



Union des Avocats Européens  
European Lawyers' Union



Union des Avocats Européens  
European Lawyers' Union

II FORUM - U.A.E.  
REAL ESTATE AND CONSTRUCTION LAW

# RIGHT TO PROPERTY vs. RIGHT TO HOUSING

Registration:  
[uae.lu](http://uae.lu)

**10 OCTOBER 2025**

**MALAGA, SPAIN**

Co-organizers:



Sponsors:





## II FORUM ON REAL ESTATE AND CONSTRUCTION LAW – MÁLAGA

### Right to property vs. right to housing

---

10 October, 2025

AT THE MÁLAGA BAR ASSOCIATION

**The sessions will be conducted with simultaneous AI translation, so participants are required to bring their mobile device headphones.**

#### ORGANIZING ENTITIES

Organized by: Real Estate Law Commission – U.A.E. ([www.uae.lu](http://www.uae.lu))

Dates: October 9 and 10, 2025

Venue: Málaga Bar Association

President: Rosanna Marzocca, President of the U.A.E.

Moderator: Agustín Cruz Núñez, President of the Real Estate Law Commission – U.A.E.

#### CO-ORGANIZERS



#### SPONSORS





## **JUSTIFICATION**

The right to housing and the right to property, in permanent tension, have become one of the great axes of legal, political, and social debate of our time. The impact of European and national regulation on housing, urban planning, taxation, illegal occupation or tourist housing raises the urgent need for balance and legal certainty for all stakeholders.

This international Forum brings together emeritus judges of the Constitutional Court and the Supreme Court, leading academics, and specialized lawyers from several European countries, with the aim of analyzing the regulatory transformations underway and their practical implications.

Issues of maximum relevance will be addressed, such as:

- The real effectiveness of the right to housing and its limits vis-à-vis the right to property.
- Public intervention in stressed areas and access to buildable land.
- European regulation of tourist rentals and its effects on foreign investment.
- Fiscal and legal limits of real estate transactions.
- Legal responses to illegal occupation in different EU countries.
- The role of new technologies, artificial intelligence, and real estate tokenization in transforming the market.

The objective is to provide a comprehensive and comparative vision that enables professionals, academics, and authorities to anticipate trends and provide solid legal solutions to the challenges facing the real estate and construction sector in Europe.

## **TARGET AUDIENCE**

- Lawyers specialized in real estate, urban planning, tax, commercial, and technology law.
- Judges, magistrates, and prosecutors.
- Real estate developers, construction companies, and investors.
- Architects, engineers, urban planners, and building professionals.
- Executives and professionals from holding companies, asset managers, and investment funds.
- Real estate agencies, property managers, and real estate advisors.
- Public administrations responsible for urban planning, housing, tourism, and the environment.
- Professors, researchers, and PhD candidates in law, architecture, and urban planning.
- Experts in compliance, financial regulation, and taxation related to real estate.
- Professionals from the technology ecosystem (blockchain, artificial intelligence, DLT) applied to the real estate and construction market.



## PROGRAM

### Thursday, October 9

Venue: [Restaurante El Balneario, Baños del Carmen. C/ Bolivia, 26, 29018 Málaga.](#)

#### **21:00 | Official Reception and Welcome**

Welcome cocktail for speakers, institutional guests, and sponsors.

\*\*\*\*\*

### Friday, October 10

Venue: [Ilustre Colegio de Abogados de Málaga. P.º de la Farola, 13, 29016 Málaga](#)

#### **09:00 – 09:30 | Institutional Opening**

Welcome by the U.A.E. and authorities (all to be confirmed)

**1. Dean of the Málaga Bar Association**

Hon. Ms. Flor Carrasco Gómez

**2. Dean of the Faculty of Law, University of Málaga**

Hon. Ms. Isabel González Ríos

**3. Chief Prosecutor of Málaga**

Hon. Mr. Juan Calvo Rubio

**4. President of the Provincial Court of Málaga**

Hon. Ms. Lourdes García Ortiz

**5. Mayor of Málaga**

Hon. Mr. Francisco de la Torre Prados

**6. President of the U.A.E.**

Ms. Rosanna Marzocca

The session will be moderated and introduced by [Mr. Agustín Cruz Núñez](#), Honorary President of the U.A.E., Organizer as President of the Real Estate Commission of the U.A.E.



### 09:30 – 10:00 | Opening Lecture

- Hon. Mr. Manuel Aragón Reyes, Emeritus Judge of the Constitutional Court 2004–2013 and Emeritus Professor of Constitutional Law, UAM: **“Nature and legal effectiveness of the right to housing in Spain.”**

Presented and commented by Professor Ángel Rodríguez Vergara, Professor of Constitutional Law at the University of Málaga and President of the Association of Constitutionlists of Spain.

### 10:00 – 10:30 | Panel 1

#### Vision of the European Court of Human Rights and the Court of Justice of Luxembourg

- Ms. Mariella Fiorentino, Vice-President of the UAE Human Rights Commission. **“The right to housing in international human rights law: criteria and obligations of Member States in the ECHR case law”**
- Mr. Alexandros Politis, Partner at Christianos & Partners Law Firm, lawyer before the Court of Justice and the General Court of the EU. **“Social housing, immigration regulation and the limits of EU law”**.

### 10:30 – 12:00 | Panel 2

#### Property rights, urban planning, and access to buildable land

- Hon. Mr. Javier Orduña Moreno, Emeritus Judge of the First Chamber of the Supreme Court: **“Atypicality in urban planning contracts and legal certainty.”**
- Mr. Agustín Cruz Núñez. President of the UAE Real Estate Commission. Member of the Advisory Board of the ALFIL Real Estate Chair at San Telmo Business School. President of MÁLAGA HUB REAL ESTATE. Attorney specializing in Real Estate and Construction Law. Partner at UHY FAY & CO.
- Mr. Nicolo Adavastro. Attorney specializing in administrative law at Studio Legale Adavastro&Associati, Milan (Italy). **“Urban planning, urban development agreements, building development, and urban taxation: balancing property rights and collective interests. The Italian example”**

#### Round table: Housing construction in Spain: legal framework, regulatory challenges, and business practice.

Moderated by: Mr. Eduardo Olaya Estefan, Director of the Alfil Real Estate Chair at San Telmo Business School.

- Mr. José Félix Pérez-Peña Garrido, Executive Director, Head of Andalusia, Savills Spain.
- Mr. Jose Antonio Pérez Ramírez, CEO Real Estate Business School. Doctor en Economía.
- Mr. Alvaro Osborne Gutierrez, CEO of Gesteco Constructora
- Mr. Pedro J. Aragón Bravo, CEO and Partner of NAXFOR Engineering and Infrastructure
- Mr. Francisco Gómez Palma, President of Alfil Patrimonial SOCIMI SA.



### 12:00 – 12:30 | Coffee Networking

### 12:30 – 13:30 | Panel 3

#### Tourist housing and foreign investment: European regulation

- Hon. Ms. Carmen Alonso Ledesma, Professor of Law; President of the General Codification Commission (Section 2), Ministry of Justice and expert in EU Law: **“Impact of Regulation (EU) 2024/1028 on tourist rentals.”**
- Ms. Mar Alcázar Ramírez, attorney specializing in tourism law. Coordinator of the tourist accommodation section of the Málaga Bar Association. **“Jurisdictional conflict in the hyper-regulation of tourist accommodation in Spain.”**

#### Regulation in France and Italy.

- Mr. Simon De Zordo, Secretary General of the U.A.E., Partner at Loyce Legal, Bolzano (Italy). **“Tourist accommodation in South Tyrol – regulatory limits: a short case study.”**
- Mr. Maurizio Mazzoni, Vice President of the Tax Law Commission at U.A.E., Lawyer in Milan: **“Situation in Milán”**.

### 13:30 – 14:00 | Fiscal and legal limits

- Hon. Mr. Juan José Hinojosa Torralvo, former dean of the Málaga Law School and professor of financial and tax law (tax limits on investment).
- Mr. Dario Marsella, president of the Tax Law Commission in the UAE, Lecce (Italy).
- Mr. Laurent Chetcuti, partner in charge of the tax practice at KPMG Paris.

### 14:00 – 15:00 | Official Congress Lunch

### 15:00 – 16:00 | Panel 4

#### Illegal occupation: legal protection of the property owner

#### Spain, situation in France and Germany:

- Prof. Ms. Ana María Prieto del Pino. Doctor in Criminal Law and Lecturer at the Faculty of Law of Málaga
- Mr. Francisco Montijano Serrano. Public Prosecutor of the Provincial Court of Malaga.

#### Italy: Immediate intervention and legal reinforcement.

- Mr. Alberto Scapaticci, President of the Criminal and Environmental Law Commission. Studio Legale Scapaticci, Brescia (Italy).



### 16:00 – 17:00 | Technology and the real estate market: legal challenges

- Prof. Mr. Javier Wenceslao Ibáñez Jiménez, Professor of Commercial Law, Universidad Pontificia Comillas – ICADE.
  - **DLT and real estate traceability**
  - **International markets for tourist and real estate tokens**
  - **Artificial Intelligence and the real estate market**
- Mr. Riccardo Abeti, President of the Commission on New Technology, Personal Data and Communication Law at U.A.E. . **“PropTech and Privacy: The New Rules of the Game in the Age of Artificial Intelligence”**.
- Mr. Josep Mor Figueras, Academic Director of the Alfil Real Estate Chair at San Telmo Business School. **“Artificial Intelligence in Real Estate: From Predictive Analytics to Strategic Asset Management”**.
- Ms. Fabiana Aguilar Fernandez, CEO and founder Doppamine SL, **“From render to reality: legal certainty and mitigating expectations in real estate sales using AI”**.

### 17:15 – 17:30 | Closing and Acknowledgements

General conclusions and institutional closing.

### 21:00 | Dinner. Málaga Real Estate Night

Dinner at the Terrace of the [Restaurante Only You](#). Alameda Principal, 1, 29001 Málaga.

\*\*\*\*\*

### [Saturday, October 11 \(Optional\)](#)

**Cultural activity or tour.**