



LES RENDEZ-VOUS EUROPÉENS DU DROIT INTERNATIONAL PRIVÉ ET COMPARÉ

27 NOVEMBRE 2026

🕒 09H45-12H00

Salle CAILLEMER

Palais de l'Université

15 quai Claude Bernard, Lyon 7^e

Organisé par le CREDIP-EDIEC sous la direction de :

Jeremy HEYMANN, Professeur de droit privé,
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**FACULTÉ
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CENTRE DE RECHERCHE EN DROIT INTERNATIONAL PRIVÉ
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Jòan GONDOLO

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The borders of Europe's data protection safety area in terms of personal data : international law and data protection

His dissertation lies at the intersection of international law and data protection law. It focuses on the expansion of the territorial scope of European data protection law, from the first-generation laws to the GDPR.

The first question raised is that of the territorial scope of European data protection laws. The connecting factors used by European law have become less technical and now primarily focus on the data controller and the data subject. Traditional localization methods of international law are thus being challenged. Instead, through a fundamental approach of data protection, international law is mobilized to serve the substantive goal of ensuring effective protection for the data subject. The territorial scope of European laws in general, and more specifically of the GDPR, is then defined broadly, unilaterally, and extraterritorially, highlighting the ambition to create a European safety area in terms of personal data. However, this European ambition raises questions regarding the capacity of the Union and its Member States to effectively realize this safety area.

The study then thus turns to the realization of this safety area. Private international law plays a central role by enabling the data subject to pursue a direct action against the data controller or their processor. This raises questions about the jurisdiction of judicial authorities and the applicable national law. While the GDPR addresses the first question, the second remains unanswered. More broadly, the European ambition calls for developments concerning the effectiveness of European decisions in an international context. Thus, we analyze how European law restricts the enforcement of administrative and judicial decisions outside the Union, as well as the mechanisms it uses when enforcement outside the Union's territory is necessary.

Finally, the complex relationship between the European Union and the United States is specifically explored, as various transatlantic agreements have faced significant setbacks.



Edoardo **PIERMATTEI**

Ph.D. in Civil Procedural Law,
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Courts in Dialogue, Harmonization in Motion: The Role of French and Italian Commercial Courts in Private International Law

International Commercial Courts (ICCs) are increasingly portrayed as a public-law alternative to international arbitration for cross-border business disputes. Their role, however, goes beyond procedural

efficiency and market-oriented adjudication. This presentation argues that ICCs may provide an institutional setting for the gradual development of a modern *lex mercatoria*.

The analysis addresses three connected questions. First, what are International Commercial Courts, and which substantive and procedural features distinguish them from ordinary domestic courts and from arbitral tribunals? Second, to what extent do ICCs contribute to the harmonization of civil procedure in cross-border litigation? Third, can the establishment of specialised international chambers in France and Italy offer an effective response to the needs of international trade and transnational dispute resolution? By combining specialization, procedural flexibility and openness to transnational commercial practices, ICCs can offer dispute-resolution mechanisms better suited to international trade. Yet this modern *lex mercatoria* is not an autonomous legal order; rather, it emerges from the interaction between domestic procedural rules, supranational soft-law instruments, and judicial dialogue across jurisdictions.

Against this background, the presentation considers whether the spread of ICCs, especially in Europe, can strengthen legal certainty and foster more coherent transnational commercial justice while preserving the legitimacy of judicial decision-making.



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