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Interlex Transnational training workshop

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Background



- EU legislative instruments in the area of PIL provide uniform rules governing the conflict of (national) laws situations, to improve the predictability of the outcome of proceedings or litigation, and the legal certainty as to the law applicable and the free movement of judgments.
- European PIL's provisions are applied in an increasing number of situations involving a cross-border element. The main issues that they strive to harmonise: jurisdiction, applicable law, recognition and enforcement of foreign decisions.
- For decades, however, knowledge of the intricate and to understand matters of PIL has been a privilege of a relatively small group of dedicated legal professionals. Even experienced lawyers find the subject unusually complex..





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Issues



- **Dispersion of EU rules:** the existing EU legal framework is not codified and fragmented across multiple legislative instruments.
- **Overlap between national and EU rules:** Despite continuous harmonisation efforts at Union level, many legal domains remain still governed by national conflict rules or international agreements.
- **Multilevel system of EU and international rules:** existence of numerous international conventions, bilateral agreements and national instruments, all these more or less overlapping in scope of regulation.
- **Ongoing development of EU jurisprudence:** Case law of the EU Court of Justice and of the national jurisdictions should also be considered in specific cases
- **Increasing complexity:** The greater number and increased diversity of transnational interactions raises new problems. In particular the global dimension of today's information society generates new complex issues.
- **Lack of systemic approach:** The complex issues that together make up private international law are too often discussed in isolation rather than approached as a system.



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- Global dimension of today's information society generates many new complex legal issues pertaining to **Internet-related PIL**, namely to PIL issue that emerging in the context of the Internet.
- As the Internet transcends national barriers, Internet law cases involving different legal systems indeed are ubiquitous, and PIL issues are involved in many Internet Law cases. Such issues are transversal to different domains of PIL, such as contracts, consumer protection, torts, and data protection., reflecting the pervasiveness of information technologies.
- **Internet-related PIL issues** are vastly significant for two set of reasons:
 1. The **social and economical importance** of Internet-related PIL are linked to the vast impact of the Internet, that is the medium of most economical and social interactions, affecting all European citizens. (e.g e-Commerce, social networks and sharing platforms, data protection)
 2. The **novelty and complexity** of Internet-related PIL are linked to, for example, the fact that it involves the application of location-focused rules to a space characterised by its border-disregarding nature, as well as many other novel issues.



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Interlex project



2 years project (1 September 2018-31 January 2021) – Funded by the European Union's Justice Programme (2014-2020)

Consortium:

University of Turin, Apis Europa, University of Bologna, European University Institute, Masarykova University, Council of the Bar Association of Rome, University of Konstanz

Interlex aims at developing **an online platform for advice and training on Internet-related PIL** providing a free service, mainly directed to legal professionals and law students, but accessible to all EU citizens.



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Interlex project – deliverables



- National reports
 - Austria, Bulgaria, Czech Republic, Romania, France, Germany, Ireland, Italy, Spain, Slovakia, Sweden
- Comparative report
- Interlex platform
 - <https://interlex-portal.eu/en/index.html>



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