento (eds), *Pursuit of Legal Harmony in A Challenging World. Essays in Honour of Eleanor Sharpston* (Bloomsbury/Hart 2024) 521-531.
- Elizabeth Fisher, 'Paying Legal Attention to Specialist Administrative Tribunals' in Stephen Thomson, Matthew Groves and Greg Weeks (eds) *Administrative Tribunals in the Common Law World* (Bloomsbury/Hart 2024) 107-126.
- Elizabeth Fisher, 'In Praise of Legal Parochialism: Why I Read the Decisions of Specialist Courts' in *Enduring Courts in Changing Times: Celebrating the 2024 Bicentenaries of the Supreme Courts of New South Wales and Tasmania* (Australian Academy of Law 2024) 378-392.

## Other activities

- Dean's Visiting Scholar, Georgetown Law Center (Sept-Dec 2024)
- Lee Kong Chian Visiting Professor of Law, Yong Pung How School of Law, Singapore Management University, March/April 2025



**Birke Häcker** holds the Schlegel Chair in Civil Law, Common Law and Comparative Law at the University of Bonn. She is a Visiting Research Fellow of the Institute and was formerly its Director. Since leaving Oxford at the end of 2022, she has been delighted to see the IECL thrive and go from strength to strength under the leadership of the now outgoing Director, Professor Matthew Dyson. She would like to take this opportunity to thank him, on behalf of all Visiting Research

Fellows, for his dedication and enthusiasm in fostering the IECL's strong international links, for building new bridges, and for bringing together diverse scholarship under one roof.

Professor Häcker's background is in both English and German law, her research focusing on core private law (especially contract, tort, property/trusts, restitution of unjust enrichment, and succession), usually in comparative perspective and often involving a historical angle. Besides covering the traditional common law – civil law spectrum in these fields, she has a particular interest in the emerging 'comparative common law' phenomenon, ie, that of comparisons conducted between the different and increasingly diverging common law jurisdictions.

During the past academic year, Professor Häcker co-organised – together with Professor Ciara Kennefick and Professor Matthew Dyson – a two-day symposium in honour of Professor John Cartwright, formerly Director of the IECL. Entitled "Comparing Contract Laws", the event was held at Christ Church in September 2025 (see full report on pp 64-65). As in previous years, she also offered a session in the IECL Research Masterclass on comparative legal history.

## Selected publications

- *Default Rules in Private Law*, XII + 275 pages (Hart Publishing, 2025). Conference volume edited jointly with Dr. Johannes Ungerer.
- 'Causa, Consideration, and Unjust(ified) Enrichment', in A. Legerén Molina/B. Rodríguez Rosado/ R. Caro Gándara (eds), *Cause and Consideration: Exploring the Foundations of Contract Law* (Hart Publishing, 2025), 243–270.
- 'Regulation for a Free, Just, and Sustainable Digital Future' in C.M. Flick (ed), *How Can We Create a Free, Just, and Sustainable World?* (Convoco! Editions, 2025), 181–203.

## Selected presentations

- 'Outside or In? Comparative Reflections on Different Models of Contract Variation', Obligations XI Conference, Harvard Law School, July 2025.
- 'The Content of Contracts and the Meaning of Documents: Interpretation vs. Rectification', University of Barcelona, June 2025.

- 'National Law in a Comparative Context: An Integrated Approach', Université Jean Monnet, St. Etienne (via Zoom), April 2025.
- 'Court Design in a Comparative Perspective: Choices and Implications', University of Stockholm (SCCL), April 2025.
- 'Explaining the Right to Rescind', University of Oxford, March 2025.
- 'Comparative Law "in Layers"', University of Luxembourg, October 2024.

**Geneviève Helleringer** is Associate Professor at the University of Oxford and the IECL Senior Research Lecturer in French Law and Business law. She is also a law professor at Essec Business School Paris, a research member and vice-president of the European Corporate Governance Institute (ECGI), and a Fellow of Reuben College. Geneviève is Director for Undergraduate exchanges.



Geneviève's academic research focuses on contract, corporate and financial law as well as alternative dispute resolution. Across these subjects, she has an in-depth research expertise in the issue of conflicts of interest, understood as situations where one's own interest interferes with obligations one has to act in another person's interest. Her work draws on insights from comparative law, as well as psychology and ethics.

For the past year, Geneviève continued working on data collection for a cross-cultural study on promises and engagement (9 jurisdictions and 2,700 participants) and an experimental study on the impact of framing on the perception of settlement amounts. She also authored an analysis of corporate governance from a behavioural perspective, co-authored with colleagues from Singapore, South America, and Germany, and a comparative analysis of stakeholderism outside of the US and the UK. Geneviève is the PI of an international team engaged in a comparative analysis on VC standard investment contracts. Geneviève co-organised with Luca Enriques, as well as the universities of Frankfurt and Pennsylvania and the LSE, an international and transdisciplinary conference on the Law & Finance of Private Equity and Venture Capital that took place in London in June 2025. Many of the presented papers and comments included a comparative perspective.

### Selected publications

- 'The Hardening of Corporate ESG' in K Alexander and M Siri (eds), *Sustainable Finance, Corporate Law and Corporate Governance* (OUP, 2025) (with C Skinner)
- 'Behavioural Perspectives on Corporate Law and Corporate Governance' in J Gordon and G-W Ringe (eds), *Oxford Handbook on Corporate Law and Corporate Governance* (OUP, exp. 2025)
- 'Comparative Developments in Business Law' *Revue Trimestrielle de Droit Commercial* 2025

### Other activities

- Geneviève oversees the French Law courses for undergraduate students. All second-year students enrolled in Law with European Studies (French Law) competed in the Oxford French Law Moot sponsored by Gide Loyrette Nouel that Geneviève organised in May 2025.
- In the past year, Geneviève acted as expert witness in French Law in front of the UK High Court and the US International Trade Commission, and as member of the Board of

Appeal of the European Supervisory Financial Authorities.

### Selected talk / conferences

- Geneviève is co-editor of the Journal of Financial Regulation (Oxford University Press): the journal is the only one in its category to include a comparative panorama in each issue.
- Since 2018 Dr Helleringer is an academic editor of the Oxford Business Law Blog, which often features posts including a comparative or European perspective.
- NY National University, Financial Law Forum, 29 September 2024. Paper: "M&A Terms in French Civil Law: Importing and Adjusting".
- Law & Finance NYU ESCP Frankfurt Conference, June 2025. Paper: 'The Corporate Purpose Continuum'.
- Frankfurt Univ. The New World of Boards conference, Jan 16 2025, 'The Brave New World of Boards' (keynote)



**Angus Johnston** is (as of August 2014) Professor of Law and a Fellow in Law at University College, where he arrived in September 2010 as Senior Law Fellow and CUF Lecturer.

His current fields of research cover EU Energy Law and the question of Spillovers from EU Law into National Law. He has been working on the latter project during his sabbatical in 2024–25, which he spent in

Germany. Thanks to the IECL, he was able to undertake two funded periods of research at the Max-Planck-Institute in Heidelberg, and he has retained an affiliation there between and after those periods, for which he records his deep gratitude to the IECL and to Prof. Dr. Armin von Bogdandy for their kind support. He has also held positions as a Visiting Professor at Heidelberg University (October to December 2024) and at the University of Zurich (March to July 2025).

During the past year, he has made progress towards a monograph on Spillovers, and has presented his work at Heidelberg University as part of a lecture course on EU Law, at the MPI Heidelberg, and will shortly lead discussions on this topic at the MPI Frankfurt in an internal seminar (8 to 10 September 2025). He has also completed a chapter on Spillovers for publication in a volume dedicated to German-Italian discussion of Spillover effects, drawing on his earlier work as a starting point. The volume, edited by M. Fornasier and F. Klinck, will be published in 2026 by Intersentia. In addition, he has taught two courses on English Tort Law at Heidelberg, one on EU Energy Law at the University of Zurich, and led a seminar on the application and enforcement of EU Law at the national level, also at Zurich.

He has co-authored two papers, one published and one internal, on issues concerning EU energy and climate law. The first was published as a policy paper (K. Neuhoff et al., *Industrial decarbonisation in a fragmented world: an effective carbon price with a "climate contribution"* ([Grantham Institute \(LSE\), Policy Insight, 22 January 2025](#)), and is currently under consideration by Climate Policy. The second was an internal submission to the German government and the European Commission: K. Huhta, A. Johnston & K. Neuhoff, *State intervention for security of supply: design options and State aid implications* (May 2025). He also delivered an invited lecture at the university of Zurich on 23 May 2025, entitled *What did the EU leave behind after Brexit?*



**Rodrigo Momberg Uribe** is Professor of Private Law at Universidad Católica de Valparaíso and Director of the LLM Program of the Faculty of Law on the same university. He is a Visiting Research Fellow at the Institute.

His research focuses on Latin American contract law, both at the level of harmonisation measures and at the level of comparison between

Latin American domestic systems and European jurisdictions. He is also leading a research project aiming to analyse, from the perspective of contract law, the legal implications of incorporating sustainability policies or clauses into contracts. This analysis will encompass the entire contract iter, from its formation to its performance. The scope of the research is limited to the relationships between the parties involved in the production or supply chain. It does not extend to the relationships that arise between the final seller or provider and the consumer or client. The research intends to address the following questions: How are these standards or policies validly and effectively incorporated into the contract? Next, if incorporated, do they create legally enforceable rights and obligations for the parties, or are they mere declarations without legal effectiveness? And finally, if legally binding, what are the remedies available to the obligee in the event of non-performance?

Finally, in the field of consumer law, Rodrigo has developed a line of research related to new mechanisms of collective redress.

### Selected publications

- "Consumer ADR in Chile", en Sahin-Sengul E. y Kaya S. (eds.), *Consumer Alternative Dispute Resolution in Emerging Economies*, Routledge, Abingdon y New York, 2025; with Alberto Pino and María Elisa Morales
- "Legal Transplants: A Case Study of Private Law in Its Historical Context", in Siems, M. and Po, J.Y. (Eds.), *The Cambridge Handbook of Comparative Law*, Cambridge University Press, Cambridge, 2024; with Gerardo Caffera y María Elisa Morales.
- "Contractual formalities in modern contracting. No oral modification clauses and the doctrine of venire contra factum proprium as a limit to its enforceability", *Ius et Veritas*, N°67, 2024; with Gonzalo Severin.

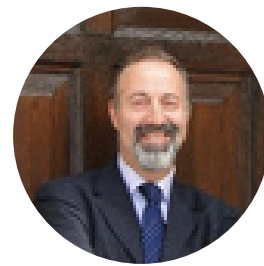
### Selected presentations

M-EPLI Talks, Faculty of Law, Maastricht University: "The impact of integrating ethical standards into contracts. A look at sustainability policies and clauses from a contract law perspective."

### Other activities

Research stays at the Max Planck Institute for Comparative and International Private Law.

**Nello Pasquini** is currently a teaching fellow in Italian Law at the institute. His focus is on Italian Private Law and Constitutional Law. Nello's main role within the institute is to prepare students for their year abroad in Siena by teaching 'Italian Law and Methods'. As well as holding a tutoring position at the institute, Nello is also an advisor to the Sir Dennis Mahon Foundation and a member of the Aspen Institute Italia.



**Georg Ringe** is Professor of Law and Finance and Director of the Institute of Law & Economics at the University of Hamburg. At Oxford, he is a Visiting Professor at the Law Faculty, a Visiting Research Fellow at the Institute of European and Comparative Law, and an Academic Editor of the Oxford Business Law Blog. His research continues to lie in the general areas of comparative and European business law – with a particular interest in the regulation of financial markets, corporate law, capital markets, and insolvency law.

During 2024-25, the main focus of his research was on regulatory questions concerning sustainability and ESG investing as well as on legal aspects of technology and digitalisation.

### Selected publications

- 'Centros and the Free Movement of Companies' in: Paul Craig and Robert Schütze (eds), *Landmark Cases in EU Law, Volume 2* (Hart, 2025) 187-204
- 'Künstliche Intelligenz und Haftung im Zivilrecht' ['Artificial Intelligence and Liability in Private Law'], (2025) 80 *Juristenzeitung* 227-236 (with Tim Kuhmann)
- 'Good Administration in AI-Enhanced Banking Supervision: A Risk-Based Approach' (2024) 29 *Columbia Journal of European Law* 434-496 (with Alessio Azzutti and Pedro M. Batista)

### Selected presentations

- Keynote speaker, 'Stock Exchange Competition', University of Stockholm, Centre for Commercial Law, September 2025
- Speaker, Conference on Bank Crisis Prevention and Management for Retail Banks, Ca' Foscari University of Venice, September 2025
- 'The Political Economy of Global Stock Exchange Competition', A European Tribute to Roberta Romano, Universidad Pontificia Comillas, Madrid, June 2025
- 'The Social Cost of Blockchain', Conference on Law, Economics and Regulation, CRED/HEC, Paris, May 2025
- 'The Dark Side of AI in Capital Markets', 27th Open Seminar in Corporate and Commercial Law, University of Warsaw, March 2025
- 'Reinventing Shareholder Activism: A Comparative Perspective on Europe and the US', Symposium: Shareholder Activism in Japan, the EU, the UK and the US: A Comparative Study, University College London/Goethe University Frankfurt, March 2025
- Keynote address and speaker, 8th International Conference on Law and Economic Analysis of Ethics, Inclusiveness and Sustainability, Gujarat National Law University, Gandhinagar, India, February/March 2025
- Speaker and Co-Host, Comparative Capital Markets Workshop, Stanford Law School

**Helen Scott** is Regius Professor of Civil Law at the University of Cambridge, Visiting Professor at the University of Université Paris Panthéon-Assas (Part II), and Honorary Professor in the Department of Private Law at the University Cape Town. At Cambridge she teaches Roman law, unjust enrichment, and comparative legal history. Her research considers unjust enrichment and tort in both historical and comparative perspective.



### Research activities during 2024-25

During 2024-25 Professor Scott continued work on a multi-dimensional project on unjust enrichment by virtue of the theft of money. This project was initially prompted by work on the South African law of unjust enrichment: facing the widespread theft of money out of bank accounts, and lacking both an effective regulatory framework and any private-law institution approaching the remedial flexibility of the English trust, South African judges have had no choice but to develop the common law of unjust enrichment so as to provide the victims of such theft with remedies against the good faith third party recipients of stolen funds. It draws on insights from the deep past: specifically, the analysis of theft offered by the classical jurist Ulpian. Whereas other jurists conceptualised the delict of theft in terms of the improper handling of corporeal property (*contrectatio*), Ulpian thought of theft in terms of the taking of something allocated in law to the claimant without his consent. That conception encompassed not only the appropriation of corporeal things but also the abstraction of value: genetic material or a debt.

Finally, this project draws on comparative insights, arguing that the firm's claim in *Lipkin Gorman v Karpnale* [1991] 2 AC 548 can be understood as a species of *Eingriffskondiktion*, the claim recognised by German law in respect of enrichment acquired by interference with another's right. Professor Scott considered the normative foundations of interference claims in more detail in her Wilson Memorial Lecture at Edinburgh Law School ('In Defence of Ignorance') on 7 November 2024, and in a paper presented to the Yale-Toronto Private Law Theory Discussion Group on 7 March 2025. She looks forward to refining these theoretical arguments over the course of the coming year.

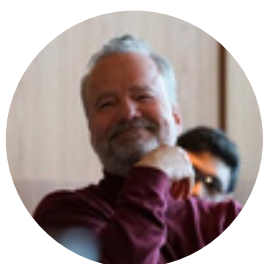
### Publications 2024-25

- 'Unjust enrichment in South Africa' *Lloyds Maritime and Commercial Law Quarterly* (2024) 663–72
- 'Chasing, Lying and Persuading: D 47.2.52.19–24 in Context' in Joe Sampson and Stelios Tofaris (eds), *Essays in Law and History for David Ibbetson* (Oxford, Hart Publishing, 2024) 17–33
- 'Property | Unjust Enrichment' in William Day and Julius Grower (eds), *Borderlines in Private Law* (Oxford, Oxford University Press, 2024) 247–68
- Comparative models and their limitations: Edwin Cameron's impact on the law of trusts and unjustified enrichment" in Nurina Ally and Leo Boonzaier (eds), *Edwin Cameron: Influences and Impact* (Pretoria University Law Press, 2025), pp. 503–20

### Presentations 2024-25

- Panel member at the launch of Krishna Krishnaprasad's *Unjust Enrichment and Countervailing Obligations* at the Inner Temple, London, May 2025

- Commentator on Jonathan Ainslie’s paper, ‘Mutuality of Obligation and Employment Contracts: The Ghost of Causa in Scots Law?’ at New Work in Legal History, a seminar held at the Law Faculty, University College London, April 2025
- ‘The English *Eingriffskondiktion*: enrichment by interference with the claimant’s right in English law’, invited paper delivered to the Yale-Toronto Private Law Theory Discussion Group, March 2025
- Panel member at the launch of Sandy Steel’s *Omissions in Tort Law*, held at Wadham College, Oxford, February 2025 ‘In Defence of Ignorance’, WA Wilson Memorial Lecture, delivered at the Old College, Edinburgh, November 2024
- Panel member at the launch of Valentin Jeutner’s *the Reasonable Person: A Legal Biography*, held at Gonville and Caius College, Cambridge, October 2024



**Lionel Smith** was appointed to the Professorship of Comparative Law in 2024, arriving from the Downing Professorship of the Laws of England at the University of Cambridge. He is an ex officio deputy director of the IECL. He is also a Titular Member of the International Academy of Comparative Law. He is also a member of the American Law Institute, the European Law Institute, and the International Academy of Estate and Trust Law. He is a non-practising member of

the Bar of Alberta and the President of the World Society of Mixed Jurisdiction Jurists. During 2024-25, Lionel Smith presented at several birthday parties: the 100th Anniversary of the International Academy of Comparative Law, the 150th Anniversary of the Supreme Court of Canada, and the 50th Anniversary of the Paul-André Crépeau Centre of Private and Comparative Law. He spoke several other events. The Faculty of Law approved his proposal to teach a new course in Comparative and International Trust Law at the BCL/MJur level. He is one of the co-editors of *Understanding Private Law: Essays in Honour of Stephen A. Smith* (Oxford: Hart, 2025).

**Iyiola Solanke** is Jacques Delors Professor of European Union Law at the University of Oxford and a Fellow of Somerville College. She is an Academic Bencher of the Inner Temple. She is ex officio a deputy director and incoming Director of the IECL. Her research focuses on institutional change, in relation to both law and organisations. Other current projects focus on legal protection from weight discrimination as well as de-colonising European Union law.



### Selected Presentations

- EUSA Annual Conference, Philadelphia: Panel on ‘Decolonising EU Law for an Open EU’ (May 2025)
- College of Europe Compact Seminar, Bruges: ‘Unconscious Bias and EU Law’ (April 2025)
- College of Europe/ European Law Review Anniversary Conference ‘The Limits of EU Integration Through Law’ (March 2025)
- European University Institute, Black History Month Lecture: ‘Reimagining EU Law and Legal Institutions’ (Feb 2025)
- University of Maastricht, Globalisation & Law Network (TEGL) Annual Conference: ‘Reimagining Law in the Age of Disruption’ (Dec 2024)

- University of Oxford Somerville College, Inaugural Lecture: 'Decolonising EU Law - Towards a Wiser and Wider European Union' (Nov 2024)
- University of Amsterdam, Decolonial Futures: The Purpose and Priorities of a Decolonial Approach in EU Law (Nov 2024)



**Johannes Ungerer** is the Erich Brost Senior Research Lecturer in German Law, European and International Private Law at the Institute and an Associate Research Fellow of St Hilda's College. He holds an additional appointment as a Global Associate Professor of Law at the University of Notre Dame (USA) in England.

During the academic year 2024-25, his teaching comprised lectures on German law and seminars on comparative law for students on Course II (BA in Law with Law Studies in Europe). He hosted the third round of the Oxford Comparative Moot in German Law in March 2025, which was chaired by Professor Ziegler and fully funded by Freshfields. A report about the moot is published on page 62. His tutorial teaching comprised both Contract law and Tort law at St Hilda's. Additionally, at the Law Faculty, he was part of the teaching team for the BCL/MJur Conflict of Laws course and the Oxford Postgraduate Diploma in IP Law. He also led seminars in Comparative Law and European Business Regulation. He delivered invited guest lectures at Bocconi University on comparative law and at the University of Geneva on private international law, and he led a seminar together with Professor Dyson for a Studienstiftung summer school at St Edmund Hall.

A particular highlight of his research activities in this academic year was the international conference on "Characterisation in the Conflict of Laws" which he co-organised and for which he is co-editor of the forthcoming edited volume with Hart Publishing. For the conference report, see page 56. His further research activities focused on private international and comparative law, which is reflected in his publications and conference presentations listed below. He also supervised an MJur dissertation in the conflict of laws.

In addition to his teaching and research, he served as a BCL/MJur Academic Advisor as well as a member of both the Institute's Management Committee and the Faculty's Undergraduate Studies Committee.

### Selected publications

- B Häcker and J Ungerer (eds), *Default Rules in Private Law* (Hart Publishing 2025)
- J Ungerer, 'Private International Default Rules' in B Häcker and J Ungerer (eds), *Default Rules in Private Law* (Hart Publishing 2025)
- J Ungerer, 'Schulteß: Originär außervertragliche Fahrlässigkeitshaftung für reine Vermögensschäden' [2025] *Zeitschrift für Europäisches Privatrecht* 434

### Selected presentations

- "The Function and Future of Default Rules in Private International Law", Journal of Private International Law 20th Anniversary Conference, University College London, 13 September 2025

- “Primary Remedy Paradigms”, Workshop on the ‘Molecules of private law’, University of Oxford, 11–12 September 2025 (with Geneviève Helleringer)
- “Internationally Unifying Private Law – Behavioural Insights”, Research Masterclass, Institute of European and Comparative Law, University of Oxford, 3 September 2025
- “Juggling Authority and Rationality through Comparative Law: Normative Bridging Across National Trenches”, 75th Anniversary Workshop of the British Association of Comparative Law, University of Cambridge, 7–8 July 2025
- “Default rules”, Conference on Regulatory Contract Law, Zurich University, 3–6 July 2025
- “Juggling Authority and Rationality”, International Academy of Comparative Law, Centennial Conference, Université Paris 1 Panthéon-Sorbonne, 15–16 November 2024
- “Schadensersatz und Pauschalierung”, Conference on Schadensrecht im Wandel, University of Augsburg, 11–12 October 2022

**Volodymyr Venher**, Dean of the Faculty of Law at the National University of Kyiv-Mohyla Academy and Associate Professor in the Department of Jurisprudence and Public Law, undertakes comprehensive research on the theoretical foundations and practical implementation of the rule of law and human rights standards in Ukraine. His scholarly activity is directed towards developing and substantiating methodologies for applying effectiveness criteria to public authorities, with particular focus on the functioning of democratic institutions, the organization and conduct of elections, and judicial oversight in the protection of human rights.



Dr. Venher’s research further concentrates on constitutional and legal questions relating to the implementation of the principle of the separation of powers and the limitation of discretionary authority as essential components of the rule of law. His recent studies and analytical works address the development of the legal system and democratic institutions under extraordinary conditions. The experience of the Ukrainian legal system during the ongoing full-scale war underscores acute challenges that threaten—and will continue to threaten—the advancement of the rule of law not only in Ukraine, but also across Europe and democratic states worldwide.

### Selected publications

- Ardita Driza Maurer, Véronique Cortier, Oksana Kulyk, Armin Rabitsch, and Volodymyr Venher, Risk Assessment and Feasibility Study on Alternative Forms of Voting in Post-War Elections in Ukraine with Focus on Internet Voting, with contributions by Olivier Pereira (Strasbourg: Council of Europe, 2024), 95 pp.
- Volodymyr Venher, “Ukraine’s Accession to the European Union: Legislative Dimension,” in *The European Union 2004–2024: Twenty Years of Legal Experience, Challenges and Growth after Unprecedented EU Enlargement*, ed. Indrė Isokaitė-Valužė and Haroldas Šinkūnas (The Hague: T.M.C. Asser Press, 2024).

### Selected presentations

- “Human rights protection and Ukraine's EU accession process: constitutional dimension” at the FLL’s invitation seminar “Strengthening Human Rights Protection in Ukraine for EU Integration”, December 16-17, 2024, Jagiellonian University, Krakow, Poland.
- “Rule of Law in Wartime: the case of Ukraine” at the research workshop organised by the Law Department, March 10th, 2025, Pegaso Digital University, Rome, Italy.
- “Rule of Law as a key precondition for better enforcement of judicial decisions in Ukraine” at the international conference “Better Enforcement of National Judicial Decisions: A Human Rights and Rule of Law Requirement”, March 17, 2025, the Council of Europe, Strasbourg, France.
- “Emergency Powers and Constitutional Identity in Ukraine: Safeguarding Rights for Future Generations” at the international conference “Judging in times of crisis: courts, emergencies, and the rights of future generations”, September 5, 2025, Jagiellonian University, Krakow, Poland.

### Other activities

Initiated and organised the expert discussion "Elections and Media: Newest Challenges, Threats, and Response" (see full report on pages 53).



**Katja Ziegler** is the Sir Robert Jennings Professor of International Law and Co-director of the Centre of European Law and Internationalisation (CELI) at the University of Leicester. She is a Visiting Research Fellow at the institute. Professor Ziegler teaches and conducts research in public international law, human rights law, EU law, and comparative constitutional law. Her research examines the constitutionalisation and interaction of legal orders within international, European, and

comparative frameworks. In particular, she focuses on the role of human rights in mediating between legal orders, the methods and instruments that facilitate such interaction, and the evolving relationship between international law and EU law, including the law governing EU–UK relations post-Brexit. A further strand of her research addresses (comparative) foreign relations law, with particular attention to accountability mechanisms, the evolving role of parliaments, and the operation of the rule of law in international contexts.

### Selected Publication

- ‘Asymmetrischer Grundrechtsschutz im Mehrebenensystem im Vereinigten Königreich nach dem Brexit: Fragmentierung der Grundrechte als Faktor der Resilienz der Verfassung?’ [Asymmetric, Multi-layered Protection of Fundamental Rights in the United Kingdom after Brexit: Fragmentation of Fundamental Rights as a Factor of Constitutional Resilience], in Johannes Eichenhofer, Kathrin Groh and Katja S Ziegler (eds), *Selbstbehauptung der Demokratie. Freundesgabe für Christoph Gusy* (Mohr Siebeck, Tübingen 2025), 503-532.

### Selected presentations

- ‘Unwritten Constitutional Norms in the EU’s Supranational Legal Order’, Jagiellonian University, Krakow, Poland, September 2025.

- 'The Drifting Apart of EU and International Law Research and Teaching', European Society of International Law conference: *The autonomy of EU law under pressure? The changing landscape of the interactions between EU law and international law*, WU Vienna University of Economics and Business, Vienna, January 2025.
- 'General Principles and Human Rights Review in the CFSP: Reflections after *KS and KD v. Council et al.*', TMC Asser-CLEER Conference on *General Principles in EU's External Relations Law*, TMC Asser Institute, The Hague, Netherlands, December 2024.

### Other activities

- Chairing the 2025 IECL's Oxford Comparative Moot in German Law
  - Member of the editorial board of the *International and Comparative Law Quarterly*
  - Member of the Advisory Board of *European Public Law*
  - Member of the Steering Committee of and convening the London Conference on International Law 2024
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# Visitors to the Institute



Photo taken by: Bronwen Phillips

**I**n addition to researchers who come to the Institute from partner institutions under the terms of our international institutional links, we host established academics from other institutions as independent researchers under the terms of our Academic Visitor programme. Our visitors play a major part in the life of the Institute during their visit, and most of them give one of our weekly (lunchtime) seminars to explain their research to the benefit of Institute members, the wider Faculty as well as graduate students – and to give the visitors an opportunity to receive feedback on their work. The Institute welcomed the following visitors between October 2024 and September 2025.



## Visiting Fellows

<p><b>Prof Jonas Ebbesson</b> Stockholm Senior Visiting Fellow</p>	<p><i>Participatory Rights in Environmental Matters: Progressive Features and Compliance Review of the Aarhus Convention</i></p>
<p><b>Dr Fabricio Fortese</b> Stockholm Visiting Fellow</p>	<p><i>Legal Reasoning, Efficiency, and Natural Justice in International Arbitration</i></p>
<p><b>Prof Joël Cavallini</b> Paris Visiting Fellow</p>	<p><i>Interpretation of the Equality Act 2010 after Brexit: convergence or divergence with the Court of Justice of the European Union Case-law</i></p>

## Academic Visitors

<p><b>Dr Paolo Bernardo</b> Roma tre University</p>	<p><i>Business Freedom and Labour Protection in the Phenomenon of Relocations</i></p>
<p><b>Dr Gianmarco Bondi</b> University of Ferrara</p>	<p><i>The Fall of Defences, Reasonable Chastisement and Marital Consent Before the European Court of Human Rights</i></p>
<p><b>Dr Sorin Dolea</b> Moldova State University</p>	<p><i>Comparative Analysis of the Use of Artificial Intelligence in International Arbitration: a Particular Focus on Environmental and Green Transition Arbitrations</i></p>
<p><b>Dr Jan Exner</b> Karlova /Charles University</p>	<p><i>Advancing Democracy and the Rule of Law in Europe through Sport</i></p>
<p><b>Prof Russell Korobkin</b> UCLA</p>	<p><i>The Public Policy Doctrine and Adhesion Contracts' and 'Half-Truths' in Contract Negotiations: An Experimental Study</i></p>
<p><b>Dr Charlotte Wendland</b> Ludwig-Maximilians-Universität München</p>	<p><i>Family Law in the Pluralistic Society and Why marriage?</i></p>



## Academic Visitors

<p><b>Prof Claudia Haupt</b> Northeastern University</p>	<p><i>Talking Past Each Other Across the Pond: Why Discussions of Online Speech Regulation Between the US and Europe Fail and What we can Do About It</i></p>
<p><b>Prof Jianxin Li</b> University of Zhengzhou</p>	<p><i>Comparative Analysis of Data Rights: Legal Frameworks Across Jurisdictions</i></p>
<p><b>Dr Giuseppe Portonera</b> Catholic University of the Sacred Heart of Milan</p>	<p><i>Unjust Enrichment and the Twin (Green and Digital) Transitions</i></p>
<p><b>Prof Despoina Anagnostopoulou</b> University of Macedonia</p>	<p><i>EU Values in Asylum Policies in Legal Theory and Context in View of the Asylum and Migration Pact: The EU Values of Dignity, Equality and Fair Treatment of Asylum Seekers</i></p>
<p><b>Assoc. Prof Rikka Koulu</b> University of Helsinki</p>	<p><i>Boundaries of Human Oversight in AI Policy and Regulation: Comparisons between European, Nordic, and British Perspectives</i></p>
<p><b>Prof Rodrigo de Lima Vaz Sampaio</b> CEU Law School</p>	<p><i>Under Influence in Comparative Law (Vitiating Factor)</i></p>
<p><b>Prof Lucia Costas Rodal</b> University of Madrid</p>	<p><i>Medical Negligence by Healthcare Professionals From a Comparative Perspective</i></p>
<p><b>Assoc. Prof Aida Torres Perez</b> University of Barcelona</p>	<p><i>Protecting Fundamental Rights Through Spending Conditionality: Constitutional Challenges and Implications</i></p>
<p><b>Prof William Buzbee</b> University of Georgetown</p>	<p><i>Deregulatory Illegality, Effects Conjecture, and Countervailing Strategies to Correct Administrative Law's Remedy Incentives Problem</i></p>
<p><b>Dr Marlou Overheul</b> University of Utrecht</p>	<p><i>No-fault Compensation Schemes and Their Relationship with Tort Law</i></p>



## Academic Visitors

<p><b>Dr Veronika Korom</b> ESSEC</p>	<p><i>EU-Russia Trade and Investment Relations under Sanctions: Legal and Economic Impacts</i></p>
<p><b>Dr Paolo Merli</b> Scuola Superiore Sant'Anna</p>	<p><i>Non-contractual Liability Under Assessments: Whether and How Climate Change Litigation Could be imported through a Domestic Tort Claim</i></p>
<p><b>Assoc. Prof Agustin Parise</b> Maastricht University</p>	<p><i>Nineteenth-Century Concordances of Codes and Twentieth-Century Transatlantic Dialogues amongst Comparatists</i></p>

## Maison Française d'Oxford Visiting Graduate Students

<p><b>Jonathan Brosseau-Rioux</b> Panthéon-Sorbonne University</p>	<p><i>Civil Procedure on State Immunity Emerges from Transnational Law: Problems, Approaches, and Theories</i></p>
<p><b>Maxime Boutroy</b> Panthéon-Sorbonne University</p>	<p><i>The Impact of International Economic Sanctions on Contracts</i></p>
<p><b>Myriam Prevot</b> Panthéon Assas University</p>	<p><i>Environmental Pollution Challenges and Administrative Law: The French and British Transformations in the 19<sup>th</sup> Century</i></p>

## Max Planck Institute

<p><b>Florian Bode</b> Max Planck Institute for Comparative and International Private Law</p>	<p><i>Comparison of the English and German private law governing neighbours' liability</i></p>
<p><b>Dr Biset Sena Gunes</b> Max Planck Institute for Comparative and International Private Law</p>	<p><i>Societal and environmental externalities of GVCs in private international law</i></p>



## Max Planck Institute

<p><b>Dr Jakob Hohnerlein</b> Max Planck Institute for the Study of Crime, Security and Law</p>	<p><i>The values of and limits to generalisation in law - from philosophical ideas to constitutional guidelines for legal practice, with a particular focus on public security law</i></p>
<p><b>Marc Huckschlag</b> Max Planck Institute for Innovation and Competition</p>	<p><i>The cumulative protection by copyright and design law</i></p>

# International Institutional Links: Reports from Recent Participants

The IECL acts on behalf of the faculty in engaging with other institutions outside Oxford for the purposes of research in the fields of European and comparative law. Some of our international institutional links are designed to allow research visits by Oxford researchers to our partner institutions, generally for both senior scholars and graduate students (such as the exchange with the Max Planck Institute for Comparative and International Private Law, Hamburg), but sometimes aimed particularly at graduates or early career academics (Alpa Scholarships, for the University of Rome Sapienza). We also welcome visitors to the Institute from these partner institutions under the terms of our agreement with them, and we have for many years additionally hosted a Paris Visiting Fellow from (in alternating years) the Universities of Panthéon-Sorbonne and Panthéon-Assas.

*Reports from some of this year's participants in these schemes are set out below.*

## Court of Justice of the European Union (CJEU)

The IECL has for the last two years operated an informal scheme to connected members of staff at the CJEU with the IECL, to maintain and forge new links and support our colleagues and friends there. We cannot offer significant financial support, but we can offer expertise, resources and engagement. In this second year we had a visit from Simone Maria Russo, who writes about it below.

“

I work as a jurist at the Court of Justice of the European Union, where I primarily conduct legal research in almost all of the fields of European law and furnish guidance on how to interpret both national and supranational provisions involved in any case at stake. In July 2025, I spent four days at the the IECL, with accommodation kindly provided at Corpus Christi College, experiencing the incredible atmosphere of the city of Oxford and exploring part of its immense academic heritage. As a jurist specialised in doctrinal legal research, obtaining the Bodleian Library Card and having the chance to exchange in an unfiltered and genuine way with the personnel of the Bodleian Law Library and its staff represented a unique opportunity to investigate, study and deepen my knowledge on the impressive collection it possesses. Comparing the legal materials of the Bodleian Law Library with the ones of the Court of Justice of the European Union, learning about how the Law Bod organizes its daily work and consulting some of the titles it offers represented a truly stimulating –and, unforgettable – experience.



**Simone Maria Russo**

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## Maison Française d'Oxford Visiting Graduate Students

**Maxime Boutroy** is a PhD Student at University of Paris 1 Pantheon- Sorbonne and Academic Visitor (Hilary term, programme with the *Maison Française d'Oxford*) at the Institute.

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My stay at Oxford University during the Hilary Term was an invaluable opportunity for my young researcher experience. The partnership between the IECL and the Maison Française d'Oxford provided me with access to numerous resources, particularly in English law. These resources had a considerable influence on my research on the impact of international economic sanctions on contracts, for which the study of comparative contract law and European Union law is of major importance.

Furthermore, my involvement in the centre's research activities led to extensive discussions on a wide variety of legal topics during the IECL Seminar Series and the traditional Friday morning coffee breaks. Leading my seminar allowed me to present my work for the first time since the start of my thesis. The ensuing discussions with professors and other scholars of the centre were enlightening, helping me to broaden my perspective and to deepen my thinking.

My stay in the IECL was the perfect opportunity to meet researchers from many countries. The partnership with the Maison Française d'Oxford also enabled me to meet researchers from other disciplines. Beyond researchers, I met friends.

Therefore, I would like to sincerely thank the Director of the IECL, Professor Matthew Dyson, for welcoming me.

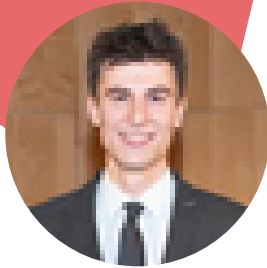
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### Selected presentations

'The Impact of International Economic Sanctions on Contracts' (IECL Seminar Series), University of Oxford, 6 March 2025.



Max Planck  
Institute



**Florian Bode**

“ My research combines comparative law and private law theory. In my PhD thesis, I examine remedies for the torts of trespass to land and private nuisance. More specifically, I am interested in the continuity or discontinuity of property rights following these private wrongs. What is the conceptual role of damages in lieu of an injunction? My working hypothesis is that the liability of neighbours in German private law and common law can be conceptualised as the interplay of a property right and remedies in a two-tier structure. I defend a rights-based account of trespass and nuisance, whilst attempting to reconstruct German property law claims as remedies. Methodologically, this thesis aims to demonstrate that comparative law and private law theories can assist each other as they both provide conceptual frameworks.

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### Selected publications

- ‘Bode, F. (2025). Residuale Regulation durch privates Nachbarrecht? – Entscheidung des Supreme Court of the United Kingdom vom 2. Juli 2024. Zeitschrift für Europäisches Privatrecht, 686-702.
- Bode, F. (2025). Judge and Jurist – eine Begegnung vor Gericht. Zeitschrift für Europäisches Privatrecht, 439-442.
- Bode, F., & Friedrichs, J. (2025). Nachbarrecht im Großstadtzoo – Eigentumsschutz vor bohrenden Blicken. Zeitschrift für Europäisches Privatrecht, 121-144 [co-authored with Jonathan Friedrichs, MPI Hamburg]

## Max Planck Exchange

**Marc Huckschlag** is a PhD student at LMU Munich and scholarship holder of the Max Planck Institute for Innovation and Competition in Munich. Alongside his doctoral research, he is a non-stipendiary Lecturer in Intellectual Property Law at LMU Munich. As the first participant of the newly established exchange program with the Max Planck Law Network, Marc Huckschlag was a visiting researcher at the Institute during Hilary Term 2025.

His thesis examines the interface of copyright and design law following the CJEU's Cofemel and Brompton judgements, as well as the 2024 reform of European Design Law. During his stay, Marc Huckschlag assessed and compared developments across the EU Member States, while also devoting particular attention to the distinct trajectory of UK case law after Brexit. His findings were presented within the IECL's seminar series.

He would like to express his gratitude to the director, Matt Dyson, and all staff members for warmly welcoming him to the Institute and for fostering an environment that proved both academically inspiring and personally enriching.



### Selected publications and other activities during the research stay

- "Urheberrechtsschutz für Designermöbel in den Mitgliedstaaten unabhängig von ihrer Herkunft (Eames-Chair)", Case note regarding CJEU, C-227/23 – Kwantum/Vitra Collections, Zeitschrift für Urheber- und Medienrecht 2025, pp. 112 – 115.
- "Diverging Approaches to Copyright and Design Cumulation under the EU Notion of Originality", IECL (Lunchtime) Seminar Series, Oxford 2025
- Judge at the Oxford International Intellectual Property Law Moot Court 2025

## Stockholm Visiting Fellows

**Jonas Ebbesson** is Professor of environmental law, former Dean of the Faculty of Law, and Director of Stockholm Environmental Law and Policy Centre, at Stockholm University. He is former Chair of the Aarhus Convention Compliance Committee (2011–2021), and member of the Committee (2005– 2021). He is member of the Swedish Academy of Letters, History and Antiquities.



I was a Senior Visiting Research Fellow at the Institute, and a Senior Member at Lady Margaret Hall, from late January to early June 2025. During my stay at the Institute, I worked on a few book projects and articles.

One of the books is [Participatory Rights for a Clean, Healthy and Sustainable Environment](#) (in

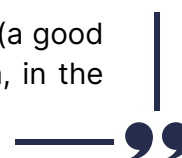
Swedish, with English summary, which was launched in the Swedish Parliament in the beginning of June 2025.

Another book that I worked on in Oxford, to be published by CUP in early 2026, is *Fifty Years of International Environmental Law: Developments since the 1972 Stockholm Conference*.

I also worked on the article “Ten Years a Chair: Reflections on the Aarhus Convention”, published in *Journal of Environmental Law* in October 2025.

I gave the presentation *Participatory Rights in Environmental Matters: Progressive Features and Compliance Review of the Aarhus Convention* at the Institute’s lunch seminar, 8 May 2025. It was great to spend a couple of months in Oxford and at the Institute, and to devote most of the time to writing. I enjoyed the environment at IECL and learning from the colleagues at the Institute. I appreciate the hospitality provided by the Director Matt Dyson, and the Administrator Bronwen Phillips, and others at the Institute, and also by Professor Sanja Bogojević, at the Faculty of Law and Lady Margaret Hall, and by Liz Fisher, at the Faculty of Law and Corpus Christi.

During my stay in Oxford, I also enjoyed more than 40 runs in the city (a good way to get to know the city), and one run with Professor Matt Dyson, in the beautiful and muddy landscape west of Oxford.



## Selected publications

- J. Ebbesson, Participatory Rights for a Clean, Healthy and Sustainable Environment, in Swedish [Deltagarrättigheter för en ren, hälsosam och hållbar miljö], with English summary,
- [https://media.wwf.se/uploads/2025/06/24-1023\\_deltagarraettigheter\\_a4\\_250602\\_enkelsidor-webb.pdf](https://media.wwf.se/uploads/2025/06/24-1023_deltagarraettigheter_a4_250602_enkelsidor-webb.pdf),
- J. Ebbesson, “Ten Years a Chair: Reflections on the Aarhus Convention”, in Journal of Environmental Law, October 2025, <https://doi.org/10.1093/jel/eqaf030>.

## Selected presentations

- “Regulating Environment Protection in Infrastructure Projects and Other Public Works: The Long-Term Development, and Challenges Ahead”, at the OECD Conference Advancing Infrastructure Governance: Conference on Accelerating Infrastructure Permitting and Improving Cost Control during Infrastructure Permitting, in Paris, 24 February 2025
- “Nordic Environment Protection Convention, Espoo Convention and Aarhus Convention: Transboundary dimensions of environmental decision-making in the Nordic Region”, Meeting of Nordic Points of Contact, online, 8 April 2025
- Constitutional Dimensions of environment protection in Swedish and International Law”, Swedish-Japanese meeting on constitutional dimensions of environment protection, online, 11 April 2025
- “The EU Corporate Sustainability Due Diligence Directive should Inspire an International Treaty”, JEL Conference on Greenwashing, 9 May 2025
- University of Bristol Law School, Bristol

My current research focuses on legal reasoning in international arbitration. Particularly on the nature, purpose, and evolution of reasoned awards. I examine what defines a well-reasoned award that aligns with legal requirements and fulfils the disputing parties' expectations for adequacy and sufficiency. The project examines both statutory and contractual bases for the duty to provide reasons, alongside its normative justifications. It tackles fundamental questions regarding transparency, procedural fairness, and legitimacy in adjudicative processes. I trace the historical development of reasoned awards from its relatively limited role in early arbitration to its current status as a hallmark of due process, party autonomy, and a safeguard of the rule of law.



**Fabricio Fortese**

Beyond doctrinal and theoretical analysis, the research addresses contemporary technological developments, especially the changing role of artificial intelligence in legal decision-making. I examine the evolution and shift from opaque, black-box AI systems to more transparent and explainable models, and how this transition mirrors debates in legal epistemology. The project also considers how the structure of human reasoning in arbitral awards could guide the design of legal AI and, conversely, how logic-based and constitutional AI models might eventually shape legal practice and reasoning in commercial dispute resolution.

### **Selected publications**

- Journal Article: F. Fortese, 'Safeguarding Natural Justice in Arbitral Award Writing', *Arbitration International*, Oxford University Press, (forthcoming, 2025).
- Book chapter: F. Fortese, P. Shaughnessy, 'Arbitration and the Rule of Law: Balancing Principles, Practice, and Judicial Oversight', in *Liber Amicorum in Honour of John Fellas* (Juris Publishing, forthcoming, 2025).
- Book chapter: 'Preparing for Success: Arbitration Moots and the Vis Moot', in *The Art of Advocacy: A Comprehensive Guide to ADR Competitions* (eds. Mahaseth, Gupta) (forthcoming, November 2025).
- Book chapter: S. Nappert, F. Fortese, 'Assessing Expert Evidence,' in *Leading Arbitrator's Guide to International Arbitration*, 4th Edition, Lawrence W. Newman & Richard D. Hill eds., (Juris Publishing Inc, April 2025).
- Book chapter: F. Fortese, 'A Matter of Characterisation,' in *Stockholm Arbitration Yearbook*, Vol 5, Kluwer International Law (2024).

### **Selected presentations and activities**

During my time at the IECL, I became a member of the board of editors of the *Journal of International Arbitration*. I have also joined the Education and Training Committee of Africa in the Moot, where I contributed to organising and delivering several educational programmes for students and academics in international arbitration and commercial law.

In autumn 2024, I also joined the Chartered Institute of Arbitrators Education and Training Reform Committee. This reference group allowed me to research comparative pedagogical approaches in international arbitration and procedural law courses, provide insights into amendments and updates to the Ciarb ADR Competence Framework, and provide guidance for training arbitrators, mediators, and adjudicators.

In June 2025, I was offered a place in the Wilmer Hale Scholar-in-Residence programme within the international arbitration team. WilmerHale is a leading international arbitration firm with a strong global presence in the UK, Europe, and the US, as well as a roster of highly regarded arbitration lawyers and academics. This scholar-in-residence position allowed me to continue my research and benefit from presentations and discussions with practising lawyers, bridging theoretical and practical issues.

I co-organised an international conference in Stockholm with the SCC Arbitration Institute and the law firm Mannheimer Swartling. Speakers and participants came from Australia, Switzerland, Brazil, India, Latvia, Sweden, Ukraine, Finland, the USA, and the UK.

## Paris Exchange Fellow



**Joël Cavallini** is a reader in private law at the University Paris-Panthéon-Assas (France), co-director of the European Jurist Master's degree, which is a triple law degree programme set up with seven other European universities, and head of the University Diploma in Civilization and Common Law. He has been running the exchanges programmes with Oxford, UCL, Queen Mary and Birmingham universities for nearly 25 years until 2024. He was a visiting research fellow (May 2025) at the Institute of European and Comparative Law. His research addresses European Union social law and economic freedoms of movement

### Selected publications

*Several case comments on European Union Court of justice decisions in the French law Review "Semaine juridique édition sociale" (JCP S)*

- Contrat de travail », note sous CJUE, 4 octobre 2024, aff. C-650/22, JCP S 2024, 1360
- Mobilité internationale », note sous CJUE, 26 septembre 2024, aff. C-387/22, JCP S 2024, 1354
- Santé et sécurité au travail », note sous CJUE, 20 juin 2024, aff. C-367/23, JCP S 2024, 1260
- Discriminations », note sous CJUE, 7 décembre 2023, aff. C-518/22, JCP S 2024, 1014

### Selected presentations

- "Interpretation of the Equality Act 2010 after Brexit: convergence or divergence with the Court of Justice of the European Union case-Law? : Research seminar at IECL, 29 May 2025.

### Other activities

Judge at the French Law Moot court held at Oxford Law Faculty (20 May 2025)

# The Centre for Competition Law and Policy (CCLP)

**T**he Centre for Competition Law and Policy (CCLP) provides a centralised platform for teaching and research of competition law and policy within the Law Faculty. Lectures, seminars and other activities focus on the enforcement of competition in the UK, EU and USA, international aspects of competition law, and antitrust policy and economics.

The CCLP hosts a yearly Guest Lecture Programme in which practitioners and scholars discuss recent enforcement trends. Key conferences in the past year included a symposium on 'Asian Competition Law, Trade Policy and Citizen Welfare', a conference on 'Trends in Retail Competition', a round table discussion on 'Artificial Intelligence, Competition and Data', and the 'Antitrust Enforcement Symposium.'

The Centre is home to the policy hub on 'competition law and AI', the 'Competition law and Democracy network', and research project on the 'Effect of Competition Policy on Economic Equality'. The Centre also operates a pro-bono programme – 'The Value of Competition' – dedicated to educating secondary school students about the benefits of competition and the role of competition enforcement. The programme aims to support the creation of a 'competition culture' around the world. The CCLP also supports the Law Faculty's Advanced Programme on Competition Law and the Digital Economy which was launched in June 2025.



# Law with Law Studies in Europe and the European Student Exchange Programme



European cities in which our partner universities are based: Top-Left: Siena; Bottom-Left: Munich; Centre: Paris; Centre-Right-Top: Leiden; Centre-Right-Bottom: Bonn; Bottom-Right: Barcelona (Steve Allen)

**T**he Institute is responsible for the faculty's four-year BA in Law with Law Studies in Europe, together with the associated exchanges with Law Faculties in our partner European universities.

The four-year BA course is a variant on the regular Oxford law degree that includes an extra year spent at one of Oxford's partner universities abroad. It is thus also frequently called 'Law Course 2'.

As an exchange programme, it was originally established and until 2020-2021 run under the EU's Erasmus+ scheme. Starting with the academic year 2021-2022, it now comes under the remit of the UK government's Turing programme. The exchange arrangements remain the same, however, so we continue to welcome to Oxford students from our partner universities – one for each of our own students we send abroad.

The following options continued to be on offer this year:

- Law with French Law, with 10 students going each year to the University of Paris Panthéon-Assas;
- Law with German Law, with 7 students going to the Universities of Bonn or Munich;
- Law with Italian Law, with 1 student going to the University of Siena this year;
- Law with Spanish Law, with 6 students going to the Pompeu Fabra University;

- Law with European Law, with 8 students going to the University of Leiden.

The Institute administers the Course 2 programme, including the provision of preparatory teaching in foreign law and languages and keeping in contact with the academic directors and the administrators of the exchange programmes in our partner universities. The Law Faculty's Academic Director of Undergraduate Exchange Programmes is a Deputy Director of the Institute, and the day-to-day administration of the exchange programmes is undertaken by the Administrator of the Institute.

Within this framework, the Institute also provides a focus and support network for the students coming to Oxford from our partner universities under the exchange agreements. These students are registered for the one-year Diploma in Legal Studies programme.

With up to 35 incoming and 35 outgoing students each year, Course 2 is one of the largest undergraduate exchange programmes in the University and it remains one of the success stories of the Law Faculty. Its graduates are highly sought after by law firms and other employers who appreciate their linguistic skills, their experience abroad and the teaching they receive in Oxford. There are and remain, of course, still some uncertainties about the future of student exchange programmes given the UK's withdrawal from the EU in 2020 and the coming into existence of the Turing scheme, which is currently going into its third year. However, none of the exchange agreements with our European partners formally depended on Erasmus+ membership, and we are and remain committed to keeping Course 2 on foot as best we can under whatever conditions may prevail in future. This is underscored by the fact that the University of Oxford has recently agreed to underwrite the exchanges for all students already on course as well as those accepted onto the relevant programmes.

## A year in Munich...

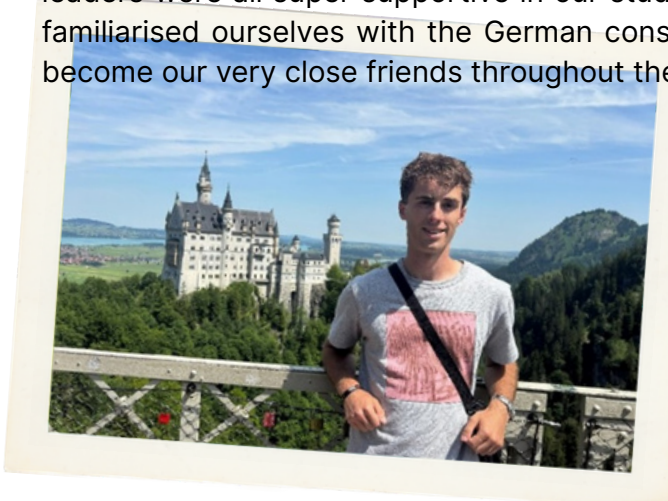
A report by  
**Filip Stuchlik**

**A**fter a successful and relatively peaceful Bonn/Munich split, three of us were set to spend the year in Munich. We arrived gradually throughout September excited for the coming year, despite the daunting task of studying law in German and being bombarded by German bureaucracy immediately upon arrival...

Registration to live in the city of Munich at the local citizen's office was expected, as was setting up German bank accounts, but we were all surprised to find out we had to pay a radio tax the entire year. I don't think any of us listened to German radio once throughout the year abroad. The start of Oktoberfest coinciding with our arrival in Munich certainly helped us settle in. We had only just unpacked our numerous suitcases and it was time to head off to Theresienwiese, home of the famous beer festival. For anyone wishing to experience German culture, Oktoberfest is the place to be. Seeing the multitude of beer tents, rollercoasters, fairground games and food stalls as well as the sea of people in lederhosen and dirndl is truly a sight to behold, as is a traditional German band playing songs such as Sweet Caroline.



Those of us applying for student accommodation were fortunate to get a place in the lovely Olympic village from the 1972 Olympics, where students stay in bungalows they can paint themselves. This was an amazing place to stay as it has a very welcoming student community, is on a direct line to the university and right in the middle of the Olympic Park. However, neither of us backed our artistic skills enough to give decorating a go. Although initially nervous about studying at LMU, hoping we would not encounter lecturers with thick Bavarian accents, we could not be more grateful for a wonderful academic experience. LMU has countless leading professors in German law, and the lecturers and seminar leaders were all super supportive in our studies of German civil and public law. We quickly familiarised ourselves with the German constitutional text and the civil code which would become our very close friends throughout the year. Bavaria is a beautiful state with



numerous lakes, the German alps as well as medieval cities all basically at your doorstep. Germany has this great thing called the Deutschlandticket, which for a discounted student price of 28 Euros a month gets you travel on public transport around Munich, across Bavaria and even to Salzburg (take notes UK!).



It's safe to say we made the most of these 28 Euros, heading out to see several German towns and cities, hikes in the Alps and around the lakes as well as other great sites such as the stunning Neuschwanstein castle. In the summer, the beautiful English Gardens right by the university are transformed into a hotspot for the people of Munich, with the opportunity to play several sports in the fields, have a picnic with your friends, go for a swim and watch the surfers attempt ride the waves of the renowned Eisbach. It was lovely to show the Bonn students around Munich after we visited them in Bonn and catch up on how things were going.

The year in Munich was a once in a lifetime opportunity and has broadened our horizons on numerous levels, from academic to cultural.

We thankfully all met our requirements, however, this would have been much more difficult without all the support we received from the IECL at Oxford and the Law Faculty at LMU, for which we are very thankful. Hopefully we will return to Munich some time in the future and look back fondly upon a wonderful year.



# Conferences and Seminars

## Litigating Climate Change at the 2025 Oxford Comparative Moot in German Law

6 March 2025

In 2025, the Oxford Comparative Moot in German Law was hosted again by the Institute of European and Comparative Law (IECL) with the generous support by Dr Martin Mekat and his colleagues from Freshfields PartG mbB. Organised by Dr Johannes Ungerer with the help of Elisabeth Müller, this year's Moot brought together students, academics, and practitioners interested in climate change litigation from a German-English comparative perspective. The panel was chaired by Professor Katja Ziegler, who is the Sir Robert Jennings Professor at the University of Leicester; Rechtsanwältin Stefanie Fay, a partner at Freshfields; and Dr Ungerer.



The Moot required students from the University of Oxford studying Law with German Law and exchange students from Munich and Bonn to analyse an ongoing climate change case before the Oberlandesgericht Hamm in Germany and to respond to questions about how the principles employed in this case can also play a role in English law.

In the Moot's case study, a farmer from Latin America sued a manufacturing company in England for the contribution to climate change, causing the farmer's land to flood. This raised questions about the available cause(s) of action, issues of causation, the question whether legally permitted emissions can lead to liability in private law, and the question whether private liability is the right response to problems arising from climate change. The case study thus gave the participants an opportunity to explore the intersections of public and private responsibility for handling the contributions to and consequences of climate change. One team approached the questions from the farmer's perspective while the other team represented the company. The panel was impressed by the students' passion for arguing for their respective sides and the level and depth of their submissions. Especially when it came to causation the students were able to put the specific problems of the case in the context of the overarching purpose and policy considerations of German and English law.



The Moot participants received feedback from the panel as well as certificates and prizes. The event culminated afterwards in a celebratory drink's reception and dinner at St Hilda's College, where all attendees enjoyed the opportunity to engage in further conversation.

## Oxford Conference on “Characterisation in the Conflict of Laws”

20-21 March 2025

On 20-21 March 2025, a conference on “Characterisation in the Conflict of Laws” was convened at St Hilda’s College, Oxford. Under the auspices of the Institute of European and Comparative Law in the Law Faculty of the University of Oxford, the conference was jointly organised by Dr **Johannes Ungerer** (University of Oxford and Notre Dame University in England), Dr **Caterina Benini** (Catholic University of Sacred Heart, Milan) and Dr **Felix Berner** (University of Tübingen). The conference brought together scholars and practitioners from several jurisdictions around the world.



The conference’s topic, characterisation, is the process for identifying the nature or category of a particular cause of action (for instance contractual, tortious, proprietary, corporate, matrimonial), so that the correct connecting factor can be employed which then points to the applicable law or to the competent court. Characterisation poses difficulties where the action is domestically unknown or falls in-between two categories and could thus be potentially litigated in different fora or under different laws, leading to different outcomes.

Different methods proposed for characterisation make this process even more complex. In this conference, participants explored characterisation from historical, methodological, critical, practical, and further perspectives with the aim to shed light on some of the most pressing and controversial issues of what arguably is the most crucial step for a court when determining its international jurisdiction and the applicable law.

Following the opening remarks by the three organisers, the first presentation addressed the history of characterisation. Professor **Martin Gebauer** (University of Tübingen) explored three main themes: striking parallels in time and content, strong contrasts, and finally the tensions in characterisation.

The presentations that followed were dedicated to the process and particular problems of characterisation. The paper given by Professor **Andrew Dickinson** (University of Oxford) raised the question of “Is there any magic in characterisation?” with a focus on the courts of England and Wales. The next presentation was delivered jointly by Associate Professors **Brooke Marshall** and **Roxanna Banu** (both University of Oxford) on characterisation’s role in the jurisdictional inquiry in English courts. This included an overview of the instances where the choice of law questions are raised at the jurisdictional stage in the context of granting permission for service out of the jurisdiction, exploring the relevant gateways in the Practice Direction 6B of the Civil Procedure Rules.

The last paper of this session was presented by Professor **Pietro Franzina** (Catholic University of Sacred Heart, Milan) on ‘renvoi de characterisation’, that is, characterisation for the purposes of renvoi. At the beginning, he set the scene regarding the meaning of renvoi and characterisation as well as the distinction between primary and secondary characterisation.

The next session of the conference consisted of four presentations on challenges of characterisation in specific areas. The first speaker, Assistant Professor **Joanna Langille** (University of Western Ontario), focused on the distinction between substance and procedure. In this regard, Langille critically examined the use of the traditional common law distinction of rights and remedies for characterisation purposes. She took a Kantian rights-based approach to explain that the idea of right and remedy essentially merged or ‘shaded into’ one another. The next paper was delivered by Professor **Yip Man** (Singapore Management University) on the characterisation of equitable doctrines.

While characterisation might have to start from a domestic law understanding, she embraced a functional approach in characterisation and argued for the pursuit of uniformity with an internationalist spirit and therefore against being constrained by domestic law notions.

Moving on to the insightful presentations by two academically distinguished practitioners, Dr **Alex Critchley** (Westwater Advocates, Edinburgh) spoke about the characterisation of contractual arrangements in the context of family law where some of the most challenging questions arise. Critchley focused on two main issues, namely the way family law agreements differ from other contracts (or as to whether they can be characterised as contracts at all) and the extent to which they relate to other fields of law such as company law.

Looking at a very different area of law, Dr **Thomas Klink** (Higher Regional Court of Stuttgart) addressed characterisation in international M&A disputes, where issues arise in judicial practice especially when the purchase agreement did not contain a relevant and valid choice of law clause. In his presentation Klink initially examined the characterisation of purchase agreements both in the form of a 'share deal' or – less common – an 'asset deal'.

The second day of the conference began with a session on what the organisers had termed rethinking characterisation, exploring novel and more critical approaches to characterisation. The first speaker in this session was Professor **Jeremy Heymann** (University of Lyon III Jean Moulin). Heymann's presentation was entitled 'characterisation from a unilateralist perspective'. He outlined the approach of unilateralism in contrast to multilateralism.

The second presentation in this session was delivered jointly by **Philomena Hindermann** and Professor **Ralf Michaels** (both Max Planck Institute for Comparative and International Private Law, Hamburg) with the provocative title 'Against Characterisation?'. Michaels began the paper with a critique of the current approach to characterisation with reference to the English decision in *Macmillan v Bishopsgate Investment Trust*. He explained how such a methodology in fact conceals the real essence of legal reasoning behind characterisation.

The last speaker of this session was Professor **Veronica Ruiz Abou-Nigm** (University of Edinburgh). Her presentation covered characterisation as a tool to manage diversity and hence she focused on an epistemic change of perspectives in characterisation.

The last session of the conference focused on the interplay of private and public international law. Professor **Alex Mills** (University College London) spoke about private international law treaty interpretation and characterisation. He started by examining the English common law approach to characterisation to draw comparisons between the methodology in the common law regarding the characterisation and the interpretation of international treaties. He explained that, since treaties are implemented through national laws in dualist systems, statutory interpretation is needed in their application whilst principles of international treaty interpretation are also taken into account.

The final paper of the conference was delivered by Professor **Marta Pertegás Sender** (Maastricht University and the University of Antwerp) discussed how characterisation questions were addressed at the Hague Conference for the purposes of drafting Conventions.

Concluding the conference proceedings, the three organisers expressed their gratitude to all speakers for their papers and to all attendees for their fruitful contributions to the discussion.

**Meltem Ece Oba**, *Koç University, Istanbul*

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## **Elections and Media: Newest Challenges, Threats, and Response**

24 April 2025

Aimed at bringing together scholars and experts from European countries, the event was organized by both the Institute of European and Comparative Law at the Faculty of Law, University of Oxford, in collaboration with the Faculty of Law of the National University of Kyiv-Mohyla Academy and was held on 24 April 2025.

The focus of this discussion was to address the critical issues and challenges confronted by modern democracies in organizing and conducting elections and referenda in the 21st century. Discussions sought to explore academic views on potential multilevel strategies to safeguard the integrity of elections, promote healthy pluralism, and support democratic processes free from manipulation and foreign interference.

The first section of the expert discussion focused on a healthy media environment in election campaigns, addressing current challenges and threats. This session featured presentations by Prof. Bianca Gutan, Prof. Monika Florczak-Wątor, Prof. George Papuashvili, Prof. Francesco Clementi, Dr. Indrè Isokaitė-Valužė, and Dr. Volodymyr Venher. The participants were invited to discuss and elaborate on key issues and emerging challenges related to the legal framework and the practical implementation of monitoring and oversight in election campaigns, with a particular focus on traditional media, online platforms, and new technologies, including the use of artificial intelligence. The second section explored the development of trustworthy election campaigns by combating disinformation, misinformation, hate speech, and manipulations.

This session featured presentations by Dr. Haroldas Šinkūnas, Dr. Alina Gentimir, Dr. Zoltán Pozsár-Szentmiklósy, Dr. Yurii Kliuchkovskiy, Ms. Nino Rizhamadze, and Dr. Andreea Verteş-Olteanu. The session aimed to address the critical challenges related to the content of pre-election campaigns and to explore tools for ensuring access to reliable and trustworthy information during elections and referenda. Discussions also focused on both preventive and reactive measures to counter the spread of misinformation, disinformation, malinformation, hate speech, and manipulative tactics in election campaigns, as well as information attacks targeting election authorities, candidates, political parties, and voters.

## 2025 Annual Lecture: “Continuity and Confluence: of Roots and Varied Shoots in Namibia’s Roman-Dutch Legal Tradition”

19 May 2025

On 19 May, Corpus Christi College hosted the fourth “IECL Annual Lecture”, delivered by Justice Hosea Angula of the Supreme Court of Namibia and Dr Ndatega Asheela-Shikalepo, Associate Dean, School of Law, University of Namibia.



The lecture explored the complexities of Namibia's mixed legal system through historical and comparative lenses. It highlighted the blend of Roman Dutch law, English common law, indigenous customary law, and international norms, forming a vibrant legal tapestry woven by historical doctrines and post-independence transformations. This enlightening lecture meticulously traced the deep-seated “roots” of Namibia’s unique legal landscape, while illuminating the “varied shoots” that have sprouted through the dynamic processes of judicial interpretation, comparative influences, statutory development and constitutional control.

Justice Angula and Dr. Asheela-Shikalepo's lecture highlighted the challenges and opportunities in Namibia’s mixed legal system and legal education. They emphasised the delicate balance required to maintain the rule of law, coherence and legal unity amidst a backdrop of pluralism. This effectively showcased Namibia not merely as a passive observer but as an active architect involved in the ongoing evolution of its diverse legal identity.

This insightful discussion was informed by the scholarly work of Justice Hosea Angula, Dr. Ndatega Asheela-Shikalepo, and Dr. Axel Moeller, whose contributions provided a robust foundation for understanding Namibia’s intricate legal journey.

## French Law Moot

20 May 2025

On the Tuesday of week 4, Trinity term 2025 the annual French Law Moot took place at the University of Oxford's faculty of law, with the second-year law students presenting their submissions in two different simultaneous proceedings to a panel of judges made up of representatives from the law firm GIDE, court judges and professors of French law. I sat in on the pleadings in one of the courts which consisted of multiple decisions on appeal in contract law, with one decision relating to suspensive conditions in contracts of sale and their enforcement, and the other two primarily dealing with breach of contract and the remedies offered by the French courts.

The moot offered a platform to highlight the intriguing differences between the English and French jurisprudence in this area and the mooters were able to navigate this landscape expertly thanks to their thorough preparation and the work of their coaches. Each team gave their submissions with exceptional confidence and skill, as was reflected by the feedback from the judges and the awards given to the students as a result. In summary, a wonderful opportunity insofar as it was a challenge for our students.



## Seminar and Dinner in honour of Sir Basil Markesinis

11 September 2025

On 11 September, the IECL hosted an event to mark the contribution of Sir Basil Markesinis to comparative law in Oxford and worked to further his legacy in the field.

Sir Basil founded what became the IECL and was its first Director. He also raised significant sums towards its work, from a range of institutional and other actors. He also taught and published on tort law and comparative law in Oxford and around the world in a way that continues to inspire today. The IECL was lucky to get to work with the Markesinis Family to prepare an event to bring together those who knew Basil, and those who still connect to his intellectual legacy. Professor Roderick Bagshaw presented Basil's work in tort law, grounding the intellectual approach in practical examples of the doctrinal work in the law. Professor Matt Dyson added a perspective on Basil's contribution to comparative law. Eugenie and Spyro Markesinis spoke to Basil's qualities as a person and his drive to improve the communities he was part of.

The event was also a milestone in fundraising for the Basil Markesinis Fund, a chance to ensure comparative law thrives in Oxford into the future. The IECL and the Markesinis family are immensely grateful to those who have already given and hope the fund can continue to grow into the future.



## Book Launch: Foundation of Tort Law in the Civilian Tradition by Enrique Barros

16 September 2025

On 16 September 2025, the Institute of European and Comparative Law (IECL) and Corpus Christi College hosted the launch of the first English edition of Foundations of Tort Law in the Civilian Tradition by Professor Enrique Barros (Universidad de Chile). The event was hosted by Professor Matt Dyson, Director of the IECL, and Francisco González Hoch, who had spearheaded the initiative to translate the book. The panel, which counted with the presence of the author, brought together Marta Pantaleón Díaz and Diego Sobejano (translators; and in practice in Madrid), Her Excellency Ximena Fuentes (Ambassador of Chile to the UK, Professor of International Law at the Universidad de Chile and Oxford alumna), Professor David Ibbetson (University of Cambridge), and Thomas Bullemore (DPhil candidate, Oxford; Lecturer, Universidad de Chile).



Originally published in Spanish in 2006, with a revised edition in 2022, the book is recognised as one of the most comprehensive works on tort law in the Spanish-speaking world. The new English translation, prepared by Marta Pantaleón Díaz and Diego Sobejano, with linguistic work by Mary Newbould and Professor Charles Kotuby, has been published by Hart in collaboration with the IECL, as part of the Institute's Studies series supporting outstanding scholarship around the world, and make it accessible to more people.

The panel opened with remarks from translator Marta Pantaleón Díaz, who reflected on the challenges of rendering a civilian treatise on tort law into English. She noted that translation in this context was not only a matter of language but also of legal culture -bridging civil law and common law traditions in a way that

would resonate with both audiences. The resulting work, she explained, may not always be the most literal, but it is the most faithful to the spirit and conceptual structure of the original.

Her Excellency Ximena Fuentes, emphasised the significance of the treatise in Chilean legal education. She highlighted Professor Barros's central role in shaping generations of lawyers and scholars, noting how the book has become a cornerstone in the teaching of tort law in Chile.

Professor David Ibbetson, situated the work within the broader context of comparative law, stressing its importance for common lawyers seeking to engage with civilian approaches to torts from different perspectives. He also offered reflections on the translation itself, noting the conceptual challenges of moving between Latin, Spanish, and English legal concepts, and the way these shifts shape the understanding of key ideas in tort law. Thomas Bullemore, reflected on the philosophical underpinnings of tort law, observing that Barros's work is an invitation to take torts seriously as a discipline of conceptual depth and practical importance.

The event concluded with remarks from Professor Enrique Barros, who expressed his gratitude for the translation and publication of his book. He recalled the decade-long process of writing the original text, which grew out of his teaching of tort law, and emphasised the collaborative efforts that made the English edition possible.

[Foundations of Tort Law in the Civilian Tradition](#) is available from Hart Publishing as part of the IECL's Studies series.

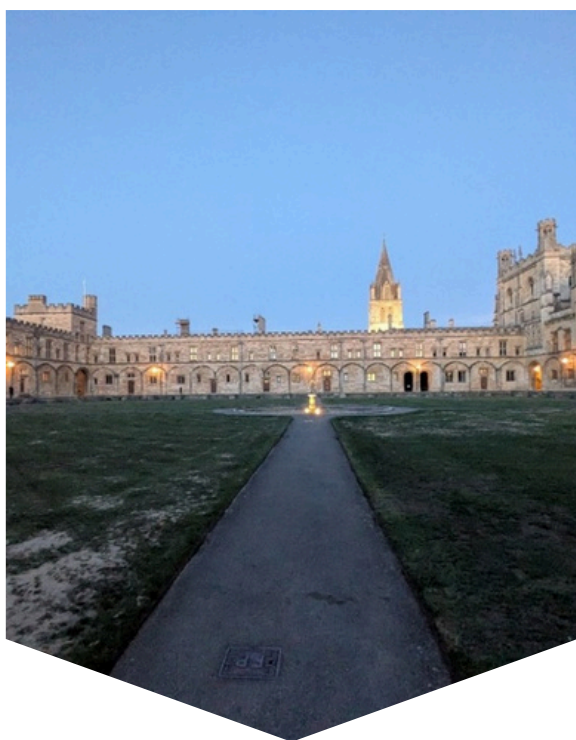
**Izaskun Linazasoro Espinoza**

*DPhil Candidate in Law; Corpus Christi College, Oxford*

## “Comparing Contract Laws Symposium” International Symposium in Honour of Professor John Cartwright

25-26 September 2025, Christ Church, Oxford

A two-day symposium celebrated the work and influence of a former Director of Institute of European and Comparative Law, John Cartwright. The organisers Ciara Kennefick (Oxford), Birke Häcker (Bonn) and Matthew Dyson (Oxford) invited participants, whether colleagues or former students, to engage on comparative law, one of Cartwright's most distinctive line of work. Cartwright himself commented on all and every paper, bringing to the table his usual acumen and wit.



The programme began with Simon Whittaker (Oxford), introduced by Lord Andrew Burrows (Justice of the UK Supreme Court) on “The Significances of Freedom of Contract: French and English Law Compared.” The paper explored the constitutional elevation of *la liberté contractuelle* under Article 1102 of the French Civil Code alongside the more tacit English understanding of “freedom of contract,” and asked how such an abstract principle should guide judicial reasoning. Discussion probed implications across civil and commercial spheres, as well as testing translation choices.

Isabel Zuloaga (Universidad de los Andes, Chile) followed with “Preliminary Agreements: A Theoretical and Comparative Perspective,” with commentary by Jennifer Jones KC. Mapping letters of intent and agreements to negotiate, Zuloaga analysed reliance and good-faith duties across systems, while practitioners highlighted

the role of estoppel and quantum meruit in managing non-binding negotiations. The debate acknowledged conceptual elusiveness but argued that case-by-case determinacy often suffices.

Hugh Beale (Warwick and Oxford), introduced by Graham Virgo (Cambridge), presented “Illegality: Looking Inside the ‘Black Box.’” Using *Patel v Mirza* as an English anchor, Beale contrasted deterrence, fairness, and systemic coherence in handling illegal contracts, including restitutionary consequences and the voidness/unenforceability line. The session pressed on whether moral and legal wrongs can come apart in this area.

Closing day one, Ciara Kennefick (Oxford), introduced by Guillaume Leyte (Paris-Panthéon-Assas), offered “The Political in Contract Law: The Just Price and the French Revolution.” Tracing *laesio enormis* from land law to the Code civil, she situated substantive fairness within revolutionary political economy and compared English nominal consideration and usury rules, asking whether contemporary systems still need doctrines keyed to “fair price.”

Day two opened with Vanessa Mak (Leiden) and Ewan McKendrick (Oxford/Leiden) on “Entire Agreement Clauses in English and Dutch Law,” introduced by Sir Jack Beatson (formerly Lord Justice of Appeal; Cambridge and Oxford). They showed how these clauses can misfire when exported across legal cultures and how the more sweeping the boilerplate, the less enforceable it tends to be.

Next, Yves-Marie Laithier (Paris-Panthéon-Assas), introduced by Nicolas Stallworthy KC, examined “Repudiation of Contract by the Creditor: Deliberate Breach and *Faute Intentionnelle* in English and French Contract Law.” He contrasted English autonomy in administering contracts with French emphasis on fault, clarifying that deliberate breach is not synonymous with intent to harm and that English tort overlaps with contract in ways foreign to French non-cumul.



Olivier Deshayes (Paris-Panthéon-Assas) then asked “What’s the French for *White & Carter v McGregor?*,” prompting Matthew Dyson (Oxford) to deepen the remedy comparison in his introduction. The paper prompted debates about the irreducible specificity of the English debt action, the distinct treatment of money, services, and things, and the limited role of profit-accounting in French private law.

Dyson’s own paper, “Concurrency’s Limits,” introduced by Isabel Hitching KC, returned to *Henderson v Merrett Syndicates* to show how jurisdictions either permit concurrency (England, Germany) or bar it (non-cumul in France). The session offered an opportunity to highlight that policy often rationalises choices that are, at bottom, matters of legal “taste,” with tort’s pervasiveness shaping English procedure and substance.

In the afternoon, Juan Pablo Múrga (Seville), introduced by Johannes Ungerer (Oxford), presented “Comparative Approaches to Unauthorised Agency: Apparent Authority and the Particular Case of the Death of the Principal.” Reading Spanish Civil Code arts 1732 and 1738 through the lens of apparent authority, he proposed that only third-party good faith be required—raising questions of transactional certainty, fairness, and possible reform.

The finale was Birke Häcker (Bonn), introduced by Ben Shaw KC: “A Comparative Journey Through the Life of a Contract.” Moving from formation to remedies, she contrasted the Civilian primacy of specific performance with the Common Law’s damages focus, and revisited pre-contract negotiation evidence, rectification, and classic mistakes (e.g., Germany’s *haarkjöringsköd*, England’s *Rose v Pim*).

Across sessions, a Cartwrightian theme recurred: comparative method clarifies doctrinal structure and shows why rules feel “natural” within one legal culture and alien in another.

**Geneviève Helleringer**, *Oxford*, and **Johannes Ungerer**, *Oxford*

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# IECL Research Masterclass

September 2025

The Research Masterclass ran for its third year, bringing together PGR students from around the world, to work in Oxford, and with Oxford PGR students. Colleagues and Visitors to the IECL present their work in short seminars, to punctuate the research time in Oxford; students also present on their work. The seminars cover substantive material, and discussion is launched from a publication provided in advance, but the presentation and discussion are equally about how to go about the task of researching and publishing. The speaker introduces the whole project, from conception to researching, drafting, publishing and what has been learnt since.

Below are brief reports from some of the attendees. This year the attendees spanned home and institutional locations from South Korea to Brazil, from Australia to Sweden, and from China to Barcelona.



The 2025 IECL Research Masterclass has been an unforgettable experience, and I am immensely grateful to have had the opportunity to participate. Over the course of the program, we took part in small-group seminars with academics from Oxford and beyond, which helped us refine our understanding of methodology, research, and writing, drawing directly from the speakers' own experiences and struggles. The seminars with Liz Fisher and Ariel Ezrachi were especially inspiring: Liz for her creative, craft-focused approach to legal scholarship, and Ariel for his seemingly endless supply of metaphors that somehow perfectly captured the familiar pitfalls of academic writing. Crucially, we also gained valuable feedback by presenting our own projects, which was quite challenging for me. Beyond the seminars, the social side of the masterclass was just as enriching. Exploring Oxford together with my cohort of international PhD students has been so much fun – whether getting lost in its beautiful libraries together, ending our days in local pubs, or finding ourselves in unexpected adventures. Among the most memorable were the evening when our director, Matt Dyson, took us to his samba group, where we joined in drumming, and the time he led us on a run through the “hills” of Oxford. Another highlight of the month were the two formal dinners at Corpus Christi, where I had the chance to meet many more fascinating people I otherwise never would have encountered. I sincerely hope the class will continue in the coming years, offering more aspiring legal academics the opportunity to connect and learn in this uniquely inspiring environment!

**Nils Hennig**, *University of Bonn*





“Being part of the Research Masterclass has undoubtedly been one of the most enriching academic experiences of my life. Here I discovered the value placed on methodology—not only comparative methodology, but also the very importance of having a solid methodological approach to research. Never before had I had the opportunity to learn so much in this field. All of this was accompanied by highly renowned scholars who also stood out for their remarkable human qualities. Moreover, it was of enormous value to be able to present my own research and receive feedback from so many colleagues I deeply admire, as well as from Professor Matthew Dyson. The experience of living in a college with fellow researchers also greatly enhanced the social dimension, which is so essential. Spending a month in Oxford and immersing myself in its way of working and living, thanks to the inspiration of Professor Dyson, allowed me to feel part of this unique atmosphere. I return home with valuable lessons that I hope to apply in my own academic journey.”

**Yaiza Moreno**, *University of Barcelona*

“Participating in the IECL Masterclass 2025 in Oxford, led by Matt Dyson, has been an inspiring and truly rewarding experience. The month challenged me to step outside my usual academic frame and to look at my doctoral research from entirely new angles. Engaging with complex questions in seminars and hands-on sessions, while also exchanging ideas with such a vibrant group of peers, gave me not only fresh intellectual tools but also valuable insights that I can now carry forward into my doctoral work in Bonn. I feel equipped with both sharper questions for my thesis and a network of colleagues whose diverse backgrounds and perspectives will continue to inspire me. Comparative law, after all, can only unfold its full potential when we create spaces like this to encounter different traditions, challenge assumptions, and learn across jurisdictions.”

**Cecilia Baltes**, *University of Bonn*

“The IECL Masterclass was an experience of academic rigour, genuine community, and thoughtful guidance. The programme was extremely well structured and coordinated. The well-judged balance between lectures and independent research time meant we received not only high-level advice on the ‘doing’ of a PhD, but also the resources and space to actually do it. As I enter the fourth year of my PhD, this was a rare chance to learn and think about this very process I am engaged in every day. Hearing from professors who spoke openly about the ins and outs of doing legal scholarship made it feel less opaque - still demanding and meticulous, but also genuine and creative. To feel connected with the challenges of our profession through the lens of the academics we met, and to hear their candid advice, gave me a fresh perspective on this stage of my doctorate. And, of course, sharing this experience with the group of doctoral students the programme brought together was a real highlight. The exchange of ideas across different legal traditions and research projects sharpened my own thinking, opened new avenues for arguments, and created very special connections I know will last. Above all, the success of the Masterclass reflects Prof. Matt Dyson’s leadership and dedication. He was attentive, generous, and genuinely invested in each of us. His sharp academic feedback, together with his care in shaping our time in Oxford and the opportunities he created for us, defined the spirit of the programme. The Masterclass was a reminder of how scholarship and community (and fun) can come together at their very best!”

**Fabiana Piccoli Arujo Santos**, *Geneva Graduate Institute*

**IECL**  
Institute of European  
and Comparative Law



“ It has been a fantastic experience to be in such a historically and academically rich environment. It has provided new perspectives—not only for my current research, but also for future projects. Our lecturers have all, in different ways, contributed to generating new insights and broadening my perspective. But these weeks have offered more than just individual skills development. They have also been an opportunity to form new global connections that may lead to international collaborations and exchanges—to become part of the global research community. In summary, these four weeks have been incredibly enriching and will have a significant impact on my research career. ”

**Erika Sandström**, *Karlstads University*

“ I found the Research Masterclass very valuable, both for my own research project and for a much better understanding of research work and methods. The seminars were engaging throughout, with a well-chosen variety of research fields as well as thought-provoking topics and discussions. What I particularly appreciated were the many insights shared by the seminar leaders on how they personally approach their research. These reflections gave me practical perspectives and helpful guidance that I can carry into my own work. The Masterclass also created space for meaningful exchange and feedback, which greatly benefitted from its well-organised structure and its international and welcoming atmosphere. Overall, the course and my time in Oxford were a great experience that has left me motivated and better equipped to continue with my doctoral research journey. ”

**Saacha Hurst**, *Stockholm University*



“ I had a fantastic time at the IECL Research Masterclass at the University of Oxford, where I had the opportunity to meet and collaborate with graduate students from many different countries. The international atmosphere made every discussion lively and insightful. What I enjoyed most was that each seminar was led by a different professor, allowing us to benefit from a wide range of perspectives and expertise in European, Comparative, and Competition Law. The diverse teaching styles and approaches enriched the learning experience and made every session unique. Overall, the masterclass was an inspiring and memorable academic journey. I am grateful to have had the opportunity to participate in the masterclass. ”

**Regina Maulberger**, *University of Augsburg*



“ Participating in the Research Masterclass in Oxford was an enriching and truly formative experience. The program created a unique space for scientific exchange, with professors generously sharing their experiences and advice—offering invaluable insights into the world of international academia. It focused on key aspects of doctoral work, from making research choices and navigating challenges to research execution and outputs, and in each of these areas it provided fresh input and perspectives. Especially at the beginning of a doctoral journey, these discussions were extremely helpful, complemented by access to excellent literature and resources. I gained new motivation, original ideas, and the courage to present and discuss my work in English. At the same time, the Masterclass fostered networking with doctoral candidates and professors from across the globe. For comparative and European law projects in particular, the direct and tangible contact with different legal systems, research cultures, and with jurists from various traditions and jurisdictions was invaluable, opening perspectives that no book alone could offer. I felt truly supported—not only in my own research but also as part of a wider international community—which is why this program should certainly be continued for future cohorts. A special thanks goes to Matt Dyson, who not only supported us academically by giving valuable feedback on our presentations and PhD topics, but also played a key role in our group dynamic by accompanying us beyond the academic setting — from running the 12-kilometer race together to joining us in the samba class.

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**Caroline Erhardt, University of Bonn**

“ The time at the IECL Research Masterclass was great. The classes themselves were super interesting. What I found especially helpful for my own research were the different perspectives on research and the various approaches that were shared. It was also exciting to learn about methodology in areas of law outside my own field. But the best part of the IECL Research Masterclass for me was meeting the other PhD students and the IECL members. The academic exchange was really enriching, but what I’ll remember most is the personal exchange with the other PhD students and the IECL members. And I’ll probably never forget our drumming class.

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**Tim Stumpf, University of Augsburg**



## Additional Events

In addition to the events above, members and associates of the Institute convene and administer the meetings of the Comparative Law Discussion Group, the EU Law Discussion Group, the IECL Lunchtime Seminar Series, and the Competition Law Discussion Group and Guest Lectures. The following meetings were held in 2024/25.

IECL Seminar Series	
<i>The Choice of the PICC as the Proper Law of the Contract in Latin American Jurisdictions: Chilean Contract Law as a Sample Study</i>	Dr Isabel Margarita Zuloaga Rios & Dr Maria Ignacia Vial Undurraga
<i>The Fall of Defences. Reasonable Chastisement and Marital Consent Before the European Court of Human Rights</i>	Dr Gianmarco Bondi
<i>Fair Play, Fair Punishment: Proportionality of Sanctions for Doping in Sport</i>	Dr Jan Exner
<i>The Common Law's Reasonable Person: A Biographical Introduction</i>	Assoc. Prof Valentin Jeutner
<i>Judicial Cooperation in Criminal Matters at a Crossroads: The Implications of Different Integration Approaches for the Functioning of the European Public Prosecutor's Office</i>	Dr András Csúri
<i>Business Freedom and Labour Protection in the Phenomenon of Relocations</i>	Dr Paolo Bernardo
<i>Use of AI in Environmental and Green Transition Arbitrations</i>	Dr Sorin Dolea
<i>Constitutional Public Policy and Contract Boilerplate</i>	Prof Rusell Korobkin



IECL Seminar Series	
<i>The Formal Requirements of Civil Marriage</i>	Dr Charlotte Wendland
<i>Civil Procedure on State Immunity Emerges from Transnational Law: Problems, Approaches, and Theories</i>	Jonathan Brosseau
<i>Illegal Claims in Tort</i>	Prof Matt Dyson
<i>Global Legal History: What Can be Compared and How?</i>	Prof Fernanda Pirie
<i>Re-shaping Football in Europe (and Beyond): From Litigation to Legislation</i>	Prof Steve Weatherill
<i>Do Unauthorised E-Sports Broadcasts Infringe EU Copyright Law</i>	Sarath Ninan Mathew
<i>Constitutional Interpretation in the Third Wave of Constitutionalism</i>	Prof Catherine O'Regan
<i>Codification and the Common Law</i>	Prof. John Cartwright
<i>The Shift and The Shocks: Do International Commercial Courts Convey a New Lex Mercatoria in Europe?</i>	Edoardo Piermattei
<i>Medical Dispute Resolution Mechanism from the Perspective of Comparative Law</i>	Jialin Li



IECL Seminar Series	
<i>Diverging Approaches to Copyright and Design Cumulation under the EU Notion of Originality</i>	Marc Huckschlag
<i>Boundaries of Human Oversight in AI Policy and Regulation: Comparisons between European, Nordic and British Perspectives</i>	Assoc Prof Riikka Koulu
<i>Coventry and Comparative Law</i>	Florian Bode
<i>Conceptualising Legal Implementation Through the Clean Water Act and the Water Framework Directive</i>	Eimear Fanthorpe
<i>The Impact of International Economic Sanctions on Contracts</i>	Maxime Boutroy
<i>Talking Past Each Other Across the Pond: Why Discussions of Online Speech Regulation Between the US and Europe Fail and What We Can Do About It</i>	Prof Claudia Haupt
<i>Participatory Rights in Environmental Matters: Progressive Features and Compliance Review of the Aarhus Convention</i>	Prof Jonas Ebbesson
<i>Imagining the World: Environmental Problems and Administrative Law Imagination in Comparative Perspective</i>	Prof Liz Fisher
<i>Deregulatory Illegality and Administrative Law's Remedy Incentives Problem</i>	Prof William Buzbee
<i>Global Tort Laws Before European Courts</i>	Dr David Messner-Kreuzbauer



IECL Seminar Series	
<i>Applying Comparative Law to the Crimmigration Debate</i>	Dr Carla Sepúlveda
<i>Interpretation of the Equality Act 2010 after Brexit : convergence or divergence with the Court of Justice of the European Union Case-law</i>	Prof Joel Cavallini
<i>No-Fault Compensation Schemes: An Empirical Perspective</i>	Dr Marlou Overheul
<i>Legal Reasoning, Efficiency, and Natural Justice in International Arbitration</i>	Dr Fabricio Fortese
<i>The Continuum of Contractual Commitment</i>	Prof David Snyder
<i>Unjust Enrichment and the Twin (Green &amp; Digital) Transitions</i>	Dr Giuseppe Portonera
<i>Fundamental Rights and the Pre-screening Regulation of the New EU Migration and Asylum Pact</i>	Prof Despoina Anagnostopoulou
<i>The Paradox of Data Rights: A Comparative Legal Analysis of Data Ownership, Privacy, and Value Distribution in the EU, UK, and China</i>	Prof Jianxin (Jason) Li
Competition Law Discussion Group and Guest Lectures	
<i>Current Issues in Global Merger Control</i>	Nicholas Levy, Cleary Gottlieb Steen & Hamilton LLP



### Competition Law Discussion Group and Guest Lectures

<i>Global Dimension of Competition Law</i>	Rachel Brandenburger
<i>Digital M&amp;A and killer acquisitions</i>	Simon Pritchard, <i>Latham &amp; Watkins</i>
<i>Sources of Market Power Below Traditional Levels in the Digital Economy and Their Implications for Developing Countries</i>	Ece Gizay Ban, <i>Oxford University</i>
<i>Antitrust as Organizational Law: 'How Antitrust Policy Shapes the Organization of Business</i>	Teodora Graz, <i>Sciences Po</i>

### Chinese Law Discussion Group

<i>Orchestrating the Transnational Networks? The Reconfigured Relationship between Global Corporations and International Law in the Era of Paris Agreement</i>	Zhonghua Du, <i>University of Amsterdam</i>
<i>Hot Topics in Standard-essential Patent Licensing: Patent Pools and Streaming Media</i>	Dr Yiran Wang, <i>Shanghai University of Political Science and Law</i>
<i>Methodology Workshop: The (Im)possibilities of Comparative Public Law</i>	Multiple Speakers
<i>Law and Literature: 'Judgment at Nuremberg' and China</i>	Xiaohan Zhang, Yang Qiu, Yue Cao, <i>University of Oxford</i>



Chinese Law Discussion Group	
<i>How Casinoization affects Homicide in Macao: A Four-Decade Experience</i>	Jianhua Xu, University of Macau
<i>International Law, Climate Change, and China</i>	Xiahong Chen, China University of Political Science and Law
<i>The Underestimated Peak: A Legislative Evaluation of the Bankruptcy Law of China in 1935 from a Modernization Perspective</i>	Kristin Van Zwieten, University of Oxford Geleite Xu, University of Derby
<i>'Seeing from Others': Oxford Chinese Law Discussion Group Conference for Junior Researchers (2025)</i>	Mark Jia, Georgetown University
<i>The Possibilities of Constitutional Education</i>	Matthew Erie and Wenjie Xu, University of Oxford

# *In Memoriam*

## **Professor Guido Alpa (1947 - 2025): A Tribute**

Guido Alpa's passing is a great loss to academic scholarship and to the many communities he nurtured around the world. He was a giant of Italian private law, comparative law and modestly but profoundly showed the very best qualities that a lawyer could have. He had a brilliant mind, cared deeply for people, both known to him and hypothetical, and had the utmost professionalism. Perhaps what was most obvious, and exceptional, about him was his excitement at ideas and the people who fashioned them, and the incredible generosity and personal warmth he displayed on every occasion, large or small.



Guido was born in Ovida, north of Genoa, in November 1947, and died in Genoa on 7 March 2025. In those 77 years, he excelled in every legal and non-legal setting. In the academic world, he had as distinguished a career as one can have. He graduated magna cum laude in law at the University of Genoa in the early 1970s, rising remarkably quickly from his first assistant professor post in 1974 to full Professor of Private Law there in 1980, and from 1981 Director of the Private Law Institute. In 1991 he took up a full professorship at La Sapienza in Rome, retiring in 2018, and becoming Professor Emeritus in 2019.

In the wider community, he was quickly and enduringly recognised as a leading private lawyer and a driver of deep and nuanced comparative law scholarship. He had honorary degrees a wide range of centres of learning from Complutense in Madrid, Universidad de Buenos Aires, to Universidad Nacional Mayor de San Marcos, Lima as well as memberships or leadership positions from even more, including being a Bencher of Gray's Inn since 1998 and a long list of academic societies. Visiting positions around the world, from the USA to Oxford were also his. He was a close friend of what is now the Institute of European and Comparative Law at Oxford, serving as a Senior Teaching Fellow in the late 1990s, and securing, with Sir Basil Markesinis, the arrangements for teaching Italian law that have continued to this day. He served with distinction on many significant academic bodies, including the UNIDROIT (for example in drafting the Principles of International Commercial Contracts), the International Academy of Comparative Law and the European Consumer Law Group. As Sir Basil observed, in the foreword to one of Guido's many erudite publications, Guido amply satisfied the very high standards for election to a Corresponding Fellowship of the British Academy. This, Sir Basil observed, was all the more notable as the standards for Corresponding Fellows were *higher* than for British Ordinary Fellows. They covered scholarly excellence, service to English culture and academic life, and as a relative test, given the limited positions offered each year, doing so better than almost all the other candidates in consideration that year.

# *In Memoriam*

## **Professor Guido Alpa (1947 - 2025): A Tribute**

But Guido's talents were no less flourishing in legal practice, with offices in Genoa and Rome for much of his life, he was an internationally recognised practitioner and advocate. His standing in the profession was so high that he was elected on multiple occasions to be President of the Italian Bar Association. It was still not unusual, though he had been President Emeritus for some time, for members of staff of the Bar Association to still greet him as "Signor Presidente", with a palpable warmth and affection. Across his career he had also served on a range of Commissions, Boards and Committees, covering everything from law reform to the running of Palaces. Numerous honours flowed from the Italian state and other bodies.

Guido's scholarship covered private and commercial law, integrating it smoothly with a deep understanding of comparative and European law. One important concern in Guido's scholarship was to apply European consumer law and the emerging European principles of private law in domestic general contract and tort law. He also explored the impact of human rights on private law, and believed in the power of private law to protect individuals and balance their rights. Guido's *The Right to be Oneself*, published by Bloomsbury in 2024, is a personal and rather beautiful book that condenses many of his ideas. Resolving the pressing problems of the law required in Guido's view that scholars looked across the boundaries that divide the law to bring out the underlying unities and fundamental principles.

Guido's patience with colleagues had no discernible limit, nor did his politeness and kindness. His encouragement of pupils and younger scholars has helped many early careers, or for that matter other colleagues throughout their careers. Numerous universities in Italy and beyond have Guido's pupils among their professors. To take just one example, one student is Giuseppe Conte in Florence who also served as Italy's Prime Minister 2018-2021.

Three major Festschrifts or Libri Amicorum were published for Guido, a clear sign of the highest level of affection and respect he was held in across Italy and the world. *Dialoghi con Guido Alpa. Un volume offerto in occasione del suo 71° compleanno* was published in 2018 at the University Roma Tre Press by four pupils. A traditionally magistral Italian *Liber Amicorum Guido Alpa*, Wolters Kluwer Italia-CEDAM, was published in 2019. The two books demonstrated the admiration of Italian academic colleagues. Already in 2007, the British Institute of International and Comparative Law had published *Liber Amicorum Guido Alpa: Private Law Beyond the National Systems* with over 1100 pages of contributions by international colleagues.

# *In Memoriam*

## **Professor Guido Alpa (1947 - 2025): A Tribute**

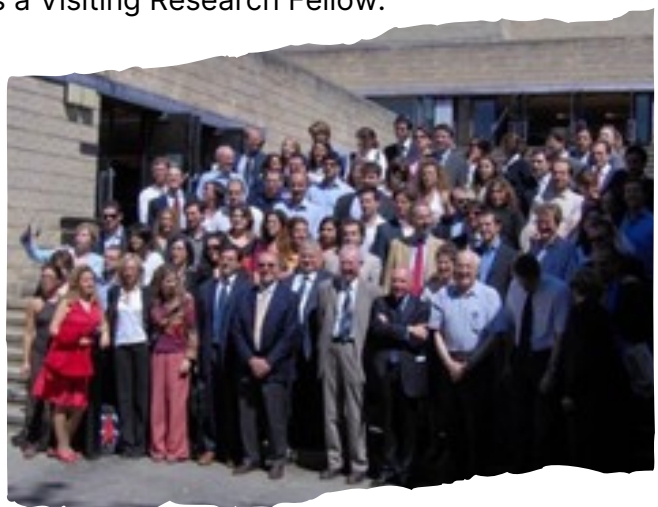
The Yale Professor and later judge Guido Calabresi wrote in the Foreword:

“—

A festschrift for Guido Alpa, what could be better or indeed more fun...the guests come from all over the world and represent the most interesting, the best, each country has to offer. Truly a fete, truly amicorum! ...Guido Alpa knows the place of theory in law and knows how to apply it to the forensic arts. He does this, however, without ever confusing the role of the scholar and that of the advocate. In Guido Alpa both parts are played elegantly, each learns from the other, but the two are never conflated. We have come because Guido is truly international in outlook and in feeling. Guido stands out because he has always, and almost instinctively, known what it means to have a worldwide view of law.

Such a life of learning and care for others perhaps the most obvious tribute to the man who led it. In Oxford, we will miss a dear friend and one of the brightest minds. A close friend from the foundation of what is now the Institute of European and Comparative Law, and taught here at the end of the 1990s, as well as being a key part in setting our Italian stream on the path to success to this day. A particularly moving example has been his funding and organisation of the Alpa Scholarships for doctoral students from Oxford to visit La Sapienza, and vice versa. Guido was personally interested in every exchange, and passionately believed in the importance of exchange, dialogue and understanding. Generations of students benefitted from this philosophy and generosity. The IECL had only just, weeks before his death, elected him as a Visiting Research Fellow.

**Mads Andenas and Matt Dyson**



Faculty of Law in 2006, Guido Alpa (front row, arms crossed)

# In Memoriam

## Professor Guido Alpa (1947 - 2025): A Tribute

**A selection of just Guido's publications, focused on his book length works, is set out below. In English (and one book in German)**

- *"Principles of European Contract Law" and the Italian Civil Code*, 2000.
- *Rules on Competition and Fair Trading*, in *Global Jurist*, 2002.
- *Tradition and Europeanization in Italian Law*, 2005.
- *Compensation for Personal Injury in English, German and Italian Law*, G. Alpa, B. Markesinis, M. Coester and A. Ullstein, Cambridge, 2005.
- *The Age of Rebuilding*, BIICL, 2007.
- *Italian private Law*, G. Alpa and V. Zeno-Zencovich, Cavendish, 2007.
- *Grundlagen des Europäischen Privatrechts*, G. Alpa und M. Andenas, Springer, 2009.
- *Markets and comparative law*, BIICL, 2010.
- *Compensation for Personal Injury in English, German and Italian Law*, G. Alpa, B. Markesinis, M. Coester and A. Ullstein, Cambridge, 2 ed. 2011.
- *Towards a European Contract Law*, in *Towards a European Contract Law* Edited by Reiner Schulze, Jules Stuyck, Sellier, 2011.
- *Competition of Legal Systems and Harmonization of European Private Law*, Sellier 2013.
- *Form and substance in Italian Private Law*, I, II, III, IV, V, VI, Antezza, 2018
- *European Private Law*, G. Alpa and M. Andenas) Pacini Ed., 2022
- *What is private law*, Pacini Ed., 2022
- *Sovereignty and Solidarity: from public to private law*, *Contratto Impresa Europa*, 2/2023
- *The Right to be Oneself*, Hart, 2024

### In Italian

- *Fondamenti del diritto privato europeo*, G. Alpa e M. Andenas, Trattato di diritto privato a cura di Iudica e Zatti, Giuffrè, 2005
- *Il giudice e l'uso delle sentenze straniere*, a cura di G. Alpa, Quaderni di Rassegna Forense, Atti del seminario 21 ottobre 2005 per 50 Corte cost., Giuffrè, 2006.
- *I principi generali*, Trattato di diritto privato a cura di Iudica e Zatti, Giuffrè, 2006.
- *Introduzione al diritto dei consumatori*, 3 ed., Laterza, 2006.
- *Le assicurazioni private*, Vol. I, II, III, a cura di G. Alpa, Rassegna Bigiavi, Utet, 2006.
- *Codici deontologici e autonomia privata*, Atti de Seminario di studi per il ventennale de *La nuova giurisprudenza civile commentata*, a cura di G. Alpa e p. Zatti, Quaderni di Rassegna forense, Giuffrè, 2006.
- *Corso di diritto contrattuale*, Cedam, 2006.
- *Introduzione al diritto contrattuale europeo*, Laterza, 2007.
- *Lezioni di diritto privato europeo*, raccolte da G. Alpa e G. Capilli, Cedam, 2007.
- *XXVIII Congresso nazionale dell'avvocatura italiana*. I contributi del CNF, a cura di Alpa, Quaderni di rassegna Forense, Giuffrè, 2007.
- *Il progetto italo-francese delle obbligazioni (1927), Un modello di armonizzazione nell'epoca della ricodificazione*, a cura di G. Alpa e G. Chiodi, Quaderni di rassegna Forense, Giuffrè, 2007.
- *I custodi del diritto*, Il Sole 24 Ore, 2007.
- *Che cos'è il diritto privato*, Laterza, 2007.
- *Manuale di diritto privato*, 5 ed. Cedam, 2007.

# In Memoriam

## Professor Guido Alpa (1947 - 2025): A Tribute

- *L'avvocato*, Il Mulino, 2 ed. 2008.
- *Diritto privato comparato*, G. Alpa, M.J. Bonell, D. Corapi, L. Moccia, V. Zeno-Zencovich, A. Zoppini, Laterza, 3 ed., 2008.
- *Atti del primo Congresso nazionale giuridico forense del secondo dopoguerra (settembre-novembre 1947)* a cura di G. Alpa, S. Borsacchi e R. Russo, Il Mulino, 2008.
- *Commentario breve al codice civile. Leggi complementari*, Tomo III, a cura di G. Alpa e P. Zatti, Cedam 2009.
- *Manuale di diritto privato*, 6 ed., Cedam, 2009.
- *Il DRAFT Common Frame of Reference del diritto privato europeo*, a cura di G. Alpa, G. Iudica, U. Perfetti, P. Zatti, Cedam, 2009.
- *Seminari di aggiornamento professionale (2007-2009)* a cura di G. ALPA, ESI, 2009.
- *Le modifiche al codice di procedura civile*, Quaderni di rassegna forense, a cura di Alpa, ESI, 2010.
- *La responsabilità civile. Principi*, Utet, 2010.
- *La responsabilità civile. Parte generale*, Rassegna Bigiavi, Utet, 2010.
- *Giurisdizioni di legittimità e regole di accesso. Esperienze europee a confronto*, a cura di G. Alpa e V. Carbone, Il Mulino, 2011.
- *L'avvocato*, Il Mulino, 3 ed. 2011.
- *Paolo Grossi*, a cura di G. Alpa, Laterza, 2011.
- *Manuale di diritto privato*, 7 ed., Cedam, 2011.
- *Le metamorfosi del diritto di proprietà*, Antologia a cura di G. Alpa e A. Fusaro, Antezza, 2011.
- *Le stagioni del contratto*, Il Mulino, 2012.
- *Arbitrati*, G. Alpa e V. Vigoriti, Utet, 2012.
- *Le persone fisiche*, (G. Alpa-A. Ansaldo), Il codice civile. Commentario. 2 ed., Giuffrè, 2013.
- *Arbitrato. Profili di diritto sostanziale e di diritto processuale* (A cura di Alpa e Vigoriti), Utet, 2013.
- *Manuale di diritto privato*, 8 ed., Cedam, 2013.
- *Il contratto in generale. Principi e problemi*, Edizione ad uso degli studenti, Giuffrè, 2014.
- *Codice civile annotato con la giurisprudenza*, a cura di G. Alpa e G. Iudica, Egea, 2014
- *I contratti del consumatore*, a cura di G. Alpa, Collana Istituti di diritto civile, Giuffrè, 2014.
- *Il contratto in generale. Fonti, teorie, metodi*, Trattato di diritto civile e commerciale, Giuffrè, 2014
- *La responsabilità d'impresa*, a cura di G. Alpa e G. Conte, Collana Istituti di diritto civile, Giuffrè, 2015
- *Manuale di diritto privato*, 9 ed., Wolters Kluwer - Cedam, 2015
- *Codice delle leggi civili speciali. Annotato con la giurisprudenza*, a cura di G. Alpa e P. Zatti, I codici superiori diretti da G. Alpa e R. Garofoli, NelDiritto editore, 2015
- *Diritto privato europeo*, Collana Istituti di diritto civile diretta da G. Alpa, Giuffrè, 2016
- *Illecito e danno antitrust. Casi e materiali*, Giappichelli, 2016
- *Diritto dei consumatori*, a cura di Alpa e Catricalà, Il Mulino, 2016
- *Giuristi e interpretazioni. Il ruolo del diritto nella società postmoderna*, Marietti, 2017
- *Manuale di diritto privato*, 10 ed., Wolters Kluwer Cedam, 2017
- *Diritto civile italiano. Due secoli di storia*, Il Mulino, 2018
- *Le persone fisiche e i diritti della personalità*, (Alpa - Resta) vol. 1, Trattato di diritto civile, Utet, 2019

# *In Memoriam*

## **Professor Guido Alpa (1947 - 2025): A Tribute**

- *La responsabilità del produttore*, a cura di G. Alpa, Giuffrè, 2019
- *Manuale di diritto privato*, 11 ed., Utet, 2020
- *Il diritto di essere se stessi*, La Nave di Teseo, 2021
- *Il contratto in generale*, Principi e problemi, 2 ed. ad uso degli studenti, Giuffrè, 2021
- *L'intelligenza artificiale*, Mucchi ed., 2021
- *Solidarietà. Principio normativo*, Il Mulino, 2022
- *Manuale di diritto privato*, 12 ed., Wolters Kluwer - Cedam, 2023
- *I principi generali*, 3 ed., Giuffrè, 2023
- *La responsabilità civile nel diritto comparato*, Trattato di diritto privato diretto da Iudica e Zatti, Giuffrè, 2024

Guido cared deeply about the scholarly community and its ability to grow. He was unfailingly friendly, encouraging and caring, of everyone from undergraduates to colleagues. Just one example is how much effort he dedicated to supporting the publishing of others, through running journals and other enterprises. These include as:

### **Editor of:**

- *Contratto e impresa (Padova)*

### **Co-editor of:**

- *European Business Law Review*
- *Economia e diritto del terziario (Genoa)*
- *Nuova giurisprudenza civile commentata (Padova)*
- *Rivista critica di diritto privato (Rome)*
- *Diritto dell'informazione e dell'informatica (Rome)*
- *Europa e diritto privato (Milano)*
- *I contratti (Milano)*
- *Responsabilità civile e previdenza (Milano)*
- *Europa e diritto privato (Roma)*
- *Contratto e impresa - Europa (Padova)*
- *Rivista del diritto commerciale e del diritto generale delle obbligazioni, (Padova)*
- *Rivista trimestrale di diritto dell'economia (Roma)*

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The Institute is most grateful to all those who support its work in European and/or comparative law, or its associated activities in the student exchange programmes. The current financial supporters are listed below.



Professor Guido Alpa	Support for the exchange of academic staff and graduate students between the Oxford Law Faculty and the University of Rome Sapienza
Gide Loyrette Nouel LLP	Funding for student events relating to French law
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The governance of the Institute is established in its Constitution approved by the Law Faculty Board. The Director reports directly to the Management Committee. The Management Committee, which is made up of members of the Law Faculty and the Social Sciences Division, has general oversight of the Institute including its administration of the degree in Law with Law Studies in Europe and the Diploma in Legal Studies. It receives reports on academic activity and programmes, monitors financial outcomes and approves strategies for income generation. The Advisory Council provides guidance on the strategic direction of the Institute. Its members are prominent persons in public life and the legal world who are well placed to advise upon and support the work of the Institute.

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