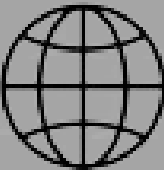


Book of Abstracts

Livro de Resumos

II Conference

Legal **SciC**  **mm**
Research & Practices

12 November 2024
Coimbra, Portugal



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INSTITUTO JURÍDICO
FACULDADE DE DIREITO
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Fundação
para a Ciência
e a Tecnologia

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PROGRAMME

8:30 - Arrival and registration of participants

9:00 - Opening

JM Aroso Linhares (President of the UCILeR Coordinating Board)

9:15 - Brief introduction to the Conference

Marta Graça, Niedja Santos e Marcelly Gullo (Legal SciComm Project)

9:30 - Simplificação da linguagem jurídica e acesso à justiça (Simplifying legal language and access to justice)¹

Chair: Maria José Capelo (FDUC/UCILeR)

The importance of clear language in legal communication and some examples of its application - Joana Fernandes (Claro)

Translation at the European Commission as a practice for simplifying legal communication - Madalena Paumier-Bianco (Direção-Geral de Tradução da Comissão Europeia)

Digital transformation in access to justice. What is Legal Design and what is its impact?- Inês Portela (Legal Design & Digital Institute)

Does plain language improve access to justice? - Luís Duarte de Almeida (Nova School of Law)

10:45 - 11:00 - coffee break

11:00 - Workshop Clear Legal Communication: AI-Assisted Information Design and Plain Language - Helena Haapio (University of Vaasa, Finland) and Anne Ketola (Tampere University, Finland)

13:00 – Lunch

14:30 - Legal Communication in Portugal

Chair: Pedro Correia (FDUC/UCILeR)

Legal gamification as a tool to internalize values in education, training and resocialization
- Alexandra Aragão (FDUC/UCILeR)

Quid Juris - Vamos falar (de) Direito? (Quid Juris - Let's talk about law?) - Anabela Gonçalves (University of Minho)

Católica Talks and More - Elsa Vaz de Sequeira (Universidade Católica Portuguesa)

Art and image in communication about law - a personal experience - Paula Távora (FDUC/UCILeR)

15:45 - Call for Papers - Presentations

Chair: Matilde Lavouras (FDUC/UCILeR)

¹ Panel in Portuguese with simultaneous translation by Isabel Gouveia

Panel I – Scientific Work

Da Lei à Consulta: o Conhecimento Jurídico na Medicina – Daniela Marques Dias (Universidade de Coimbra)

A importância do acesso à produção científica no processo de reconhecimento e proteção dos direitos da Natureza - Aparecida de Sousa Damasceno (Universidade Rovira i Virgili)

Teaching Comparative Law to (Future) Legal Translators: An Outline Syllabus Proposal for a Standalone Comparative Law Course - Przemysław Kusik (University of the National Education Commission)

Eye-tracking in law and linguistics research. Possibilities and future - Agnieszka Błaszczak & Magda Żelazowska-Sobczyk (University of Warsaw)

Language relief as a method of achieving an administration's goal - Martyna Wilmanowicz-Słupczewska (Nicolaus Copernicus University in Toruń)

Translating Law and Understanding Law through Non-Verbal Language Forms - Olimpia Loddo (University of Cagliari)

A difícil comunicação entre profissionais e leigos na área do Direito - Cornelia Pag & Conceição Carapinha (Universidade de Coimbra)

Q&A

Panel II - Scientific Work

A regulatory framework for Artificial Intelligence: a critical discursive approach in plain language to the EU AI Act - Maria Cristina Paganoni (Università degli Studi di Milano)

Cybersecurity for all: Training to prevent scams in rural areas- Ana Isabel García Alfara (University of Salamanca)

LA na Democratização do Direito Fiscal: Simplificação e Acessibilidade para Públicos Não Especializados - Antonio Lopo Martinez (Universidade de Coimbra)

The Role of Legal Professionals in Simplifying Legal Language for Data Protection - Lucas Cortizo (Universidade do Minho)

A Linguagem Clara no contexto Luso-Brasileiro: Uma primeira abordagem - Giovana Mello Miranda (Universidade de Lisboa)

The role of the jurist in the age of Legal Design - Stefania Racioppi (Università di Roma)

Reasoning per analogiam and appropriate application of rules as ways to simplify the law - Marek Słupczewski (Nicolaus Copernicus University in Toruń)

Advocating for Change and Public Legal Literacy: The Communication Strategies of NGOs - Marta Konovalova (Shevchenko National University of Kyiv)

Q&A

Panel III - Experience Report

The Course "Interpretation and Justification in Jurisprudence" in the International Legal Communication Research Master Study Program - Izabela Gawlowicz (University of Zielona Gora)

Comunicação com público pela rede social: desmistificando o direito penal e processo penal através de informações práticas - Marcela Camargo (Universidade de Coimbra)

Desconfiança e desinformação: O Impacto da Internet na Relação Advogado-Cliente - Ícaro Menezes Gago Diniz Couto (Universidade de Coimbra)

The Contrassenso Column: the media as a tool for improving the understanding of legal matters - Arthur Milanez & Adriana Rodrigues de Menezes (Universidade de São Paulo)

Citizen Mobilisation and the Human Right to Water: Experience in Collecting Signatures for the European Citizens' Initiative - Sílvia de Carvalho Homem (Universidade de Coimbra)

Governance for sustainability: applying Klaus Bosselmann's legal concepts to ensure urban environmental protection through local's building capacities - Erica Valente (Universidade de Coimbra)

Q&A

19:00 – Closing remarks

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Scientific Work / Trabalho Científico

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Experience Report / Relato de Experiência

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SCIENTIFIC WORK

Trabalho Científico

Da Lei à Consulta: o Conhecimento Jurídico na Medicina

Daniela Marques Dias*¹

RESUMO: A comunicação científica entre o Direito e a Medicina é essencial para garantir que ambas as áreas colaborem de forma eficiente, especialmente no atual contexto tecnológico, tendo como foco a garantia dos direitos dos pacientes. Assim, desenvolver uma estratégia de comunicação jurídica direcionada a um público não especializado em Direito (médicos e estudantes de Medicina) significa entender as particularidades de ambas as disciplinas e deste público, que possui um conhecimento técnico bastante elevado, mas que, por vezes, não se faz acompanhar pelos termos jurídicos. A título exemplificativo, vejamos as questões de bioética, responsabilidade médica, boas práticas médicas à distância. Como poderemos ultrapassar esta situação? Através de uma comunicação eficaz e proveitosa, sendo necessário estabelecer um diálogo que utilize uma linguagem clara e objetiva, sem perder o rigor jurídico. Logo, é imprescindível a participação ativa dos próprios médicos ou estudantes no desenvolvimento destas comunicações. Tal diálogo poderá ser alcançado através da contextualização de normas e princípios legais em situações práticas do ambiente médico, mostrando o impacto desses conhecimentos na tomada de decisões clínicas e na gestão de riscos. Destarte, a solução poderá encontrar-se no desenvolvimento de materiais acessíveis – como breves artigos ilustrados, vídeos de curta duração ou podcasts – que complementem seminários interdisciplinares (ou que sejam oferecidos separadamente). O desenvolvimento de uma comunicação jurídica voltada para médicos fortalece a compreensão mútua e melhora a prática profissional, promovendo um ambiente mais seguro e ético, tanto no domínio jurídico como no médico.

Palavras-chave: Comunicação de ciência; Direito e Medicina; Profissionais de Saúde.

Ideias Principais: A comunicação acessível do Direito a médicos e a estudantes de Medicina é fundamental para uma comunidade esclarecida e para salvaguardar os direitos dos pacientes.

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A importância do acesso à produção científica no processo de reconhecimento e proteção dos direitos da Natureza

Aparecida de Sousa Damasceno*¹

RESUMO: Em um cenário de profunda crise ecossocial com repercussões globais, é fundamental buscar novas respostas jurídicas alinhadas à proteção ambiental. Neste contexto, mostra-se cada vez mais necessário o reconhecimento da Natureza² como sujeito de direitos, não só a nível nacional, como já ocorre em alguns países, mas também internacional. Sob esta perspectiva, a Natureza já não se concebe como “objeto” de proteção, e sim como sujeito titular de direitos, em conformidade com a Carta Mundial da Natureza, de 1982³. Uma mudança de paradigma tão significativa depende da participação de toda a sociedade, de modo que o objetivo da presente investigação é refletir sobre como a divulgação científica a públicos não especializados pode contribuir para promover a mobilização e a ação social. Borràs-Pentinat⁴ defende que o giro copernicano ao ecoceno deve transcender o ativismo conceitual, requerendo mudanças ecossociais verdadeiramente profundas que não só afetem o ordenamento jurídico, mas também todas as ações humanas em relação às espécies não humanas. A investigação, de caráter jurídico-sociológico e raciocínio dialético, busca através de elementos teóricos e documentais avaliar estratégias para a disseminação de resultados científicos a públicos não especializados, ampliando o acesso, a reflexão e o debate sobre tais conteúdos. Como resultado, conclui-se que imprensa pode contribuir muito para o processo de transmissão e aproveitamento social do conhecimento produzido nas Universidades, colaborando em linguagem simples para despertar o interesse sobre temas ecossociais. Além disso, seria extremamente recomendável a realização de investimentos na produção de filmes e documentários como aliados da comunicação científica.

Palavras-chave: Acesso à produção científica; crise ecossocial; direitos da Natureza; participação popular.

Ideias Principais: Reconhecimento e proteção dos direitos da Natureza. Importância do acesso, reflexão e debate a respeito do conhecimento produzido nas Universidades. Participação popular nas decisões políticas.

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² A palavra “Natureza” é escrita com letra maiúscula, como se reconheceu e incorporou na Resolução 73/235, da Assembleia Geral das Nações Unidas (vigésimo nono parágrafo do preâmbulo).

³ NAÇÕES UNIDAS (1982). Carta Mundial da Natureza. Resolução 37/7, de 28 de outubro de 1982.

⁴ BORRÀS PENTINAT, Susana (2023). Del Antropoceno al Ecoceno: propuestas jurídicas de la transición ecosocial para el cuidado de la vida. *Iberoamerican Journal of Development Studies* 12(1):242-273.

Teaching Comparative Law to (Future) Legal Translators: An Outline Syllabus Proposal for a Standalone Comparative Law Course

Przemysław Kusik*¹

ABSTRACT: This paper follows up on the author's presentation delivered at last year's 'I Legal SciComm Conference', in which attention was drawn to a gap in the communication of comparative law knowledge to legal translation trainees. While multiple references to comparative law are found in legal translator competence models, and several scholars have advocated incorporating comparative law in translator training, little is known about how exactly comparative law should be taught to (future) legal translators. The limited role of this subject also transpired from a review of actual legal translation courses and programmes. Ultimately, it was concluded that it might be worth facing the various practical difficulties and trying to create a self-contained comparative law component within legal translator training. Taking this as the starting point, the present paper seeks to propose a syllabus for such a course. Guided by interdisciplinary insights from the literature on syllabus design, translator training and comparative law teaching, it asks the question of what goals, outcomes, assessment, content and activities a comparative law course for legal translators should involve. In answering this question, the paper attempts to develop a relatively flexible outline syllabus that could be useful for various training institutions. First and foremost, however, it intends to meet the formidable challenge of making the course engaging and suitable for a diverse group of trainees, especially non-lawyers, so as to convince them that the comparative law sub-competence can improve their daily legal translation work and is worth building further after the course ends.

Keywords: comparative law methods; comparative law sub-competence; legal translation; legal translator training; syllabus design; teaching comparative law

Basic Ideas: A comparative law course would benefit (future) legal translators. The course should cover theoretical and methodological aspects. It should cater to a diverse trainee group.

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Eye-tracking in law and linguistics research: Possibilities and future

Agnieszka Błaszczak*¹ Magda

Żelazowska-Sobczyk**²

ABSTRACT: This presentation explores the results of an eye-tracking study conducted during the workshop “Unlocking Understanding: An Interdisciplinary Exploration through Eye-Tracking Research on the UN Disability Rights Convention,” held at the Faculty of Law, University of Coimbra, in May 2024. The primary focus of the workshop was the eye-tracking analysis of Article 8 of the “Convention on the Rights of Persons with Disabilities” in both its original and simplified (plain language) versions. The study aimed to answer the research question: “Do reading strategies differ between the original version of the text and its simplified version?”. Eye-tracking technology offers significant insights into how individuals read and comprehend legal documents by monitoring their visual attention and reading patterns. This research is crucial for enhancing the readability and comprehensibility of legal texts for diverse audiences. Participants in the study included law students (University of Coimbra) and international legal communication students (University of Warsaw). The study’s findings, presented through heatmaps and gaze plot visualizations, reveal distinct differences in the reading strategies of legal specialists and non-specialists. These visual tools illustrate the attentional patterns and comprehension strategies employed by the participants, highlighting the potential improvements in legal writing, layout, and formatting to foster better understanding. This presentation will discuss the implications of these findings for the future of legal document design and the potential for further interdisciplinary research using eye-tracking technology in law and linguistics. The insights gained from this study underscore the importance of interdisciplinary approaches to enhance legal communication and accessibility.

Keywords: attentional patterns; comprehension strategies; eye-tracking research; plain language; reading strategies; specialized language; UN Disability Rights Convention;

Basic Ideas: 1. Eye-tracking technology reveals differences in reading strategies between original and simplified legal texts.

2. Findings enhance understanding of how diverse audiences comprehend legal documents.

3. Implications for improving legal writing and interdisciplinary research in law and linguistics.

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Language relief as a method of achieving an administration's goal

Martyna Wilmanowicz-Słupczewska*¹

ABSTRACT: The speech focuses on the issue of so-called language relief and the international standard of plain language. Writing in plain language is recommended worldwide because it simplifies communication and builds the confidence of addressees. The paper will discuss issues such as the principles of language relief, the definition of plain language, writing in the language relief standard and an example writing map. The considerations will lead to an attempt to answer the question – whether plain language can be used by public administrations for better communication and whether this can bring tangible benefits? Language simplification will be presented, among others, using the example of the Polish Ministry of Finance, which has been simplifying the language of its organisation for more than 10 years. This process has included simple messages for the website, information brochures or leaflets for taxpayers on the annual PIT return. Ministry staff have participated in training sessions led by experts in plain language and user experience design. The practice of so-called language relief, i.e. simplifying language, has already brought real benefits. It was noted that letters formulated in a simple manner had a higher effectiveness than traditional summonses with numerous instructions including the possibility of initiating an enforcement procedure. The dogmatic-legal method is the main research tool.

Keywords: international plain language standard; language relief; plain language; public law; tax law.

Basic Ideas: The simple language of writings tailored to the recipient influences a greater degree of understanding of the message than writings saturated with complicated phrases and instructions.

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Translating and Understanding Law through Non-Verbal Language

Olimpia Giuliana Loddo*¹

ABSTRACT: In this presentation, I will explain how the inclusion of non-verbal language has become an increasingly important tool in the field of legal communication.

In the first part, I will explore how the use of different semiotic codes can facilitate the drafting of user-oriented documents and enhance legal communication. It is essential to highlight the connection between the emergence of new forms of legal communication and technological developments, particularly with regard to the use of interactive digital tools and graphic visualizations.

Moreover, I will emphasize how incorporating non-verbal forms of translation into the drafting of legal documents can influence individuals' neuro-cognition in the pursuit of contrasting objectives. On one hand, non-verbal tools can be employed to assist in the understanding of legal norms, to exemplify their application, and to clarify the consequences of their violations. On the other hand, these same tools can be used in ethically questionable ways, such as in the case of "dark patterns," to manipulate contracting parties' choices.

Accordingly, it will be interesting to examine both ethical examples, such as the use of charts, drawings, and diagrams that illustrate contractual clauses, or the complete translation of a contract in the form of a comic, and unethical examples of non-linguistic sign usage in when drafting legal documents. This comparison will stimulate critical reflection on the impact that non-verbal forms of translation can have on the understanding and interpretation of legal norms in the contemporary context.

Keywords: legal translation; user-oriented documents; manipulative design, non-verbal language.

Basic Ideas:

1. Non-verbal language enhances legal communication and user-oriented document drafting.
2. Cognitive impacts of non-verbal language in legal communication.
3. Ethical and unethical uses of non-verbal design in law.

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A difícil comunicação entre profissionais e leigos na área do Direito

Conceição Carapinha *¹

Cornelia Plag **²

RESUMO: Partindo essencialmente da perspetiva da Linguística, pretende-se identificar problemas na comunicação entre profissionais e leigos e sugerir formas que permitam ultrapassar esse disfuncionamento. Para tal, são apresentados e analisados exemplos autênticos i) da interação verbal em sala de audiência, quer no âmbito monolíngue quer com recurso a mediação interlinguística, e ii) dos textos escritos que suportam os processos. Esses problemas podem situar-se em três planos distintos: 1- Um primeiro plano, de natureza linguística, engloba problemas sintáticos, escolhas lexicais inadequadas, mecanismos de remissão interna, entre outros. Estes fenómenos contribuem para um elevado grau de opacidade dos textos/discursos tendo em conta o possível público-alvo. 2- Há também uma dimensão relacional/interpessoal que invariavelmente enquadra as nossas interações verbais quotidianas, funcionando em paralelo à dimensão referencial/de conteúdo. Essa dimensão não é tipicamente considerada no tribunal, podendo comprometer o êxito do discurso referencial dos leigos. 3- O distinto horizonte de expectativas de cada um dos grupos, profissionais e leigos, bem como a discrepância de conhecimentos acerca do próprio setting judicial, pode também originar problemas comunicativos. Constituindo um universo de palavras e de discursos, o Direito consubstancia-se num conjunto de atos de comunicação com os cidadãos como os seus últimos destinatários. Por isso, a linguagem do Direito deve ser clara.

Palavras-Chave: assimetrias; comunicação jurídica; dimensão interpessoal; linguagem clara; profissionais vs. leigos

Ideias Principais: Discrepâncias nos conhecimentos e nas expectativas geram problemas comunicativos em Tribunal. Os profissionais devem tê-las em consideração e adaptar o seu discurso.

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A regulatory framework for Artificial Intelligence: a critical discursive approach in plain language to the EU AI Act

Maria Cristina Paganoni*¹

ABSTRACT: The recent EU Artificial Intelligence Act (2024) demonstrates the European Union’s commitment to regulating technological innovation and its potential risks, as was done for big data with the GDPR in 2018. Similarly, this ambitious effort requires a multi-level interpretive approach, considering the law, the general features of the social contexts to which the law applies and, of course, language—making sense of concepts like “general-purpose AI”, “high-risk AI systems” and “regulatory sandboxes”, just to name a few. While it is important to understand new technological scenarios in plain language, it is equally essential to use this as an opportunity to critically reflect on what lies beyond the words. Otherwise, there is a risk of a formalistic interpretation of the law that underestimates its dialogic nature, vitality and, at times, opacity. For law researchers and practitioners, this could become a pitfall that overlooks the principles and ethics of inclusiveness that underpin legal communication. Adopting a corpus-assisted, critical discursive approach as a linguist (and not a lawyer), this analysis first aims to provide an overview of a few key legal points in the Act. It then seeks to discuss these points in plain language and, finally, offers some provisional observations to stimulate reflection and discussion in both the classroom and public debate.

Keywords: AI Act; Critical Discourse Analysis; plain language; technological innovation.

Basic Ideas: 1. Communicating AI law helps to become aware of risks. 2. Concepts require contextualization and exemplification. 3. A critical discussion should follow for ethical purposes.

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Cybersecurity for all: Training to prevent scams in rural areas

Ana Isabel García Alfaraz*¹

ABSTRACT: In recent years, it has been noted that the number of frauds committed via the Internet has increased considerably. According to the Centro de Investigaciones Sociológicas, 47.4% of Spaniards claim to have suffered a scam or attempted one in the last year and 60% acknowledge having 'little or no' knowledge about security and protection of personal data on the Internet. Specifically, an analysis carried out by the Ministry of the Interior between 2013-2020 revealed an alarming upward trend. Thus, cyber-scams increased from 29 known offences in 2013 to 1,063 in 2020 in Salamanca. It also shows that rural areas generally have less access to technology and less financial literacy compared to urban areas. This makes people living in rural areas (mostly people over 60 years old) more vulnerable to fraud.

The aim of the Service-Learning Project was to promote the social intervention of students of the Degree in Criminology at the University of Salamanca and to enable them to apply the knowledge acquired in the different subjects to the prevention of Internet fraud in the rural population. To achieve this objective, the students began with the design of a questionnaire to collect information on the degree of knowledge of scams in the three villages, based on these results, workshops and prevention strategies were designed and subsequently, through another questionnaire, their degree of satisfaction was verified, the usefulness of the activities carried out, etc., highlighting the change in patterns of behaviour in the face of 'suspicious' activities.

Keywords: Criminology, new technology, prevention, rural areas, scams.

Basic Ideas:

Familiarity between cybersecurity, law, and criminology.

Importance of cybersecurity in rural areas.

Learning by working on the needs related to Internet fraud.

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AI in Democratizing Tax Law: Simplification and Accessibility for Non-Specialist Audiences

Antonio Lopo Martinez *¹

ABSTRACT: This article explores how Artificial Intelligence (AI) can make tax law more accessible and easier to understand for people who aren't specialists. Recognizing that tax law is traditionally complex, the study examines how AI tools can simplify it, promoting greater citizen participation and transparency in fiscal matters. It focuses on three main areas: how AI systems using natural language processing and machine learning can translate complicated fiscal ideas into plain language that anyone can grasp; the potential of AI in creating personalized educational content like interactive infographics and practical case simulations to help everyday people understand tax regulations better; and the use of intelligent chatbots that provide immediate, simplified answers to common tax questions, making information more readily available. The article also discusses the ethical considerations and challenges in implementing these technologies, such as ensuring the accuracy of information and protecting user data. Additionally, it looks at how AI can keep fiscal content up-to-date with legislative changes, so the information people receive is always current. Finally, it proposes an innovative model for integrating AI into tax law education, aiming to train professionals and empower citizens to understand their tax rights and responsibilities more effectively.

Keywords: Artificial Intelligence; Fiscal Education; Legal Technology; Tax Law; Tax Literacy; Transparency.

Basic Ideas:

- AI simplifies complex tax concepts for non-specialists
- Personalized AI tools enhance tax education and accessibility
- AI integration promotes fiscal transparency and citizen empowerment

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The Role of Legal Professionals in Simplifying Legal Language for Data Protection

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ABSTRACT: The simplification of legal language is crucial in democratizing access to the law and promoting social inclusion. Within the legal field, professionals specializing in data protection and privacy have a unique opportunity to contribute to this effort. Given that most privacy professionals come from a legal background, language adaptation is necessary for effective communication across various business areas within the privacy industry. Legal frameworks, such as the General Data Protection Regulation (GDPR) in the European Union and the Brazilian LGPD, often employ technical and complex terminology. Definitions exist, but professionals struggle to strike the right balance between legal compliance and stakeholder-friendly translation. Legal professionals can significantly impact the simplification of legal language in data protection by enhancing client and corporate communication, translating legal requirements into understandable terms for clients and businesses, and explaining data subjects' rights, data breach obligations, and non-compliance consequences. Drafting policies and contracts also presents a challenge; legal practitioners should avoid jargon and overly technical language to ensure clarity for businesses to understand their contractual obligations and rights. Additionally, training and awareness pose challenges for legal professionals who need to deviate from overwhelming jargon. Using simple terms and practical language can ensure that training sessions and workshops effectively disseminate knowledge and foster a privacy-conscious culture.

Keywords: Data Protection; Legal Language; Privacy Compliance; Simplification; Social Inclusion.

Basic Ideas: Simplification of legal language for data protection, Enhancing communication and drafting clear policies, Legal professionals can impact the simplification of legal language in data protection field.

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A Linguagem Clara no contexto Luso-Brasileiro: Uma primeira abordagem

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RESUMO: O presente trabalho tem como objetivo realizar uma abordagem introdutória a respeito do movimento da Linguagem Clara no contexto jurídico de Portugal e do Brasil. Há atualmente um cenário de insatisfação com relação à linguagem do Direito, dado o desafio de alcançar os cidadãos receptores dos atos jurídicos, para garantir a compreensão e o acesso à justiça. A Linguagem Clara, neste sentido, fornece alternativas para o enfrentamento de problemas de acessibilidade e adaptação da linguagem jurídica, na defesa de uma comunicação inclusiva, cuja construção considera critérios multidisciplinares e um vocabulário que prioriza termos diretos. O foco deste artigo é a identificação das principais iniciativas luso-brasileiras sobre Linguagem Clara, por meio do levantamento de (i) legislação sobre simplificação da linguagem na publicação de leis e em comunicações dos tribunais e; (ii) projetos, programas e cartilhas de tribunais e entes governamentais, para avaliar a pertinência da implementação e os possíveis efeitos. Com o crescimento exponencial do movimento, é pertinente que os profissionais do Direito tenham como objeto de estudo os aspectos e a técnica da Linguagem Clara, sobretudo para aplicar e avaliar a melhoria na qualidade e no alcance das práticas jurídicas.

Palavras-chave: Acesso à Justiça; Linguagem; Linguagem Clara; Linguagem Jurídica.

Ideias Principais: Problemas da complexidade da linguagem jurídica; A Linguagem Clara como alternativa para acessibilidade do Direito; Iniciativas de Linguagem Clara em Portugal e no Brasil.

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The role of the jurist in the age of Legal Design

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ABSTRACT: The jurist, the person appointed to resolve legal issues, such as law is subject to all the influences and developments that the evolution of humanity brings. In the digital world, jurist takes on a much larger role than in the past. He becomes an architect of change, as a creator, inventor and interpreter of law. Knowledge of technological tools and new digital rights require the legal expert to protect freedoms and to participate in the progress of the nation, in order to contribute to the development of the legal system for the purposes of justice. The speech is developed in three stages. First, it provides the fundamentals of Legal Design; then it reconstructs the European and Italian legal framework. Finally, it shows the results of a questionnaire submitted to a sample of people from the legal world and non-legal. The aim is to demonstrate how the simplification of legal language and communication brings several benefits, including combating disinformation, democratizing legal information, promoting human rights, simplifying access to justice, educating and raising awareness on legal issues and strengthening democracy.

Keywords: Legal Design - simplification of legal language - human rights.

Basic Ideas: the presentation highlights how Legal Design is supposed to simplify and facilitate communication between legal experts and people. The topic will first be developed from a normative perspective; then by the results of a questionnaire.

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Reasoning *per analogiam* and appropriate application of rules as ways to simplify the law

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ABSTRACT: Nowadays, in most legal orders, there is a phenomenon of over-regulation of the law. In addition to the ever-increasing volume of legal texts, there is also a progressive complication of normative content. In addition, the linguistic interpretation is not always sufficient, the recipient is obliged to additionally resort to the systematic or purposive interpretation in order to decode the legal norm. As a result, the statistical recipient has an increasing problem in understanding the content of legal acts. In view of the trend described above, it is of utmost importance to search for methods facilitating the perception of law and finding answers to legal issues. For this reason, it is worthwhile to reach for the original methods of reasoning favourable to human cognition, such as analogy, which find application in law and, due to their intuitiveness, constitute an obvious way of solving legal dilemmas. Less spectacular but discernible benefits also accrue from the institution of the proper application of the law - an institution similar to, but essentially different from, analogy. This paper will take a closer look at the phenomenon of the progressive complexity of legal systems, analogy and the appropriate application of the law as methods of combating this phenomenon, and assess the scope and prospects for the spread of these methods in the future. The author used mainly the formal-dogmatic method and the legal-comparative method. The totality of the considerations leads to the conclusion that reasoning by analogy and the appropriate application of principles under some conditions can constitute a simplification of the law.

Keywords: appropriate application; reasoning by analogy; simplification; tax law.

Basic Ideas:

1. Reasoning by analogy and the appropriate application of rules as a potential way of dealing with the phenomenon of legal overregulation.
2. Perspectives of the spread of methods of reasoning from analogy and appropriate application of law in the future.
3. Reasoning from analogy as a primary method of reasoning and an obvious way of solving legal dilemmas.

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Advocating for Change and Public Legal Literacy: The Communication Strategies of NGOs

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ABSTRACT: This study examines the dual role of Non-Governmental Organizations (NGOs) in the contemporary policy-making landscape, functioning both as advocacy bodies and public educators in legal matters. Through systematic content analysis of four NGOs—two international organizations (Amnesty International and Human Rights Watch) and two Ukrainian NGOs—the research investigates how these organizations translate complex legal frameworks into accessible public information. The paper seeks to explore whether NGOs truly facilitate a better public understanding of legal rights and responsibilities and how their communication strategies bridge the gap between citizens and complex legal frameworks. It also considers the effectiveness of their legal communication tools in creating informed, legally literate citizens. The study employs a three-dimensional analysis framework examining communication channels, legal information translation patterns, and educational material effectiveness over a six-month period. The research identifies five key categories of communication tools: digital platforms (interactive websites, mobile applications, social media), educational materials (simplified handbooks, visual guides), direct engagement methods (workshops, legal clinics), media-based tools (press releases, documentaries), and research products (policy briefs, impact reports). Results demonstrate that NGOs employ varied communication strategies across digital platforms, with different approaches to legal terminology simplification and public engagement. This analysis provides insights into effective methods for translating complex legal concepts into accessible public information, contributing to our understanding of NGOs' role in enhancing public legal literacy. This research provides insights into both effective methods for legal information dissemination and the impact of financial resources on NGOs' communication capabilities.

Keywords: legal communication; migration law; NGO; public education

Basic Ideas:

1. Dual advocacy-education approach strengthens both policy influence and public legal literacy
2. NGOs systematically transform complex legal language into accessible public information through five distinct categories of communication tools, with digital platforms showing highest engagement rates
3. Different communication channels serve distinct purposes in legal education, but effectiveness varies based on organizational capacity and available resources

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EXPERIENCE REPORT

Relato de Experiência



The Course "Interpretation and Justification in Jurisprudence" in the International Legal Communication Research Master Study Program

Izabela Gawlowicz*¹

ABSTRACT: Judicial opinions of the international courts should have elegance, suitability and clarity that reach in a sense the level of art and so they should have the appropriate impact on the public international law as well as to be not just understandable but also persuasive for its recipients. The courts' statements make an important part of international legal debate. Striving to achieve this goal international courts should develop their legal argumentation in the most painstaking way. In the Course "Interpretation and Justification in Jurisprudence" in the International Legal Communication Research Master Study Program provided on University of Warsaw in summer semester 2023/2024 an analysis of selected international courts (International Court of Justice and European Court of Human Rights) judgments have been made due to observe, how the courts use some specific legal terms, what meaning the courts attribute to some specific terms and to investigate, if those courts use them with full awareness, and also what impact the courts' reasoning can make on public international law. The review of selected courts' judgments illustrates the spectrum of legal problems that might be connected with the concepts of some specific legal terms and the consequences of their uncertainty as well as the courts' contribution in the process of the creation of international legal language.

Keywords: balanced approach, legal argumentation; margin of appreciation; persuasiveness of legal language;

Basic Ideas:

Different countries with different legal and cultural traditions may have different understandings on certain issues:

“Living together in society” in the ICHR jurisprudence.

“Margin of appreciation” in the ICHR jurisprudence.

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Comunicação com público pela rede social: desmistificando o direito penal e processo penal através de informações práticas

Marcela Camargo¹

RESUMO: Tornar informações técnicas em informações de fácil percepção, e aplicação útil ao público leigo, nunca foi uma tarefa simples aos operadores do Direito. Soma-se a isto, nos vemos nos dias actuais em um ambiente umbilicalmente tecnológico na nossa rotina, com cada vez maior consumo de informações pela internet, nomeadamente, em redes sociais, que hoje também são utilizadas para outros fins, como consumo de informação, acompanhamento de notícias, etc. Nesse sentido, os operadores do direito, também agentes de informações especializadas na área, assumem o desafio de “traduzir” questões técnicas, para informações que se tornam úteis para todos. Nesse sentido, em sendo advogada atuante na área criminal, tanto no Brasil como em Portugal, senti a necessidade de criar um perfil na rede social, exclusivamente para comunicar informações sobre direito penal e processual penal, em Portugal, para o público em geral, que se interessam em conhecer mais o sistema e seus direitos, de uma forma menos complicada tecnicamente, bem como entender o que fomenta o interesse do público leigo, e demais colegas de áreas diversas.

Hoje, com quase 6 mil seguidores, venho analisando e percebendo o que mais interessa nos conteúdos, e nas formas de comunicação, linguagem usada e palavras assertivas: meu conteúdo passa de explicação de notícias de casos penais, por exemplo, ao direito comparado, e explicação de institutos que existem no ordenamento jurídico português, fomentando o interesse das pessoas, especialmente no que antes elas desconheciam, mas passam a entender melhor através dessa comunicação que conecta as redes sociais com o mundo jurídico, de um modo mais acessível.

Palavras-chave: acessível; conteúdos; direitos; informações; traduzir.

Ideias Principais: Os profissionais do direito, na qualidade de agentes de informação, precisam se adaptar à atualidade, na medida em que o consumo informações têm sido, em crescente escala, através da internet, nomeadamente, quando este se presta a levar o conhecimento adquirido para todos que desejam consumi-lo de modo acessível ao entendimento.

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Desconfiança e Desinformação: O Impacto Da Internet Na Relação Advogado-Cliente

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RESUMO: A popularização do acesso à internet e a crescente disseminação de informações jurídicas desqualificadas têm trazido novos desafios para os advogados, especialmente no que diz respeito à comunicação com clientes leigos. A tradução de termos técnicos e de procedimentos processuais complexos já é, por si só, uma tarefa delicada e antiga. No entanto, a oferta abundante de informações incorretas online intensifica a desconfiança dos clientes em relação ao trabalho do advogado, mesmo este sendo o especialista técnico no assunto. O fato de o direito não ser uma ciência exata contribui para essa insegurança, pois os clientes frequentemente se deparam com decisões judiciais divergentes para casos semelhantes, gerando dúvidas sobre o próprio sistema judicial e sobre a atuação do advogado. Esse cenário exige que os advogados não apenas expliquem os aspectos técnicos do processo, mas também invistam tempo em rebater percepções equivocadas e tranquilizar o cliente quanto à imprevisibilidade dos resultados, o que aumenta significativamente a carga de trabalho e a necessidade de estratégias claras de comunicação.

Palavras-chave: Comunicação jurídica; Desconfiança do cliente; Educação do cliente; Informação desqualificada; Direito não exato.

Ideias Principais:

1. Desafios de comunicação com clientes leigos devido à desinformação.
2. Aumento da desconfiança dos clientes por causa de resultados imprevisíveis.
3. Importância de estratégias claras na comunicação jurídica.

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The Contrassenso Column: the media as a tool for improving the understanding of legal matters

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ABSTRACT: There are countless issues relevant to social life addressed by the law. However, it is difficult for lawyers to establish a clear and horizontal dialogue with other citizens. Given the inherently social nature of the law, it is essential to address these issues in an accessible way to all citizens, so they can understand the context in which they live. In an attempt to do so, Tribuna do Carmo, a local newspaper in the city of Carmo da Mata (Minas Gerais/Brazil) has made available between 2019 and 2022, the *Contrassenso* column, written by Arthur Milanez, with the aim of presenting legal and political topics in an uncomplicated manner, especial those related to General Legal Theory and Criminal Law. Examples include “Legal and political concepts in the work of Giorgio Agamben” and “Criminal Law in bars: the risk of the culture of ‘pitaco’”. The *Contrassenso* column provided its readers with legal content related to everyday Brazilian law, written with a clear vocabulary that could reach a wide audience. The columns not only brought readers closer to current legal issues, but also stimulated interest in less discussed topics. It can therefore be said that media initiatives aimed at making legal discussions accessible are necessary for citizens to understand relevant issues in the society which they live.

Keywords: Criminal Law; General Legal Theory; Information accessibility; Law; Legal information; Media.

Basic Ideas: 1. The relevance of diverse media initiatives to bring legal discussions closer to all individuals who make up a community; 2. The use of simple and accessible language to attract the interest of citizens unfamiliar with law; 3. The need to accurately disseminate the debate on social issues that are intertwined with the law.

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Citizen Mobilisation and the Human Right to Water: Experience in Collecting Signatures for the European Citizens Initiative

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ABSTRACT: The European Citizens Initiative (ECI) is a powerful tool for participatory democracy in the European Union, allowing citizens to influence the European political agenda. This account describes my experience as the driving force behind the collection of signatures in Portugal for the Right2Water ECI, which aimed to recognise access to water and sanitation as a fundamental human right. The ECI demanded that the European Union and the Member States implement legislation that guarantees the universality and accessibility of water and sanitation, regardless of market dynamics. The process of collecting signatures involved mobilising communities and raising public awareness about the importance of protecting water as a public good. It was necessary to establish partnerships with various organisations and use effective communication strategies to engage citizens. ICE Right2Water achieved more than 1.8 million validated signatures and exerted enough pressure for the issue to be discussed in the European Parliament. As a result, in 2020, the new Drinking Water Directive was approved, which includes specific obligations for member states to guarantee access to water, with special attention to marginalised groups. This experience provided valuable lessons on the power of citizen mobilisation and the importance of clear and cohesive communication to achieve concrete results in the promotion of human rights and rights-based public policies.

Keywords: Citizen mobilisation; Participatory democracy; Public awareness; Right to water; Strategic partnerships.

Basic Ideas: European Citizens Initiatives make it possible to influence EU legislation. Right2Water defended access to drinking water through citizen mobilisation and effective communication.

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Governance for sustainability: applying Klaus Bosselmann's legal concepts to ensure urban environmental protection through local's building capacities

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ABSTRACT: Governance for sustainability reaches the community of life, beyond humans. Based on legal concepts reinterpreted by Klaus Bosselmann, the goal is to disseminate knowledge and raise awareness of public's shared and intergenerational responsibility, providing them opportunities to act in society as agents of transformation. The social action consists in (re)educating 87 building's residents in an urban area, who didn't have selective waste collection. Despite initial resistance, the procedure was simplified to operate from two trash cans with different colored bags on each condominium's floor. The blue one collects recyclable waste; the black one, organic. The condominium employees are also instructed not to mix the contents and to deliver only the blue bags to the collectors who have a specific day, time and registration. Afterwards, they transport it into recycling centers, generating sustenance and dignifying their work. This action, led by a lawyer, implements legal principles and standards in society applying, through a systemic and simplified vision, the National Solid Waste Policy (12.305/2010) and a non-formal education (L. 9.795/1999). As well as ensuring a high level of environmental protection (article 37, EUCR) and an ecologically balanced environment (article 225, BFC/88). The methodology is interdisciplinary between theory and practice of Human, Environmental and Urban Rights. As a result, by recognizing intergenerational equity and ecological solidarity, human societies understand that they are not only part of natural systems, but they may also assess the impact of their activities and examine their contribution to ecosystem integrity through responsible ways of managing uses and resources.

Keywords: ecological solidarity; governance for sustainability; high level of environmental protection; intergenerational equity; local practices; recyclable waste.

Basic Ideas: Governance for sustainability in selective waste collection. Environmental (re)education to disseminate knowledge and raise awareness. Human societies may be agents of transformation into ecosystem integrity.

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