

CONTENTS

<i>Preface</i>	v
<i>List of Keywords</i>	xiii
<i>List of Contributors</i>	xvii

PART I. COVID-19 AND FUNDAMENTAL RIGHTS

The Corona Crisis and Fundamental Rights from the Point of View of EU Law

Verica TRSTENJAK	3
------------------------	---

A General and Constitutional Outline of Italy's Efforts against COVID-19

Michele MASSA	25
---------------------	----

The Italian Constitutional Court and the Pandemic: A National and Comparative Perspective

Luca GIACOMELLI and Elisabetta LAMARQUE	55
---	----

How Did French Administrative Judges Handle COVID-19?

Bénédicte FAUVARQUE-COSSON	81
----------------------------------	----

The Repressive Nature of Selected COVID-19 Regulations in the Polish Legal System: The Question of Constitutionality

Mikołaj MAŁECKI and Marek SŁAWIŃSKI	93
---	----

COVID-19 and its Impact on Ukrainian Criminal Law

Svitlana MAZEPA	115
-----------------------	-----

Who "Owns" the Data in a Coronavirus Tracing (and/or Tracking) App?

Sjef VAN ERP	131
--------------------	-----

COVID-19 Apps and Data Protection

Christiane WENDEHORST	157
-----------------------------	-----

PART II. STATES AGAINST THE PANDEMIC

Coronavirus and the Law in Romania

Christian ALUNARU and Lucian BOJIN 183

A Lithuanian Experience of Coronavirus and the Law

Valentinas MIKELĖNAS 201

“Corona Contract Law” in Poland: When Pandemic Meets Politics

Aneta WIEWIÓROWSKA-DOMAGALSKA 219

**Legal Measures as the Response to an Extraordinary Situation
in the Slovak Republic**

Martina GAJDOŠOVÁ 243

COVID-19 and Russian Law: Challenge and Response

Ekaterina DMITRIKOVA, Elena SYCHENKO, Anton RUDOKVAS
and Andrej NOVIKOV 263

**The Impact of COVID-19 in the Portuguese Legal System: A Private Law
Perspective through the Principle of Good Faith**

António Menezes CORDEIRO and A. Barreto Menezes CORDEIRO 289

**The Impact of the Pandemic Crisis on the Relations between the State
and the Regions in Italy**

Giacomo DELLEDONNE and Carlo PADULA 301

PART III. COMPENSATION FOR COVID-19 RELATED DAMAGE

**Tort Law and the Coronavirus: Liability for Harm Caused by the
COVID-19 Outbreak**

Albert RUDA 321

**State Liability for Damage Caused by COVID-19 Restrictions
under Polish Law**

Fryderyk ZOLL, Katarzyna POŁUDNIAK-GIERZ and Wojciech BAŃCZYK 343

**State Liability for Personal Injuries Caused by the COVID-19 Disease
under Spanish Law**

Sonia RAMOS GONZÁLEZ 365

State Liability for the Management of the COVID-19 Crisis

Gabriel DOMÉNECH-PASCUAL 381

Coronavirus and Medical Liability: The Italian Perspective Marcello MAGGIOLO.....	399
Hard Choices in the Pandemic and Guidelines: Ethical and Juridical Remarks on Medical Responsibility and Liability Antonio DA RE and Andrea NICOLUSSI	411
Mobility at the Time of the Coronavirus and Damage Caused by Vehicles Equipped with Electronic Safety Systems Antonio ALBANESE.....	439
PART IV. CONTRACT LAW	
COVID-19 and English Contract Law Hugh BEALE and Christian TWIGG-FLESNER	461
“Coronavirus Contract Law” in Scotland Hector L. MACQUEEN	491
Non-Performance and the Change of Circumstances under French Law Jean-Sébastien BORGHETTI	509
The Impact of the Coronavirus Crisis on the Analysis and Drafting of Contract Clauses: Force Majeure, Hardship and Deferral of Obligations Denis PHILIPPE	527
Remarks on the Effects of the Pandemic on Long-Term Contracts Guido ALPA	553
Government Emergency Intervention in Private Contracts in Times of COVID-19: A User’s Guide Juan José GANUZA and Fernando GÓMEZ POMAR.....	567
Force Majeure and Hardship in the Corona Crisis: Some Contract Law Reflections on ELI Principle no 13 Carmen JEREZ, María KUBICA and Albert RUDA	603
Coronavirus’ Impact on Broadcasting Rights for the Spanish Professional Football League Antoni RUBÍ-PUIG	627
Prescription and Lapse of Rights under the Spanish State of Emergency Antoni VAQUER	647

Parameters for Applying the Rules on Force Majeure to COVID-19 in Spain	
Angel CARRASCO	659
Portugal's COVID-19 Legislation and the Challenges Raised for the Change of Circumstances Regime	
Henrique Sousa ANTUNES	677
Particular Corona Contract Law in Germany: Why Does General Contract Law not Suffice?	
Martin SCHMIDT-KESSEL and Christina MÖLLNITZ	699
Impossibility, Force Majeure and COVID-19 under Swiss and Austrian Contract Laws	
Andreas FURRER, Angelika LAYR and Jeremias WARTMANN	719
Coronavirus and its Impact on Contracts in Greece	
Eugenia DACORONIA	743
The Impacts of COVID-19 in Hungarian Contract Law	
Attila MENYHÁRD	759
Deferral of Payments under a Credit Agreement as an Extraordinary Measure Due to the Epidemic: A Slovenian Approach	
Miha JUHART	779
The Pandemic and Change of Circumstances in Italy	
Andrea NICOLUSSI	793
Coronavirus, the Millennium and the Financial Crisis	
Ewoud HONDIUS	813
PART V. CONSUMER LAW	
Spanish Consumer Law in the COVID-19 Emergency	
Álvaro LUNA and Pablo SALVADOR CODERCH	833
Consumer Law and COVID-19 in Portugal	
Jorge MORAIS CARVALHO and Sandra PASSINHAS	849
Digital Platforms and COVID-19	
Gerhard DANNEMANN, Christoph BUSCH and Hans SCHULTE-NÖLKE	867

Towards a Renaissance of Price Control in Contract Law? Preliminary Observations on COVID-19 and Price Regulation on the Consumer Market	
Mateusz GROCHOWSKI	891
Residential and Commercial Leases Amidst the Coronavirus Crisis: The Spanish Case in Context	
Carlos GÓMEZ-LIGÜERRE and Rosa MILÀ-RAFEL	911
The Juridical Impact of COVID-19 in Portuguese Tenancy Contract Law	
Ana Isabel da Costa AFONSO	933
Nudging Consumers Towards Sustainable Practices Regarding Plastics in a Post-COVID-19 Europe	
Marta SANTOS SILVA and Luísa CORTAT SIMONETTI GONÇALVES	947
PART VI. LABOUR AND SOCIAL LAW	
Functional and Systemic Impacts of COVID-19 on European Social Law and Social Policy	
Luka MIŠIČ and Grega STRBAN	973
Labour Law Measures Adopted in Response to COVID-19 in Greece	
Ioannis SKANDALIS	989
A Portuguese Approach to Privacy in COVID-19 Times: Through the Keyhole	
Maria Raquel GUIMARÃES and Maria Regina REDINHA	1009
Alteration of the Contractual Equilibrium Due to COVID-19 in Employment and Civil Law Contracts under Estonian Law	
Merle ERIKSON and Irene KULL	1027
The Italian Education System: A Chronically Ill Patient Facing the Coronavirus Pandemic	
Roberta CALVANO	1047
PART VII. CORONAVIRUS CHANGING EUROPE	
A New Approach to the Legal Understanding of “Directness” and “Participation” in the Aftermath of COVID-19	
Ewa ROTT-PIETRZYK and Dariusz SZOSTEK	1067

The Potential of the COVID-19 Crisis to Cause Legal “Disruption” to Contracts and Contract Law	
Christian TWIGG-FLESNER.	1091
Relevance of the Contractual Solidarity at the Times of Pandemics	
Claudio SCOGNAMIGLIO.	1111
Law after the COVID-19 Pandemic: The Fundamental Binomials	
Eduardo VERA-CRUZ PINTO	1119
Epilogue.	1137
<i>Annex: ELI Principles for the COVID-19 Crisis</i>	1141