

## Dr Elena Gualco

### Lecturer in Law

Dr Elena Gualco is Lecturer in Law at the [Department of Law and Finance](#) of the University of Bedfordshire. Previously, she was post-doc teaching and research fellow at the University of Genoa (Italy). Elena holds an LLM (equivalent) in Law from the University of Genoa (Italy) and a joint PhD in International Law from the University of Genoa (Italy) and the University Paris Ouest Nanterre La Défense.

During her PhD, Elena focused on the horizontal direct effect of non-discrimination on grounds of age within the European Union, specializing in the fields of anti-discrimination law and the jurisdictional protection under EU law.

Elena's research interests cover several aspects of European and international law, such as the protection of fundamental rights within the EU and the ECHR, the constitutional foundations of the European Union and EU private international law.

In 2013, 2014 and 2015 Elena has been research fellow at the CREDOF centre (Centre for the study and protection of fundamental rights) of the University Paris Ouest Nanterre La Défense. She has recently joined the Institute of Advance Legal Studies of the University of London as Research fellow (December 2016 – March 2017).

### Other References

- [www.linkedin.com](http://www.linkedin.com)

### Qualifications

- Fellow Higher Education Academy (FHEA) - 2017
- PhD in Law and Political Science – University Paris Ouest Nanterre La Défense (France) - 2015
- PhD in Civil, Corporate and International Law – University of Genoa (Italy) - 2015
- Laurea Magistrale a Ciclo Unico (LLB + LLM Italian equivalent) in Law – University of Genoa (Italy) – 2011

### Teaching Expertise

- EU Law
- EU Private International Law
- Public International Law
- Anti-discrimination Law
- Contract law

### Research Interests

- EU constitutional law

- The direct and indirect effect of EU law
- The protection of fundamental rights within the European Union
- EU private international law (Brussels I recast, Rome I and Rome II regulations)
- Anti-discrimination law in the EU and the ECHR
- Human rights law

### External roles

- IALS Research Fellow (2016)
- Member of the Society of Legal Scholars, SLS (2016)
- Member of the Italian Society of International and European Union Law, SIDI (2012)

### Research Projects

- 2017 – Research Project funded by the Business and Management Research Institute (BMRI) of the University of Bedfordshire: ‘The situation of asylum seeking minors in the UK: from ‘failed asylum seekers’ to ‘failed sponsors’ within family reunification procedures?’ (Principal Investigator: Dr Elena Gualco, Co-Investigator: Dr Silvia Borelli)
- 2014 – Research Project funded by the University of Genoa: “Regolamento Bruxelles I bis e convenzioni su materie particolari: tra cooperazione internazionale e primauté del diritto dell’Unione europea” – “Brussels I bis Regulation: between international cooperation and primacy of EU law” (Scientific Coordinator: Prof. Chiara E. Tuo)
- 2013 – Research Project funded by the University of Genoa: “La tutela dei diritti fondamentali nel diritto internazionale e dell’Unione europea: quale grado di effettività?” – “The protection of fundamental rights in international and EU Law: which standard of effectiveness?” (Scientific Coordinator: Prof. I. Queirolo)
- 2011 – Programme of Relevant National Interest (PRIN) supported by the Italian Ministry of Education, University and Research: “Non-state actors e strumenti di regolazione dell’economia: problemi di attuazione e meccanismi di tutela” – “Non-state actors and economic governance: between implementation tasks and protection mechanisms”, prot. 2010AALBC4\_002 (National Coordinator: Prof. E. Cannizzaro)

### Conference Presentations

- 2017 – (with Dr. Silvia Borelli) ‘Young Refugees and Family Reunion: the legal challenges’, British Red Cross Shared Learning Day ‘Working with refugees, asylum seekers and vulnerable migrants’, University of Bedfordshire, November 21, 2017
- 2017 – Chair and Panellist within the Roundtable on ‘Age assessment’, Workshop ‘A Minor’s Journey Across Europe: From Age Assessment to Family Reunion’, University of Bedfordshire, July 12, 2017
- 2017 – ‘Unaccompanied minors’ quest for asylum in Europe: age assessment and other preliminary challenges’, Workshop ‘Unaccompanied Minors: Law, Policy and Accessing Rights in Scotland – Workshop 1: Reception’, Edinburgh Napier University, May 17, 2017

- 2017 – ‘The EU and the protection of equality: coping with new realities and facing old shortcomings’, Socio-Legal Studies Association (SLSA) Annual Conference, Stream ‘Is Equality and Human Rights Law Capable of Tackling 21st Century Crises?’, Newcastle University, April 5 – 7, 2017
- 2017 – ‘Unaccompanied minors and asylum in the EU’, Institute of Advanced Legal Studies (IALS), March 14, 2017
- 2017 – ‘New discriminatory grounds via the CJEU case-law: from interpretation to law-making’, Institute of Advanced Legal Studies (IALS), February 9, 2017
- 2016 – Centre for Research in Law (CRiL) Roundtable, ‘Rapid response roundtable discussion on Brexit High Court ruling’, University of Bedfordshire, November 16, 2016
- 2016 – ‘General principles of EU law: a “safety valve” in the EU system of protection of fundamental rights’, 5th Conference on European Law and Policy in Context: ‘More or Less Europe? The Future of European Law and Policy’, University of Birmingham, June 23/24, 2016

### Publications

- Gualco E., 'La Cour de justice retourne sur l'effet direct du principe de non-discrimination en raison de l'âge: (encore) beaucoup de bruit pour rien?', *federalismi.it*, 2017 (18), pp. 1 - 17
- Gualco E., “Clash of Titans” 2.0. From Conflicting EU General Principles to Conflicting Jurisdictional Authorities: The Court of Justice and the Danish Supreme Court in the Dansk Industri Case’, *European Papers – European Forum*, 26 March 2017, pp. 1 – 7
- Gualco E., Unaccompanied minors seeking for protection in the European Union: will a fair and adequate asylum system ever see the light?, in G.C. Bruno, F.M. Palombino, D. Amoroso (Eds.), *Migration and Development: some reflections on current legal issues*, CNR publications, 2016, pp. 175 - 195
- Gualco E. – Lourenço L., Clash of Titans – General principles of EU law: balancing and horizontal direct effect, in *European Papers*, 2016, vol.1, No. 2, pp. 643 – 652
- Gualco E., General principles of EU law as a passe-partout key within the constitutional edifice of the European Union: are the benefits worth the side effects?, *IEL Working Papers*, University of Birmingham, 5/2016
- Gualco E., Age Discrimination in EU Law: Theoretical and Practical Issues in the Light of Horizontal Direct Effect, *Scritti di diritto privato europeo ed internazionale* (Essays in private – European and international – law, Series), Rome, 2015, pp. 233 – 265
- Gualco E., Riflessioni sulla sentenza della Corte di giustizia in tema di discriminazione fondata sull'obesità. Valori e “paradossi” del diritto antidiscriminatorio dell’Unione europea (The ECJ decision on obesity discrimination: values and “paradoxes” of EU anti-discrimination law), *Eurojus*, 14.05.2015
- Gualco E. – Risso E., Il riconoscimento e l’esecuzione delle decisioni giudiziarie nel regolamento Bruxelles I bis (The recognition and enforcement of judgements in the new Brussels I bis Regulation), *Diritto del Commercio Internazionale*, 3/2014, pp. 637 – 671
- Gualco E., Unione europea e principio di non discriminazione in base all’età: tendenze consolidate e nuovi sviluppi alla luce della più recente giurisprudenza (ECJ case-law on age discrimination: between well-established principles and new trends), *Diritto Pubblico Comparato ed Europeo*, 4/2013, pp. 1129 – 1155

- Gualco E., L'opposizione al decreto di exequatur nel regolamento 44/2001: la natura atecnica della nozione di "ricorso" secondo la giurisprudenza della Corte di Cassazione italiana (The appeal against the declaration of enforceability under the Brussels I Regulation: recent remarks by Italian Courts), *Il Diritto Marittimo*, 4/2012, pp. 1072 – 1079