

## Conference Programme

### Queen Mary University of London Postgraduate Legal Research Conference 2016

3<sup>rd</sup> June 2016 | 09:00 - 20:00

*Embracing New Approaches*

09:00 – 09:25	<b>Registration &amp; Coffee   Room LG1</b>
09:25 – 09:40	<b>Welcome   Ground Floor Lecture Theatre</b>
	Welcome from Head of Centre for Commercial Law Studies Professor Spyros Maniatis
9:45 – 11:05	<b>Session 1A: Legal Education and Legal Profession</b> Chair: Professor Kate Malleson   Room 1.1
	<ol style="list-style-type: none"> <li>1. 'The Need for Inclusivity of Assessment in Higher Education, Focusing on Qualifying Law Degrees' <i>John Morrow, University of Chester</i></li> <li>2. 'Professional Legal Identity Formation: Towards a Conceptual Model' <i>Alice Farthing, University of Portsmouth</i></li> <li>3. "'You Can't Have It All": Experiences and Perceptions on the Use of Family-Friendly Rights in the Legal Profession' <i>Niel Gillard, University of Chester</i></li> <li>4. 'Contesting Essentialism: Role of Pluralism and Intersectionality in Access to Justice' <i>Debdatta Dobe, OP Jindal Global University</i></li> </ol>

9:45 – 11.05	<p><b>Session 1B: Competition Law</b> Chair: Dr Maria Ioannidou   Room 2.1</p>
	<ol style="list-style-type: none"> <li>1. 'Rebates under Article 102 TFEU: The Integration of Legal Reasoning and Economic Analysis' <i>Konstantinos Sidiropoulos, University of Oxford</i></li> <li>2. 'Dawn Raids or Fishing Expeditions? Defining the Scope of the Commission's Inspective Power in Antitrust Proceedings' <i>Costanza Nicolosi, University of Catania</i></li> <li>3. 'Party Funding, Competition Law and the Protection of Political Democracy' <i>Arthur Guerra Filho, King's College London</i></li> </ol>
9:45 – 11.05	<p><b>Session 1C: Public International Law</b> Chair: Professor Malgosia Fitzmaurice   Room 2.2</p>
	<ol style="list-style-type: none"> <li>1. 'Drone Strikes in Pakistan and International Law: Questions Arising from the Temporal and Geographical Conditions of Proportionate Self-Defence' <i>Sina Etezazian, Monash University</i></li> <li>2. 'Viability of the General Principles of Law in the Current Public International Law' <i>Željko Sampor, Pan-European University, Bratislava</i></li> <li>3. 'Crafting an International Norm Prohibiting the Grant of Amnesty for Serious Crimes: Convergences and Divergences in the Case-Law of International Courts' <i>Josepha Close, Middlesex University London</i></li> <li>4. 'The Meaning and Scope of Internationally Recognised Human Rights Under the Rome Statute of the International Criminal Court' <i>Sergii Masol, European University Institute</i></li> </ol>
9:45 – 11.05	<p><b>Session 1D: Intellectual Property I</b> Chair: Professor Spyros Maniatis   Ground Floor Lecture Theatre</p>
	<ol style="list-style-type: none"> <li>1. 'The Legal Challenges for the Protection of Non-Agricultural Geographical Indications in the European Union' <i>Giancarlo Moretti, Queen Mary University of London</i></li> <li>2. 'India: A Decent Child in the Compulsory Licence Family' <i>Van-Anh Le, Bangor University</i></li> <li>3. 'European Regulatory Incentives for Common Drugs and the Power of Patents: Working together Towards Innovation, Against it or Just Getting Lost in the Middle?' <i>Mari Minn, Sant'Anna School of Advanced Studies</i></li> </ol>

11:05 – 11:30	<b>Coffee Break   Room LG1</b>
11:30 – 12:30	<p><b>Keynote Speaker: Sir Roy Goode CBE QC   Ground Floor Lecture Theatre</b>  ‘How Academia Can Influence the Development of Law’</p> <p>Professor Sir Roy Goode CBE QC FBA is Emeritus Professor of Law in the University of Oxford and Emeritus Fellow of St John's College, Oxford. He was formerly the Crowther Professor of Credit and Commercial Law at Queen Mary, University of London, where he was the founder and first director of the Centre for Commercial Law Studies.</p> <p>The author of many widely used textbooks in the field of commercial law, including <i>Commercial Law</i>, <i>Principles of Corporate Insolvency Law</i> and <i>Legal Problems of Credit and Security</i>, Roy Goode, a former solicitor, moved to the Bar in 1988 and was appointed Queen's Counsel two years later. He is an Honorary Bencher of the Inner Temple. He was awarded the CBE in 1993 and was knighted in 2000 for his services to academic law. He is a Fellow of the British Academy and holds the degrees of LLD (Lond.) and DCL (Oxon), as well as honorary doctorates from the Universities of London and East Anglia and from the College of Law (now the University of Law). He chaired the Pension Law Review Committee whose Report led to the enactment of the Pensions Act 1995.</p> <p>Roy Goode has played a leading role in the development and conclusion of a number of international Conventions and Protocols, and is the author of the three Official Commentaries on the Cape Town Convention on International Interests in Mobile Equipment and its associated Protocols on aircraft objects, railway rolling stock and space assets. He also provided the blueprint for the Security Interests (Jersey) Law 2012 on security interests in intangible movables and its prospective extension to tangibles.</p>
12:30 - 13:55	<p><b>Lunch   Room LG1</b>  <b>Poster Presentations   Room 3.1</b></p> <ol style="list-style-type: none"> <li>1. ‘Migration as Adaptation: The Role of International Law’ <i>Thekli Anastasiou, University of Sheffield</i></li> <li>2. ‘The Use of Positive Action within Football Coaching’ <i>Sophie Cowell, University of Chester</i></li> <li>3. ‘New Choice-of-Law Approach for Property Rights: Delusion or Solution?’ <i>Alison Xu, University of Leeds</i></li> <li>4. ‘Killer Robots: To Ban or to Regulate?’ <i>Maziar Homayounnejad, King's College London</i></li> <li>5. ‘“Jurisdictional Protection” and “Mutual Trust” in the Exclusion of Arbitration Under the Brussels Recast Regulation’ <i>Enguerrand Marique, Université Catholique de Louvain/ University of California, Davis</i></li> </ol>

12:30 - 13:55	<p>6. 'Shared Responsibility in the Context of Extraterritorialised/Privatised Migration Controls' <i>Ceren Toprakseven, Queen Mary University of London</i></p> <p>7. 'Towards Democratic Citizenship for Temporary Migrant Workers' <i>Ya-Wen Yang, SOAS University of London</i></p> <p>8. 'Ideological Challenges to Sexual Offence Legislation in South Korea - Patriarchy and Confucianism: Heritage or Hurdle?' <i>Hye-In Chung, University of Leeds</i></p> <p>9. 'Fostering or Suppression? Regarding the Reluctance of Chinese Privately-Owned Fixed-Broadband Operators to Enter the Market from the Perspective of the Chinese Anti-Monopoly Law 2007' <i>Jing Wang, Bangor University</i></p> <p>10. 'Mistaken Payments: Proprietary Restitution and The Role of Conscience' <i>Aisha Shah, Aston University</i></p>
13:55 - 15:15	<p><b>Session 2A: Refugee and Immigration Law</b> Chair: Dr Prakash Shah   Room 1.1</p>
	<p>1. 'Temporary Protection: Legal and Conceptual Analysis' <i>Rama Sahtout, Exeter University</i></p> <p>2. 'The Legal Framework of Iraqi Refugees: Refugees in and of Iraq and the Implications on the Current Refugee Crisis in Europe' <i>Majida S Ismael, University of Liverpool</i></p> <p>3. 'Alienage and Temporariness of Temporary Migrant Worker Programmes' <i>Ya-Wen Yang, SOAS University of London</i></p> <p>4. 'A Case Study of the National Referral Mechanism: Modern Slavery Strategies, Immigration Policy and Victim Support' <i>Yvonne Eloise Mellon, University of Liverpool</i></p>
	<p><b>Session 2B: EU Law</b> Chair: Mr Nick Bernard   Room 1.2</p>
<p>1. 'One for All and Social Policy for Social Policy? Welfare Narratives as a Means for Evaluating the CJEU's Jurisprudence on Social Policy' <i>Konstantinos Alexandris Polomarkakis, University of Bristol</i></p> <p>2. 'Public Enterprises as Policy Instruments in the Intersection of the EU and WTO Legal Frameworks on State Aid' <i>Aurora Donato, Sapienza University of Rome</i></p> <p>3. 'Paying a Fair Share of Tax - Can EU law help?' <i>Aleksandar Ivanovski, Queen Mary University of London</i></p> <p>4. 'Alternative Dispute Resolution in Consumer Disputes in the EU' <i>Jagna Mucha, University of Warsaw</i></p>	

13:55 - 15:15	<p><b>Session 2C: Legal Theory and Legal History</b> Chair: Professor Brian Tamanaha   Room 2.1</p>
	<ol style="list-style-type: none"> <li>1. 'Non-Domination, and Self-Government: Vigilant Citizens and Civil Resistance in the Republic' <i>Andreas Marcou, Queen Mary University of London</i></li> <li>2. 'Federal Theory on Constitutional Asymmetries: Revisited' <i>Maja Sahadzic, University of Antwerp</i></li> <li>3. 'The Moral Ideal of the Rule of Law' <i>Abdulmalik Altamimi, University of Leeds</i></li> <li>4. 'Politically Motivated Justice in the Former Soviet Union: Novel Idea of "Two-Fold Constitutionalism" in Post-Soviet States' <i>Artem Galushko, Central European University</i></li> </ol>
13:55 - 15:15	<p><b>Session 2D: Corporate and Commercial Law</b> Chair: Dr Guan H Tang   Room 2.2</p>
	<ol style="list-style-type: none"> <li>1. 'The Role and Impact of the IMF and CARICOM in Respect to Law Reform within the Commonwealth Caribbean Region' <i>Nicole A. Pierce, Queen Mary University of London</i></li> <li>2. 'Parental Company Liability in Negligence for Subsidiaries' Torts' <i>Xue Feng Queen Mary University of London</i></li> <li>3. 'Choice-of-Law of Electronic Consumer Contract in China' <i>Lu Xu, University of Leeds</i></li> <li>4. 'Internal Tender Offers in a Transnational Perspective: Proposing a New Regulatory Approach' <i>Casimiro Nigro, Goethe University Frankfurt</i></li> </ol>
13:55 - 15:15	<p><b>Session 2E: Criminal Law and Procedure</b> Chair: Dr Saskia Hufnagel   Ground Floor Lecture Theatre</p>
	<ol style="list-style-type: none"> <li>1. 'Why Do We Let the Punishment Tail Wag the Conviction Dog? – A New Approach to Study of Criminal Procedure in Taiwan and the U.S.' <i>Kai-Ping Su, University of California, Berkeley</i></li> <li>2. 'Human Rights Protections from Accusations of Criminality Made by the State Outside Criminal Process' <i>Anton Moiseienko, Queen Mary University of London</i></li> <li>3. 'Joint Investigation Teams: a Reachable Solution to Catch Unreachable Criminals' <i>Maria Cecilia Rebecchi, University of Modena and Reggio Emilia</i></li> <li>4. 'The EU's Response to Environmental Crime: Which Role for Europol and Eurojust?' <i>Fabio Giuffrida, Queen Mary University of London</i></li> </ol>

15:15 - 15:35	<b>Coffee Break   Room LG1</b>
15:35- 16:55	<b>Session 3A: Human Rights Law</b> Chair: Dr Theodora Christou   Room 1.2
	<p>1. 'Nothing New Under the Sun: An Historical analysis of State Surveillance in the United Kingdom' <i>Clowance Wheeler-Ozanne, University of Strathclyde</i></p> <p>2. 'The Donor-Conceived Child's Right to Identity: Comparative Jurisdictional Approaches and the United Nations Convention on the Rights of the Child' <i>Donna Lyons, Trinity College Dublin</i></p> <p>3. 'The Concept of Vulnerability in International Law' <i>Angeliki Papantoniou, Queen Mary University of London</i></p> <p>4. 'An International Human Rights Law Approach to the General International Law Rule of Full Reparation' <i>Luis Viveros, University College London</i></p>
	<b>Session 3B: Banking, Finance and Insurance Law</b> Chair: Professor Philip Rawlings   Room 2.1
	<p>1. 'The Impact of the Insurance Act 2015 on Reinsurance Law and Practice' <i>Franziska Arnold-Dwyer, Queen Mary University of London</i></p> <p>2. 'Risk Management Terms and the Insurance Act of 2015: Making Sense of the Common-Sense Approach to Issues of "Causation"' <i>Livashnee Naidoo, University of Southampton</i></p> <p>3. 'A Comparative Analysis of the Bad Asset Management Companies of Spain and Hungary. The Devil is in the Details' <i>Virag Blazsek, Central European University</i></p> <p>4. 'Alternative Financing for Small and Medium-Sized Enterprises in China' <i>Lerong Lu, University of Leeds</i></p>
	<b>Session 3C: International Criminal Law</b> Chair: Dr Daniela Nadj   Room 2.2
	<p>1. 'Prosecuting International Crimes When the Accused Are Fugitives: The Prospect of Trials In Absentia' <i>Ilaria Zavoli, University of Leeds</i></p> <p>2. 'Prosecuting Pirates in a Regional Criminal Court' <i>M. Bob Kao, Queen Mary University of London</i></p> <p>3. 'Can International Crimes be Regionalised? The International Criminal Law Section of the African Court of Justice and Human Rights' <i>Dominique Mystris, Queen Mary University of London</i></p>

	<b>Session 3D: Intellectual Property II</b> Chair: Dr Noam Shemtov   Ground Floor Lecture Theatre
15:35-16:55	<ol style="list-style-type: none"> <li>1. 'The Role of Copyright in the Digitisation of Cultural Heritage' <i>Pinar Oruç, Queen Mary University of London</i></li> <li>2. 'Artistic Expression in the Second Degree: Copyright, Artistic Reuses and Human Rights Perspectives' <i>Paula Westenberger, Queen Mary University of London</i></li> <li>3. 'Fashion Law - A New Approach?' <i>Joanna Buchalska, Kozminski Academy</i></li> <li>4. 'How Can Human Capabilities Change Our Intellectual Property Imagination? From "Controlled Culture" to "Fair Culture"' <i>Hasan Kadir Yilmaztekin, University of Exeter</i></li> </ol>
	<b>Soapbox Session</b> Chair: Professor Anne Flanagan   Ground Floor Lecture Theatre
17:00 - 18:00	<ol style="list-style-type: none"> <li>1. 'Judicial Conflict Resolution - From Theory to Practice (and Back)' <i>Gilad Wiener, Bar Ilan University</i></li> <li>2. 'Reviewing the Compatibility of the EU-US Passenger Name Records Agreement with Respect to the European Right to Privacy and Data Protection' <i>Elif Mendos Kuşkonmaz, Queen Mary University of London</i></li> <li>3. 'Is There Really a Human Right to Freedom of Thought, Conscience and Religion?' <i>Eugenio Enrique Velasco Ibarra Arguelles, University College London</i></li> <li>4. 'Mixed Contracts, Which Type of Regulation?' <i>Anna Russo, Ca' Foscari University of Venice</i></li> </ol>
	<b>Closing Speeches &amp; Awards</b>
18:00 - 20:00	<b>Drinks Reception   Room 3.1</b>

**2016 Conference Committee Members:** Alan Brener, Jane Fedotova, Fabio Giuffrida, Chunchi Hung, M. Bob Kao, Anton Moiseienko, Giancarlo Moretti, Pinar Oruç, Vassilis Paliouras, Nicole A. Pierce, and Luxmi Rajanayagam.

**LLM Volunteers:** Sidrah Mahboob, Almania Ade Rachmat, and Viktoria Vakratsa

The Committee would like to thank all the academics who chaired sessions, Sir Roy Goode for sharing his insights, and the following people for assisting in the conference planning and ensuring the day would be a smashing success: Julie Bacon, Kristofer Kerrigan-Graham, Adam Green-Slade, Thomas Atkins, and Julia Pracht.