

HUMAN RIGHTS LAW: PROSPECTS, POSSIBILITIES, FEARS AND LIMITATIONS



EUROPEAN HUMAN RIGHTS LAW CONFERENCE

28-29 SEPTEMBER 2023

UNIVERSITY OF CAMBRIDGE, FACULTY OF LAW



HUMAN RIGHTS LAW: PROSPECTS, POSSIBILITIES, FEARS AND LIMITATIONS

**European Human Rights Law Conference
Faculty of Law, University of Cambridge
28-29 September 2023**

Are human rights in Europe facing an existential crisis? The invasion of Ukraine by the Russian Federation and Russia's subsequent expulsion from the Council of Europe has posed a fundamental challenge to the European human rights framework and the values upon which the Council of Europe was founded in 1949. Democratic backsliding and the rise of populism throughout Europe (and beyond) threaten to undermine human rights standards, democracy and the rule of law. There is a need for new energy and ideas to respond to the mounting challenges to human rights in Europe including the catastrophic climate crisis, increasing hostility towards migrants and those seeking asylum, inequality, violence against women, marginalization of the LGBTQI+ community, uncertainties surrounding the role of Artificial Intelligence and how to regulate cyberspace.

The European Human Rights Law Conference is a response to this pressing need. It provides a unique opportunity to discuss not only the fears surrounding, and limitations of, human rights law as it currently stands within European states, the Council of Europe and the EU but also its future prospects and possibilities. It is evident that many of these challenges cannot be addressed by, or for, Europe alone, and thus we are particularly pleased to welcome participants from beyond Europe and those with international and comparative law perspectives.

Over a hundred papers will be presented at the Conference, covering a range of issues including, the future of the European Court of Human Rights, migrants' rights, rights adjudication before domestic courts in a number of European jurisdictions, reproductive rights, health, freedom of religion, climate litigation and LGBTQI+ rights. There are four Keynotes that will be given by Professor Conor Gearty, Professor of Human Rights Law of the London School of Economics, Baroness Brenda Hale, former President of the UK Supreme Court, Judge Paulo Pinto de Albuquerque, former judge of the European Court of Human Rights and Dr Elaine Webster, Director of the Centre for the Study of Human Rights Law at the University of Strathclyde. There are two plenary sessions involving leading human rights practitioners and representatives from human rights NGOs who will offer perspectives from practice on the challenges and future development of human rights. Finally, we are delighted to announce that the Jonathan Cooper OBE Prize will be awarded to the best paper by an early career human rights practitioner or academic.

We look forward to welcoming you in Cambridge in September 2023.



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Note of Thanks

Convenors

Dr Kirsty Hughes
Dr Stevie Martin
Dr Stephanie Palmer

The Convenors would like to acknowledge the assistance of the following - and the support of the Centre of Public Law - without whom the conference would not have been possible.

Conference Assistants

Guy Baldwin
Ricki-Lee Gerbrandt
Diego De Guadalupe Romero Rivero
Shubham Jain
Anna Johns
Matt Jordan
Vandita Khanna
Dora Robinson
Guy Baldwin

Conference Administrator

Ella Fox

IT

Daniel Bates
Gary Collings
Andrew Gerrard
Sarah Hill
Gavin Howlett-Foster
Sam Macdonald

Faculty of Law

Elizabeth Aitken
Joe Clements
Shaun Fry

The Convenors would also like to express their thanks to the keynote speakers, plenary speakers, and the Jonathan Cooper OBE Prize Committee.

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DAY ONE - THURSDAY 28 SEPTEMBER 2023

9:00 AM LG19	Welcome from the Convenors Kirsty Hughes, Stevie Martin and Stephanie Palmer
9:10 AM LG19	Keynote I - Judge Paulo Pinto de Albuquerque (former Judge of the European Court of Human Rights and Full Professor (Catedrático) Catholic University Lisbon) <i>Chair: Kirsty Hughes, Stephanie Palmer and Stevie Martin</i>
10:00 AM	Coffee
10:20 AM	Paper Session 1
11:40 AM	Paper Session 2
1:00 PM	Lunch
2:00 PM LG19	Keynote II - Conor Gearty KC (Professor of Human Rights, LSE Law School) - The Council of Europe and Imperialism: A Report Card? <i>Chair: Conor McCormick</i>
2:50 PM	Coffee
3:10 PM	Paper Session 3
4:40 PM LG19	Plenary I - Human Rights Practitioners Caoilfhionn Gallagher KC, Ivan Hare KC, Aileen McColgan KC <i>Chair: Stephanie Palmer</i>
7:00 PM	Conference Dinner



DAY TWO - FRIDAY 29 SEPTEMBER 2023

9:00 AM Paper Session 4

10:20 AM Coffee

10:40 AM
LG19
Keynote III - **Elaine Webster** (Reader in Law and Director of the Centre for the Study of Human Rights Law, University of Strathclyde) - The Maximum Level of Transparency: Article 3 interpretation and the future legitimacy of the Strasbourg Court

Chair: Stevie Martin

11:30 AM Paper Session 5

12:50 PM Lunch

1:50 PM
LG19
Keynote IV - **Rt Hon. Baroness Hale of Richmond DBE** (Member of the House of Lords and former President of the United Kingdom Supreme Court)

Chair: Kirsty Hughes

2:40 PM Coffee

3:00 PM Paper Session 6

4:30 PM
LG19
Plenary II - Human Rights NGOs
Cathi Albertyn (University of Witwatersrand, South Africa), Nabil Khabirpour (Cambridge and The Law Corner), Philip Leach (Former Director of EHARC), Nuala Mole (AIRE), Roisin Pillay (Former Europe and Central Asia Regional Director of ICJ)

Chair: Kirsty Hughes, Stephanie Palmer and Stevie Martin

5:30 PM
LG19
Closing Remarks

This event is kindly sponsored by the Centre for Public Law

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Thursday 28 September 2023 - Paper Session I - 10:20 - 11:40am

Please note, this is a provisional programme and panel themes and times are subject to change

Theme	Speakers	Titles of Papers
Rights, Democracy and Backsliding <i>Chair:</i> <i>David Feldman</i> <i>LG19</i>	Dr Kirsty Hughes (Cambridge)	The Place of Protest
	Professor Gavin Phillipson (Bristol)	Making Convention Rights Optional?
	Dr Conor McCormick (Queens)	The Human Rights Act 1998 and Restless Law Reform in the UK
Reproductive Rights I <i>Chair:</i> <i>Stephanie Palmer</i> <i>S19</i>	Dr Elena Brodeala (Sciences Po Paris and Zurich) and Gabrijela Papec (Sciences Po)	A Critical Analysis of the ECtHR's Approach to Pregnancy Discrimination
	Laura-Theresa Godau (Hamburg)	Woman, Mother, Other?
	Dr Marianna Iliadou (Sussex)	Surrogacy Before the ECtHR: A blend of genetic obsession, gender discrimination and vague application of the Child's Best Interests
	Dr Chrysthia Papacleovoulou (Cyprus)	'Modern Family' Medically Assisted Procreation and Article 8 ECHR
Non-Discrimination <i>Chair:</i> <i>Lena Holzer</i> <i>G24</i>	Vandita Khanna (Cambridge)	Parasitic or Integral? Reframing Equality in Article 14 ECHR
	Almas Shaikh (Oxford)	Repositioning Islamophobia in the ECtHR: An Argument for Intersectional Discrimination
	Biljana Koteyska (Independent)	Harnessing the potential of international human rights law in the fight against the anti-gender movement: ECHR Article 17 and the opposition to gender equality in Europe

Dignity and a Victim-Centred Approach <i>Chair:</i> <i>Elaine Webster</i> LG17	Dr Ben Hudson (Exeter)	Concepts in Retreat: Judicial Backsliding at Strasbourg
	Kate Karklina (CEU)	More than a Placeholder? On the Meaning of the Concept of Human Dignity at the Source of IHRL
	Polina Sedova (Padua)	The More the Merrier? The Intersectional Approach to Disability Rights Cases
Climate Change Litigation: Novel Perspectives <i>Chair:</i> <i>Alistair Mills</i> LG18	Dr Gus Waschefort (Essex and Guernica 37 Chambers)	Africa and the ICJ Advisor Opinion on Climate Change: A children's rights perspective
	Asteropi Chatzinikola-Iliopoulos (Cardiff)	Child Participation in Climate Litigation: Critical possibilities in a legally disruptive territory
	Giorgia Pane (Palermo)	From Indigenous Peoples-driven Litigation to Future Generations' Standing in Western Europe: a path towards a more ecocentric view of the climate crisis
Migration I <i>Chair:</i> <i>Martin Steinfeld</i> B16	Dr Margit Ammer and Dr Monika Mayrhofer (Ludwig Boltzmann Institute of Fundamental and Human Rights)	The Concept of Vulnerability in Austrian Decisions on International Protection with a focus on the real risk assessment under Article 3 ECHR: a contribution to more fairness and equality
	Dr Giulia Cristiano (Catania)	Safeguarding the Right to Effective Judicial Protection in Dublin Cases: Which Role for the ECtHR when Human Rights Law Collides with Political Goals?
	Eva Sevrin (KU Leuven)	Migrants Stuck in Limbo

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Thursday 28 September 2023 - Paper Session II - 11:40 - 13:00

Theme	Speakers	Titles of Papers
Domestic Abuse <i>Chair:</i> Kirsty Hughes LG19	Dr Catherine Briddick (Oxford)	Resisting Domestic Violence
	Professor Shazia Choudhry (Oxford)	Domestic Abuse and Post Separation Contact and the ECHR - Progress and Challenges
	Dr Stevie Martin and Dr Stephanie Palmer (Cambridge)	Protecting Victims and Survivors of Domestic Abuse: The UK's failure to comply with its obligations under the ECHR
	Dr Ronagh McQuigg (QUB)	The ECtHR and Domestic Abuse
Reproductive Rights II <i>Chair:</i> Sarah Craig S19	Katharina Behr (Utrecht)	Accounting for Vulnerability in the Enjoyment of Reproductive Rights
	Gabriela Cavalieri Maia (Universidade Federal de Minas Gerais)	The Role of Human Rights in Promoting Women's Health and Development in Latin America and Caribbean Region
	Associate Professor Isabel Maravall-Buckwalter (CUNEF, Madrid)	Strengthening the "Core": Examining the role of international adjudication in empowering women's right to emergency obstetric care
	Dr Heloise Robinson (Oxford)	Disability Rights, Women's Rights and a New Right in the (Abortion) Rights Debate

Rights - Limits and Potential Chair: Conor McCormick G24	Francesc Claret (Leiden)	Resisting the backsliding of rights: a vindication of the <i>ius resistendi</i>
	Sagnik Das (Harvard)	Human Rights After the Cold War; How international courts reshaped the laws of war
	Professor Matthias Vanhullebusch (Hasselt)	Reanimating Global Human Rights Governance: Towards a relational normativity
	Dr Jacob Weinrib (Queens, Canada)	Constitutional Justification: What Exactly?
ECHR Doctrine Chair: Conall Mallory LG17	Dr Giulio Fedele (Rome)	Between Apology and Utopia: the interpretation of the ECHR between consensus and autonomy
	Dr Rebecca Lilla Hassanová (Pan-European University)	Fight Against Torture: universal goal or struggle to escape international responsibility?
	Konrad Ksiazek (Oxford)	The Effectiveness of the Living Instrument Doctrine in the ECHR
	Dr Michael John-Hopkins (Oxford Brookes)	The ECtHR, Atrocity Crimes and the Dilemma of Retroactive Justice
	Illia Chernohorenko (Bristol)	Inter-State Application Mechanism Under the ECHR: Past, Present, and Future
Climate Change and Human Rights Part I: Novel Perspectives Chair: Lewis Graham LG18	Bethany Houghton (VU Amsterdam)	Rights of Nature as a Solution to Climate Catastrophe? Mapping empirical perspectives of the use of rights for climate change responsibility
	Vivien Köböl-Benda (Pázmány Péter Catholic)	Adapting to the Challenges of Our Time: Possible, new or specific holders of the right to a healthy environment
	Julian Suarez (Cork)	What about the Substantial Content of a Human Right to a Healthy Environment in the European Context?

<p>Migration II</p> <p><i>Chair:</i> <i>Martin Steinfeld</i></p> <p><i>B16</i></p>	<p>Clara Bosch March (Galway)</p>	<p>The Recent Backsliding on the Interpretation of Article 4 of Protocol No.4 ECHR in ‘Pushback’ Cases</p>
	<p>Dr Luke Nwibo Eda (UWE)</p>	<p>Do the ‘Risks’ to Public Order Posed by the Journeys of Transnational Migrants Challenge the Stability, Effectiveness and Redemptive Power of Human Rights Law?</p>
	<p>Dr Maria Pichou (Court of Justice of the EU)</p>	<p>Immigration Detention at Europe’s Courts</p>
	<p>Stephanos Stavros (Strasbourg / Athens Bar)</p>	<p>Shipwrecks or Pushbacks? Is Strasbourg doing enough to contain the serious human-rights violations involved?</p>



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Thursday 28 September 2023 - Paper Session III - 15:10 - 16:30

Theme	Speakers	Titles of Papers
<p>The European Court of Human Rights I</p> <p><i>Chair:</i> <i>Conor Gearty</i></p> <p><i>LG19</i></p>	Dr Frederick Cowell (Birkbeck)	Article 58 ECHR: new directions, new histories
	Joseph Finnerty and Professor Basak Çali (Hertie)	Mind the Gap: what is Article 18 ECHR for in text, intent and interpretation
	Dr Conall Mallory (QUB)	Bare Majorities at the European Court of Human Rights
	Dr Jurij Toplak (Fordham)	Transparency of the European Court of Human Rights
<p>Artificial Intelligence</p> <p><i>Chair:</i> <i>Alex Allen-Franks</i></p> <p><i>S19</i></p>	Dr Samira Allioiu (Strasbourg)	Artificial Intelligence and the Legal Decision-Making Process
	Dr Tetyana Krupiy (Newcastle)	Filling the Gap between Rhetoric and Reality: the role of international human rights law in requiring appropriate human oversight of AI
	Ellen Lefley (Justice)	A Right to a Human Judge
	Francesca Palmiotto (Hertie)	Artificial Intelligence in Criminal Justice: Reframing Human Rights in the Digital Age

<p>Transnational Challenges, Obligations and Cooperation</p> <p><i>Chair:</i> <i>Susana Sánchez Ferro</i></p> <p>G24</p>	<p>Professor Diane Marie Amann (University of Georgia)</p>	<p>Child-Taking in Human Rights Law</p>
	<p>Dr Katja F. Achermann (Fribourg)</p>	<p>Possibilities and Limitations of Cooperative Obligations Under the European Convention on Human Rights</p>
	<p>Veronica Botticelli (Padua)</p>	<p>Using Procedure to Reconcile the 'Hybrid' Nature of Inter-State Human Rights Complaints: Assessing Potentials and Drawbacks of Jurisdiction and Admissibility</p>
	<p>Alexandra Yao (British Columbia)</p>	<p>A Strategy of Resilience Against Digital Repression: Domestic Courts Territorializing Spyware Governance</p>
<p>LGBTQI+</p> <p><i>Chair:</i> <i>Stephanie Palmer</i></p> <p>LG17</p>	<p>Kushagr Bakshi (Michigan)</p>	<p>Marriage. Courts and Substantive Equality: Horizontal Rights in Transformative Constitutionalism</p>
	<p>Dr Sarah Craig (Ulster)</p>	<p>The Trajectory of LGBTQI+ Claims before the CJEU: can the Court prevent further backsliding on rights?</p>
	<p>Niamh Guiry (Cork)</p>	<p>A Critical Exploration of LGBTQI+ Rights and the Sustainable Development Goals</p>
	<p>Dr Lena Holzer (Cambridge)</p>	<p>The Right to Sports of Intersex Women and the European Court of Human Rights: Insights from the Caster Semenya Case</p>
<p>Climate Change and Human Rights Part II: Conceptual and Political Challenges</p> <p><i>Chair:</i> <i>Stevie Martin</i></p> <p>LG18</p>	<p>Gustavo de la Orden Bosch (Deusto)</p>	<p>Climate change on the doorstep of international courts: an opportunity to overcome the anthropocentrism of rights?</p>
	<p>Alessandro Drigo (Giessen)</p>	<p>Climate Change and the Law: From Human Rights to Private Law?</p>
	<p>Michela Biscosi (Scuola Superiore Sant'Anna)</p>	<p>Contested Border(s). The Making of 'Nature' and 'Society' in the EU</p>
	<p>Kubra Yildiz (Southampton)</p>	<p>Do The Effects of Climate Change Amount to A Human Right Violation?</p>

Migration III <i>Chair:</i> Dora Robinson B16	Nicolette Busuttil (SOAS)	Migrants with Mental Healthcare Needs as Persons with Psychosocial Disabilities: reframing rights entitlement in the European human rights sphere
	Jose Rogelio Gutierrez Alvarez (Cambridge)	The Legality of Border Walls under International Human Rights Law
	Alexandra Karaiskou (EUI)	Artificial Intelligence, Migration and the Right to Non-Discrimination: A reconceptualisation based on ECtHR case law
	Dr Elisa Ruozzi (Turin)	Backsliding on Migrants' Rights due to "Structural Reasons": adjudication by international courts as a brake or an accelerator?

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Friday 29 September 2023 - Paper Session IV - 09:00 - 10:20

Theme	Speakers	Titles of Papers
<p>The European Court of Human Rights: Part II</p> <p><i>Chair:</i> <i>David Feldman</i></p> <p>LG19</p>	Dr Helen Hardman (Glasgow)	Freer and fairer? How the ECHR has helped reform elections to the European Parliament
	Dr Adam Ramshaw (Northumbria)	Exploring the Court's jurisprudence through agenda setting and narrative
	Dr Jan Petrov (Oxford)	Subsidiarity as a Cure to the European Court of Human Rights' Ills? The Bottom-up Perspective
	Matilde Rocca (Padova and Lauterpacht Centre)	The future of the European Court of Human Rights as a political actor
<p>Civil Society, Public Services and Welfare</p> <p><i>Chair:</i> <i>Alistair Mills</i></p> <p>S19</p>	Kevin Hartmann (Louvain)	Injustice in Waiting: Future Retirees and the Flaws in A1P1's Standing Rules
	Ágota Szekeres (Miskolc and Central European Academy in Budapest)	Why Water Service is a Public Service: Debunking the Human Rights Implications of Water Privatization Through Comparative Analysis of Hungary, France, and the United Kingdom
	Dr Sanja Dragic (Graduate Institute)	International Law and the Realities that it Creates: The Concept of 'Civil Society'
	Dr Camila Vergara (Essex)	For a European Human Rights Ombudsman

<p>Surveillance and Freedom of Expression</p> <p>Chair: Kirsty Hughes</p> <p>G24</p>	<p>Ioannis Kouvakas (Privacy International; Vrije Universiteit Brussel)</p>	<p>Unlocking the impact of European data protection law on Article 8 ECHR: visual surveillance of civic spaces</p>
	<p>Dr Dimitrios Kafteranis and Dr Stelios Andreadakis (Coventry)</p>	<p>Whistle-blower protection under the ECHR: Has the decision in <i>Halet v Luxembourg</i> Changed the Rules of the Game?</p>
	<p>Dr Dan Joyce (University of New South Wales)</p>	<p>Human Rights as a Form of Sanctuary from Critique</p>
	<p>Juha Tuovinen (Durham)</p>	<p>Regulating Freedom of Expression on Social Media: The First Two Years of the Meta Oversight Board</p>
<p>Women</p> <p>Chair: Stevie Martin</p> <p>LG17</p>	<p>Dr Lisa Grans, Dr Mikaela Heikkilä and Maija Mustaniemi-Laakso (Åbo Akademi University)</p>	<p>The conceptualisation of forced marriage in criminal law settings in Europe</p>
	<p>Diego Romero Rivero (Cambridge)</p>	<p>A comparison of the remedial orders of the European Court of Human Rights and the Inter-American Court of Human Rights while facing systemic violence against women</p>
	<p>Dr Norah Burns (QUB)</p>	<p>The National Women's Council of Ireland: 50 years of leading and educating on women's rights at a local and national level</p>
	<p>Fiona Costello (Cambridge)</p>	<p>A woman's work- EU migrant women's experiences of low paid and low skilled work in the UK</p>
<p>Climate Change and Human Rights Part III: Domestic, Regional and International Judicial Developments)</p> <p>Chair: Martin Steinfeld</p> <p>LG18</p>	<p>Umberto Lattanzi (Bocconi)</p>	<p>International Climate Law before Domestic Courts: enhancing or constraining democracy?</p>
	<p>Dr Amit Anand and Akanksha Madaan (REVA)</p>	<p>SERAC v. Nigeria - Examining the contribution of the African Commission on Human and Peoples' Rights in advancing the jurisprudence on the right to environment</p>
	<p>Ankit Malhotra (SOAS)</p>	<p>The Role of Courts in Human Rights Adjudication and Climate Change Human Rights Litigation: A Third World Perspective on International Law</p>

<p>Health and Biotechnology</p> <p><i>Chair: Rebecca Freund</i></p> <p><i>B16</i></p>	<p>Dr Róise Connolly (OU)</p>	<p>A Human Right to Access Genetic Information? Presenting the Case for a Disclosure-as-Default Framework in the UK</p>
	<p>Dr Alessandra Guida (QUB)</p>	<p>Human Rights, Biotechnology and the WTO: How to Find a Point of Equilibrium Between the Revolutionary Advancement Offered by Technology and the Need to Safeguard Biodiversity</p>
	<p>Ioanna Pervou (Democritus University of Thrace)</p>	<p>Protecting Health at the Aftermath of Covid-19: a missed opportunity for the European Court of Human Rights?</p>
	<p>Justyna Miszczyk (Jagiellonian)</p>	<p>Human Rights in Emerging Epigenome Editing Technologies</p>



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Friday 29 September 2023 - Paper Session V - 11:30 - 12:50

Theme	Speakers	Titles of Papers
Human Rights - Interpretation, Monitoring and Derogation Chair: Stephanie Palmer LG19	Professor Marie-Benedicte Dembour (Ghent)	Beyond Reasonable Doubt at its Worst - but also at its Best: <i>Ireland v United Kingdom</i> Dissected
	Natasha Holcroft-Emmess (Oxford)	Notified Derogations and their Absence: the ECtHR on Measures Restricting Rights in Conflicts and Crises, including the Covid-19 Pandemic
	Professor Emeritus Brice Dickson (QUB)	The Impact of International Human Rights Monitoring Mechanisms in the UK
	Professor Timothy William Waters (Indiana)	Malleable Tool: Human Rights' Strategic Deployment of Hypocrisy
Human Rights and Work Chair: Shubham Jain S19	Janine Geddis (QUB)	Is human rights law adequately protecting the right to mental health in the workplace?
	Dr Natalie Sedacca (Durham)	Migrant Work, Gender, and the Hostile Environment: A Human Rights Analysis
	Amanda Gray Meral (QUB)	A Feminist Critique of the Right to Work for Refugees
	Assistant Professor Pascal McDougall (Ottawa)	Social Europe, Economic Crisis, and The Right to Work

Remedies and Enforcement <i>Chair: Stevie Martin</i> G24	Alexandra Allen-Franks (Auckland)	Possibilities and limitations of the inherent power of the court as a tool to secure remedies for human rights violations
	Dora Robinson (Cambridge)	Government Decision-Making on the Implementation of Adverse European Court of Human Rights Judgments
	Robert Craig (Bristol)	Remedying Remedial Orders: Are Some s 10 HRA Remedial Orders <i>Ultra Vires</i> ?
	Dr Jaime Arancibia (Universidad de los Andes)	Human rights and administrative sanctions: necessary distinctions
Rights Frameworks <i>Chair: Conor McCormick</i> LG17	Michael Talbot (Utrecht)	Judicial Dialogue Among Regional Human Rights Systems: Reconsidering the Concept in the Supra-National Context
	Dr Camille Marquis Bissonnette (McGill)	Formalizing Human Rights Law as a Constitution-Like Watchdog: The Case of Counterterrorism
	Ilya Ivanov (Geneva)	The uneven legal value of the Universal Declaration of Human Rights for subsequent international human rights treaties: discrepancies between normative formulations
	Viktoriia Hamaiunova (Newcastle)	Compatibility of Mandatory Judicial Mediation with Human Rights Principles
Climate Litigation before the ECtHR: Part I (Implications for the ECHR) <i>Chair: Martin Steinfeld</i> LG18	Associate Professor Vladislava Stoyanova (Lund)	Positive Obligations under the European Convention on Human Rights: Prevention versus Precaution and the Importance of the Distinction for the Climate Change Cases.
	Jeremy Letwin (Lancaster)	The Limits of Climate Change Litigation in the ECtHR
	Dr Corina Heri (Zurich)	“Until It Footing Find”: Uncertainty, Climate Change and the ECtHR
	Antoine De Spiegeleir (European University Institute, Law Department)	From Litigation to Cultural Transformation: Exploring the Narrative Function of the European Court of Human Rights in Climate Change Cases

<p>Domestic Judicial Reasoning on Human Rights</p> <p><i>Chair:</i> <i>Shona Stark</i></p> <p><i>B16</i></p>	<p>Dr Elisenda Casanas Adam (Edinburgh)</p>	<p>Human Rights Reform in a Multi-Level Framework: A view from the UK's plural constitution</p>
	<p>Alistair Mills (Cambridge)</p>	<p>Proportionality and Planning Judgment: Unstoppable force meets immovable object?</p>
	<p>Christopher Rowe (Swansea)</p>	<p>Social Rights and the Politics of Adjudication in the UK</p>
	<p>Samuel Willis (Public Law Project and 11KBW)</p>	<p>Corollaries and Implications of <i>R(SC) v Secretary of State for Work and Pensions</i>: the margin of appreciation and democracy</p>

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Friday 29 September 2023 - Paper Session VI - 15:00 - 16:20

Theme	Speakers	Titles of Papers
UK Law and the Human Rights Act 1998 <i>Chair:</i> Gavin Phillipson LG19	Dr Lewis Graham (Oxford)	The UK Supreme Court and European Human Rights: Have Conservative Politicians “saw off Lady Hale”?
	Guy Baldwin (Manchester)	The Case for Moderate Constitutionalism in the UK
	Dr Shona Wilson Stark (Cambridge)	Blowin’ in the wind: The meaning of “incompatibility” under section 4 of the Human Rights Act 1998
Extraterritoriality <i>Chair:</i> Nabil Khabirpour S19	Dr Mais Qandeel (Örebro University)	Human Rights in Cyberspace: Jurisdiction and Extraterritoriality
	Dr Aphrodite Papachristodoulou (Galway)	Technology as a Normative Trigger of Extraterritorial Jurisdiction: The Future Trajectory of the European Court of Human Rights’ Jurisprudence
	Professor Valeria Eboli (Italian Naval Academy and University of Pisa)	Challenges of Human Rights Protection in Outer Space: Is there any legal black hole?
	Dr Gustavo Minervini (Turin)	The Notion of Extraterritorial Jurisdiction in Human Rights Treaties: Fears of Fragmentation or Possibilities for Progressive Development?

Freedom of Thought and Expression <i>Chair:</i> <i>Ricki-Lee Gerbrandt</i> G24	Bethany Shiner (Middlesex)	Protecting the <i>forum internum</i> absolutely under the European Convention on Human Rights
	Dr Angela Hefti (Swiss National Science Foundation; Harvard Law School)	Chilling Climate Protests? Mapping Human Rights Violations
	Associate Professor Eszter Kirs (Corvinus)	Governmental media and freedom of assembly of youth in the illiberal regime of Hungary
Human Rights, Work and Business <i>Chair:</i> <i>Susana Sánchez Ferro</i> LG17	Hilary Hogan (Oxford)	Contesting the Freedom to Conduct a Business
	Deborah Wood (Open University)	Tackling the problem of modern slavery in corporate supply chains – A director’s duty
	Marie-Christine Carter (Stanford; Cambridge)	Equality in the Algorithmic Workplace: A New Challenge for European Anti-Discrimination and Equality Laws
Climate Litigation before the ECtHR: Part II <i>Chair:</i> <i>Corina Heri</i> LG18	Professor Anca Ailincai (Institut universitaire de France)	The reluctance of the Council of Europe’s Member States to recognise a right to a clean, healthy and sustainable environment at the European level
	Alessandra Accogli (University College Dublin)	Climate change related cases before the European Court of Human Rights: an alternative legal argument based on land carbon sink degradation
	Katie Pentney and Ashleigh Barnes (Oxford)	Climate Change Before the European Court of Human Rights: Charting a New Course or Towing the Line?
	Demi-Lee Franklin (Liverpool)	Attributing State Responsibility in Climate Change Litigation Before the European Court of Human Rights

Travelling Communities and Romani People <i>Chair:</i> <i>Vandita Khanna</i> <i>B16</i>	Erin Tyler Thomas (Cardiff)	Trust, Human Rights and the Right to Health of Travelling Communities
	Assistant Professor Vasiliki Karagkouni (Frederick)	Children of Roma origin and the right to education; Indirect discrimination by race in the case law of the ECtHR
	Merel Vrancken (Hasselt)	Segregation in education and a duty to desegregate under the ECHR

Please note: the timing and composition of panels are subject to change.

