



# *in brief*

## *Newsletter*

October - December 2018

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## CONFERENCE

### Judicial cooperation in cross-border cases in the European Union

On Monday, 1st October, 2018, it took place at the premises of CIEEL a conference on the contemporary legal issues concerning the judicial cooperation in cross-border cases in the EU, organized with the donation of the Stavros Niarchos Foundation (SNF).

The first session, chaired by Vice President of the Supreme Civil and Criminal Court ('Areios Pagos') and General Director of the National School of Judges, Mr. Dimitrios Kranis, focused on developments in EU civil justice. Professor Harris Pamboukis, from the National and Kapodistrian University of Athens, presented a thorough analysis and evaluation of the Brussels' Regulations system. Professor Evangelos Vassilakakis, from the Aristotle University of Thessaloniki, elaborated on particularly interesting issues of jurisdiction and applicable law on succession. Afterwards, Dr Virginia Tzortzis, Secretary of CIEEL, examined the property regimes of international couples and registered partners, in the light of the new relevant Regulations.





## CONFERENCE

# Judicial cooperation in cross-border cases in the European Union



Professor Vassilios Skouris, President of CIEEL, chaired the second session of the conference which concerned developments in the EU criminal justice system. Professor Maria Kaiafa - Gbadi, from the Aristotle University of Thessaloniki, analyzed the jurisprudence of the European Court of Justice on the European arrest warrant. The session was concluded with the contribution of Mr. Ilias Konstantakopoulos, Public Prosecutor and Justice Counsellor at the Permanent Representation of Greece to the EU, who spoke about the establishment of the European Public Prosecutor's Office (EPPO), and the protection of the EU's financial interests.

The objective of the conference was to promote the discussion and the exchange of views between academics, experts in EU civil and criminal law, judges and lawyers on both theoretical and practical issues.

The records of the conference will be published shortly.





ΕΛΛΗΝΙΚΗ ΕΝΩΣΗ  
ΕΥΡΩΠΑΪΚΟΥ ΔΙΚΑΙΟΥ



ΑΡΙΣΤΟΤΕΛΕΙΟ ΠΑΝΕΠΙΣΤΗΜΙΟ  
ΘΕΣΣΑΛΟΝΙΚΗΣ  
ΝΟΜΙΚΗ ΣΧΟΛΗ



## 1st Panhellenic European Law Conference

# Recent Developments in EU Legislation and Jurisprudence

On Friday and Saturday, November 2 and 3, 2018, it took place in Thessaloniki, at the Lecture Hall of the Society for Macedonian Studies, the 1st Panhellenic European Law Conference in memoriam of Professor Dimitrios Evrigenis, founder of CIEEL. The conference concerned the recent developments in EU legislation and jurisprudence and it was co-organized by the Hellenic Association for European Law and the Law School of the Aristotle University of Thessaloniki.

The conference started with the addresses of Professor Vassilios Skouris, President of the Hellenic Association for European Law and President of CIEEL, and of Professor Ioannis Stefanidis, Vice Dean of the Law School of the Aristotle University of Thessaloniki.

The first day of the conference was dedicated to the topics of the XXVIII Congress of the International Federation of European Law (Fédération Internationale pour le Droit Européen - 'FIDE'), which had been held from the 23rd till the 26th of May 2018 at Estoril, Portugal.

During the first session, chaired by the Director of CIEEL, Professor Christina Deliyanni-Dimitrakou, Ms. Sylvia Stavridou, Assistant Professor of the Democritus University of Thrace, and Ms. Despoina Anagnostopoulou, Assistant Professor of the University of Macedonia, national rapporteurs for Topic I of the FIDE Congress on “The internal market and the digital economy”, elaborated both on innovative and technical issues. Ms. Stavridou spoke





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# Recent Developments in EU Legislation and Jurisprudence



about digital networks, content sharing platforms and the role of Internet Service Providers (ISPs), and Ms. Anagnostopoulou about sales of goods, the supply of digital content and the 'collaborative economy' or, as it is sometimes called, the 'sharing economy'. The first session was concluded with the contribution of Ms. Eleftheria Nenframi, Professor of the University of Luxembourg, national rapporteur for Topic III of the FIDE Congress on "The external dimension of the EU policies", who presented the particularly interesting case-law developments on international trade global agreements and immigration policy.

The Vice President of the Hellenic Association for European Law, Professor Panayiotis Kanellopoulos, Jean Monnet Chair holder at the University of Piraeus, was presiding the second session. The national rapporteurs of Topic II of the FIDE Congress on "Taxation, State aid and distortions of competition" encountered on the relevant up-to-day issues. Ms. Ekaterini Sgouridou, Researcher of CIEEL and Member of CIEEL's State Aid Unit, analyzed the jurisprudence of the EU courts on the selectivity of tax measures. Ms. Aikaterini Savvaidou, Assistant Professor of the Aristotle University of Thessaloniki and Jean Monnet Chair holder referred extensively to the recent tax ruling cases about transfer pricing in intra-group





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→ transactions of multinational companies and focused on the European Commission's documentation and founding for the existence of state aid in these cases. Dr. Eftychia Mouameletzi, Research Director of CIEEL and Coordinator of CIEEL's State Aid Unit, examined thoroughly the novelty and the complexity of state aid issues arising in the application of Bilateral Investment Agreements ('BITs').

On the second day of the conference, chaired by Professor Vassilios Skouris, the Greek Judge at the European Court of Justice, Mr. Michail Vilaras, expressed his views about the importance of judicial independence and the principles of mutual trust and mutual recognition, in the light of the ECJ's jurisprudence. Afterwards, the Greek Judge at the General Court of the European Union, Mr. Dimitrios Gratsias, developed the topic "The European Parliament before the General Court of the European Union: The judicial review of the European Parliament's administrative acts", a matter of particular significance for the democratic legitimacy of EU institutions.

The first Panhellenic European Law Conference was attended by academics, judges, lawyers and law students, who all participated in the extensive discussion that followed after each session.





## 2<sup>nd</sup> Lecture of the series **Thyssen Lectures**

by the Chairman of the Centre for Liberal Strategies in Sofia,  
**Mr. Ivan Krastev**

The second lecture of the "Thyssen Lectures" series took place on Monday, 26 November 2018, in Thessaloniki, at the Chamber of Commerce and Industry, and on Tuesday 27 November 2018 in Athens at Electra Palace Hotel. Mr. Ivan Krastev, Chairman of the Centre for Liberal Strategies in Sofia and Permanent Fellow at the Institute of Human Sciences in Vienna, developed the topic «The Age of Imitation of Its Discontent: Is Europe failing?».

Mr. Krastev, an eminent thinker on issues concerning Europe, contemplated on the future of the European Union, while expressing his concern that there may be no future. Elaborating on this pessimistic prospect, Mr. Krastev stressed out that, in order for the EU to face the risk of disintegration, first and foremost it is important to recognize that the refugee crisis is a key factor in Europe's current situation. On one hand it brought about a multiculturalism that the Union cannot endure, and on the other hand it favored the prevalence of populist parties strongly opposed to influx of refugees and immigrants. According to Mr. Krastev's views, if Europe actually strives not to follow the path of authoritarianism and populism and not to endanger its unity, its primal goal oughts to be to defend the fundamental values of liberal democracy.

At both events in Thessaloniki and Athens, the participation of academics, judges, lawyers and students was extensive and the discussion that followed was profoundly interesting.





## SEMINAR

# General Regulation on the Protection of Personal Data

In the framework of the EU funded Justice Program 'Training for a European Area of Justice - TrEAJus', a project assigned to the Centre of International and European Economic Law (CIEEL) and Frederick University of Nicosia, Cyprus, a training seminar on the protection of personal data under the recently applied new General Regulation 2016/679/EU took place in Nicosia, from the 5th to the 8th December, 2018. The seminar was attended by lawyers from Cyprus, along with lawyers from Greece, in a mission organized by CIEEL. Dr Virginia Tzortzi, Secretary fo CIEEL, was the Head of the mission.

On the first of the seminar, Dr. Constantinos Kouroupis, Lecturer at the Frederick University, encountered on the content of the term 'personal data' in view of the provisions of the General Regulation.

On the second day, Mr. George Christofides, lawyer and visiting Lecturer at Frederick University, elaborated on the impact of the General Regulation on legal practice and jurisprudence, while Dr. Dimitris Theocharis, Lecturer at Frederick University, focused on the protection of personal data in relation to mediation.

On the third day, Ms Irene Loizidou-Nikolaïdou, Commissioner for Personal







## SEMINAR

# General Regulation on the Protection of Personal Data

'''→ Data Protection in Cyprus, presented in detail the duties and powers of the Independent Supervisory Authority for the protection of the individual, with reference to the requirements laid down by the General Regulation. Afterwards, Ms. Despoina Anagnostopoulou, Assistant Professor of the University of Macedonia and Jean Monnet Chair holder, analyzed the particular issues of personal data protection arising in the field of online transactions.

On the closing day of the seminar, Mr. George Christofides spoke about the application of the General Regulation to the professional activities of lawyers, followed by Mr. Xenis Xenophontos, District Judge, who elaborated on the way that the General Regulation will affect labour relations.

Apart from the lectures, the program of the seminar included the examination of relevant case studies and a further discussion on the answers given by the participants, in order to highlight all aspects of the newly introduced General Regulation.

TRAINING FOR A  
EUROPEAN AREA  
OF JUSTICEThe EU  
Charter of  
Fundamental  
RightsCombating  
Hate Speech  
and Hate  
Crimes in the  
EUThe Rights of  
Refugees,  
Migrants and  
Asylum  
SeekersEconomic  
and Social  
Rights in  
the EUData  
Protection  
Law in the  
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UNIVERSITY

## SEMINAR

Fundamental social rights from a European  
Labour Law perspective

In the framework of the EU funded Justice Program 'Training for a European Area of Justice - TrEAJus', a project assigned to the Centre of International and European Economic Law (CIEEL) and Frederick University of Nicosia, Cyprus, a five-day training seminar on fundamental social rights took place in Thessaloniki, from the 17th to the 21st December, 2018.

The seminar, which was attended by lawyers and judges from Greece and Cyprus, focused both on the analysis of the doctrine and the examination of relevant case studies.

On the first of the seminar, Associate Professor of the Aristotle University of Thessaloniki, Mr. Vassilios Kourtis, presented the topic "Judicial Claims in Individual Labor Relations of an International Character (according to the Regulations 'Brussels Ia' and 'Rome I')", while on the following day, Professor of the Université Catholique de Louvain, Mr. Filip Dorssemont, developed his views on





## SEMINAR

### Fundamental social rights from a European Labour Law perspective

'''➔ the right to collective action, referring to the leading judgements of the European Court of Justice in Viking and Laval cases.

On the third day, Professor of the Aristotle University of Thessaloniki, Ms. Victoria Douka, elaborated on the application of the new General Regulation 2016/679/EU on the protection of personal data in the field of labour relations. Along the same line, Lecturer of the Democritus University of Thrace, Mr. Georgios Theodosis, contemplated on the key necessity to protect workers' rights in the event of a business's transfer. On the fifth and last day, Dr. Dimitrios Goulas, lawyer and post-doctoral researcher at CIEEL, raised the interesting issue of collective redundancies.

Overall, the evaluation of the seminar was very positive and the participants considered the seminar to be particularly useful and up-to-date.



## Twinning Programme Greece - FYROM

«Standardization and harmonization according to ISO 17025 standard of the laboratories within the Institute for forensic medicine, criminalistics and medical deontology»



CIEEL, in cooperation with the Laboratory of Forensic and Toxicology of the The National and Kapodistrian University of Athens, the Laboratory of Forensics and Toxicology of the Aristotle University of Thessaloniki and the Forensic Medical Service of Thessaloniki, has undertaken to implement a European light twinning program with FYROM in the field of Forensic Medicine. The program, which has been assigned following a successful submission of a written proposal and oral support prepared and coordinated by the CIEEL's Program Office, has a budget of 250.000 euros and a duration of eight months, starting on October 13, 2018.

The program provides the opportunity to highlight the expertise of Greek forensic science and medical practitioners, since Greek experts will regularly visit FYROM aiming at transferring know-how and familiarizing their counterparts with the European acquis and best European practices.

Further, the program's objective is to standardize and harmonize in accordance with European standards and in particular with ISO 17025 the work protocols, as well as the practices and methods of the laboratories of the Institute of Forensic Medicine and Medical Ethics of the University of Saints Cyril and Methodius in FYROM.

It should also be noted that the program, as part of a broader reform effort in FYROM, is expected to improve existing synergies between the two countries, with a view to a future cooperation in other areas, such as in the case of mass disasters with the adoption of a National Plan.



# Brexit

## Endorsement of the Withdrawal Agreement

On November 25, 2018, the European Council endorsed the Agreement on the withdrawal of the United Kingdom from the European Union. On this basis, the European Council invited the Commission, the European Parliament and the Council to take the necessary steps to ensure that the Agreement shall enter into force on 30 March 2019, so as to provide for an orderly withdrawal.

The Agreement establishes the terms of the UK's withdrawal from the EU. It provides that the rights of European citizens living in Britain and of British citizens living in EU countries shall be protected and, thus, everyone can continue to work and live in its chosen country of residence. A mechanism for resolving any disputes arising in the implementation and interpretation of the Agreement is further provided. A key issue solved is governance of the Withdrawal Agreement in order to ensure its proper implementation. As with any international agreement, the draft agreement establishes a framework with an initial stage for the political resolution of disputes and, where disagreement persists, the resolution of such conflicts by an arbitration panel. Where disagreement involves a matter of interpretation of EU law, the European Court of Justice will continue to fulfil its role.

As far as the transition period is concerned, the United Kingdom will leave the European Union and all its institutions on 29 March 2019. However, for a period of 21 months, from 30 March 2019 to 31 December 2020, and in order to allow citizens, administrations and businesses to prepare and adapt to the new forthcoming situation, it has been agreed to keep matters as they are with regard to the internal market, the customs union and European policies. The possibility of extending by joint agreement this transition period only once and for a limited time, is also included.

The European Council also approved the Political Declaration setting out the framework for the future relationship between the European Union and the United Kingdom of Great Britain and Northern Ireland. The European Council restated the Union's determination to have as close as possible a partnership with the United Kingdom in the future in line with the Political Declaration. The Union's approach will continue to be defined by the overall positions and principles set out in the previously agreed European Council's guidelines. The European Council will remain permanently seized of the matter.

