



Editorial of Volume 39 Issue I of the Utrecht Journal of International and European Law

EDITORIAL

CARLOS GABRIEL RAMAGLIA MOTA 

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Dear Readers,

I am thrilled to present Volume 39, Issue I of the Utrecht Journal of International and European Law (UJIEL). This issue showcases the dedication and scholarly contributions of our authors, and the rigorous efforts of our board of editors and external referees involved in our double-blind review process. On behalf of UJIEL, I extend my heartfelt thanks to all contributors for making this edition possible.

This edition features two insightful research articles focused on European legal developments.

In “The Electronic Participation in Corporate Bodies in Lithuania from a Comparative Perspective”, Ivan Romaschenko and Virginijus Bitė discuss the digital transformations of corporate governance regulations in Europe, prompted by the COVID-19 Pandemic. The article proceeds to analyse the regulation of electronic participation in corporate bodies in Lithuania in a comparative manner for normative finalities. It compares the Estonian and German jurisdictions and applies quantitative surveys among Lithuanian law firms. Although considered satisfactory among practitioners, the authors conclude with recommendations on the procedures of identification and verification of shareholders, on voting methods during online meetings and on the competence of who should decide on electronic participation.¹

In “Post-EU Accession to the ECHR: The Argument for Why the ECtHR Should Abandon the Bosphorus Doctrine”, Šejla Imamović analyses the European Court of Human Rights (ECtHR) 2005–2021 case law on the responsibility of Contracting Parties that are also members of the European Union (EU) – known as the “Bosphorus presumption of equivalent protection”. The article assesses the future status of the presumption based on jurisprudence and the recent developments regarding the EU’s accession to the European Convention of Human Rights (ECHR). The author critically argues that, as illustrated over a sixteen-year period, there is a lack of methodological clarity when applying the Bosphorus presumption. The contribution also adds that due to the EU principle of mutual trust, the existence of the presumption has been called into question. With the imminence of the EU’s accession, it concludes with the proposal for the ECtHR to abandon said doctrine.²

We hope these contributions inspire further discussion and research in the field of international and European law. Thank you for your continued support and engagement with UJIEL.

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NOTES

- 1 Ivan Romaschenko and Virginijus Bitė, ‘The Electronic Participation in Corporate Bodies in Lithuania from a Comparative Perspective’ (2024) 39 Utrecht Journal of International and European Law (UJIEL), pp. 1–16.
- 2 Šejla Imamović, ‘Post-EU Accession to the ECHR: The Argument for Why the ECtHR Should Abandon the Bosphorus Doctrine’ (2024) 39 Utrecht Journal of International and European Law (UJIEL), pp. 17–29.

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