



Vlaamse
overheid

3rd Young Legal Researchers Conference 2022

Programme



Hasselt, Belgium
16 December 2022

INTRODUCTION

The overarching theme of the conference is: "Back to the basics: Fundamental principles of law in contemporary challenges". A principle of law or a legal principle generally refers to a principle that has wide recognition. Legal principles are the backbone of the law, representing the foundation of jurisdictional and policy decisions: they may be enshrined in constitutions or international agreements; they may give rise to legal obligations or they may provide guidance for the interpretation or application of the law. Different areas of law have developed different principles. Taking the example of public law, the principles of public interest, non-discrimination and equality, as well as legal certainty and proportionality (amongst others) are at its core and should be guiding elements in public policy and State action. All these principles aim at protecting the individual from arbitrariness, especially in the relations between the individual and the State. But how can these principles be invoked to help tackle current tensions, such as those between fundamental rights and economic goals?

OBJECTIVES

The aim of the conference is to identify and to unravel the purpose and significance of various fundamental principles in view of advancing and improving the law when confronted with contemporary tensions and challenges. Young researchers will be brought together to make their research known, discuss ideas and findings, and gain from the insights of, and engage with, other researchers.

LANGUAGE

The official language of the Conference is English for all presentations and discussions.

NO REGISTRATION FEE

Participating in the conference is free of charge. Coffee and lunch will be provided during the day.

ORGANIZING COMMITTEE

Aura Iurascu, University of Hasselt
Caroline Van Esbroeck, University of Hasselt
Dominique De Meyst, University of Hasselt
Elisa Cavallin, University of Hasselt

Harriet Ní Chinnéide, University of Hasselt
Lien Aerts, University of Hasselt
Marion Sandner, University of Hasselt

CONFERENCE VENUE

Participants will be able to present their research as well as engage in a debate with fellow researchers in a hybrid setting. In addition, to encourage both physical and online attendees to socialise and to promote the development of an international network of young legal researchers, networking booths will be available for participants to tear down the divide between online and offline conference participation, enabling online participants to easily and equally interact with the young academics who are attending the conference in person.

The physical conference will take place at Hasselt University, Campus Hasselt, Martelarenlaan 42, B-3500, Hasselt.

SOCIAL ACTIVITY

After the conference a social activity is planned. We can go to Winterland. It's nearby the University, where we can enjoy many winter activities en attractions, shop at the Christmas market and taste the winter delicacies at the food and drink stands. (<https://www.winterland.be/nl>)

SCIENTIFIC AND SOCIAL PROGRAMME

9.30: Arrivals of the participants, registration, welcome with coffee break (*cafeteria*)

10.00: Welcome speech: Prof. dr. Petra Foubert, Dean of the Law faculty at Hasselt University (*OG-Aud2*)

10.15: Keynote speech: dr. Cathérine Van De Graaf, visiting professor at Ghent University & University of Cologne (*OG-Aud2*)

10.50: Opening of poster contest (*OG-Aud2*)

10.55: Short coffee break (*cafeteria*)

11.15: Start of the morning panels

Parallel panels morning: 11.15-12.45

- Multilevel principles based on ethics (*room FR 0.01*)
- Circularity and sustainability (*room FR 0.02*)
- Fundamental rights in a digital era (1) (*room FR 0.03*)
- Questions on discrimination (*room FR 0.04*)
- Motions in law (*room FR 0.13*)

12.45: Lunch and coffee break (*cafeteria*)

14.00: Start of the afternoon panels

Parallel panels afternoon: 14.00-15.30

- Solidarity, good faith and trust (*room FR 0.01*)
- Energy (*room FR 0.02*)
- Fundamental rights in a digital era (*room FR 0.03*)
- Questions on discrimination (*room FR 0.04*)

15.30: Coffee break (*cafeteria*)

15.55: Plenary discussion (*OG-Aud2*)

16.35: Keynote speech: Dr. Marie Decock, Assistant Professor Administrative Law (Maastricht University), FWO Postdoctoral Researcher (Hasselt University & KU Leuven) (*OG-Aud2*)

16.55: Closing remarks: Prof. dr. Petra Foubert, Dean of the Law faculty at Hasselt University (*OG-Aud2*)

17.05: Reception (*cafeteria*)

18.00: Winterland Hasselt

PROGRAMME – PRESENTATIONS

Parallel panels morning

PANEL 1: Multilevel principles based on ethics

Chair: Kaj Zee

Room FR 0.01

- 11.15 - 11.27 The realization of large (complex) construction projects: a Sisyphean work in Flanders
Tammy Philipsen (University of Hasselt)
- 11.27 - 11.39 Old Principles, New Remedies: A Fresh Start from *Pacta Sunt Servanda*
Riccardo Serafin (University of Turin)
- 11.39 - 11.51 The ability-to-pay principle as emerging concept in liability and criminal law
Lukas Van Roy (KU Leuven)
- 11.51 - 12.03 The effect of climate change on (civil-(civil)-public) relations: the principle of land value capture and the general principle of unjustified enrichment
Caroline Van Esbroeck (University of Hasselt)
- 12.03 - 12.45 Discussion and Q&A

PANEL 2: Circularity and sustainability

Chair: Jonas Voorter

Room FR 0.02

- 11.15 - 11.27 The Challenges of the Pay Polluter Principle: A Case of End-of Life Recycling System
Jie Yang (University of Copenhagen)
- 11.27 - 11.39 The principles of public procurement & Circular economy at a glance: can the CJEU pave the way to a more harmonized perspective?
Aura Iurascu (University of Hasselt)
- 11.39 - 11.51 Water security as a paradigm of the principles of environmental law
Adrián Gavín Lalaguna (University of Zaragoza)
- 11.51 - 12.03 The Separation of Powers Doctrine in Climate Litigation
Paola Apollaro (University of Urbino)
- 12.03 - 12.45 Discussion and Q&A

PANEL 3: Fundamental rights in a digital era (1)

Chair: Aurélie Cassiers
Room FR 0.03

- 11.15 - 11.27 In the Interest of Legitimacy or Lawfulness? Processing of Personal Data at Odds with The Scope of Article 6(1) of the GDPR
Alba Ribera Martinez (University Carlos III of Madrid)
- 11.27 - 11.39 The US. Legal Imperialism as a Threat to The Principle of "Duty to Protect Human Rights"
Hesam Nourooz pour (University of Malaya)
- 11.39 - 11.51 Using Constitutional Principles to Curbing the Excess Power of Very Large Online Platforms
Ylenia Maria Citino (Luiss Center for Studies on Parliament)
- 11.51 - 12.45 Discussion and Q&A

PANEL 4: Questions on discrimination (1)

Chair: Merel Vrancken
Room FR 0.04

- 11.15 - 11.27 Wage scales in collective bargaining agreements: towards an interpretation in accordance with anti-discrimination law
Lien Aerts (University of Hasselt)
- 11.27 - 11.39 Proving Anti-Roma Violence by State Authorities: Litigation strategies and challenges before the European Court of Human Rights and UN Treaty Bodies
Emma Varnagy (Ghent University)
- 11.39 - 11.51 Gender Challenging Sex Equality
Elisa Crosset (University of Liège)
- 11.51 - 12.45 Discussion and Q&A

PANEL 5: Motions in law

Chair: Emilie Hermans
Room FR 0.13

- 11.15 - 11.27 The Freedom of Navigation under threat: Regulated but not Redundant
Frederik Rogiers (Ghent University)
- 11.27 - 11.39 The principle of innocent passage: An Analysis of the Rights of Foreign-Flagged NGO Vessels in the Territorial Sea
Amanda Danson Brown (Queen Mary University of London)
- 11.39 - 11.51 Reversing rule and exception: A restrictive turn in the governance of human mobility in the EU?
Jonas Bornemann (University of Lausanne)

- 11.51 - 12.03 The right to be a refugee and human dignity versus the experience of two different approaches to migrants from the Polish-Ukrainian and Polish-Belarusian borders
Mikolaj Wolanin (University of Warsaw)
- 12.03 - 12.45 Discussion and Q&A

Parallel panels afternoon

PANEL 6: Solidarity, good faith and trust

Chair: Loth Van Der Auwermeulen
Room FR 0.01

- 14.00 - 14.12 Interstate solidarity as a crisis-management principle of the EU legal order
Claudia Cinnirella (University of Catania)
- 14.12 - 14.24 The application of bad faith doctrine to address contemporary populist and authoritarian challenges by the ECtHR
Joseph Finnerty (Hertie School's Centre for Fundamental Rights Berlin)
- 14.24 - 14.36 Good faith assessment in performing international human rights obligations – what role for Article 18 ECHR in addressing the rule of law crisis?
Aleksandra Kochman (College of Europe in Bruges)
- 14.36 - 14.48 Limits to the principle of mutual trust between EU Member States in the framework of the execution of European Arrest Warrants
Febe Inghelbrecht (Ghent University)
- 14.48 - 15.30 Discussion and Q&A

PANEL 7: Energy

Chair: Aura Iurascu
Room FR 0.02

- 14.00 - 14.12 Hydropower, Oil and Sustainability- The Norwegian Story
Alexandru Gociu (Trinity College Dublin)
- 14.12 - 14.24 Forest protection and bioenergy: a balancing act or a concerted effort towards decarbonisation?
Elisa Cavallin (University of Hasselt)
- 14.24 - 14.36 Forging the principle of energy solidarity in the EU
Eirini Galatsanou & Theodoros Iliopoulos (National and Kapodistrian University of Athens & University of Hasselt/Ghent University)

14.36 - 14.48 Energy Communities: a concrete application of the principle of horizontal subsidiarity to achieve the energy transition
Anna Grignani (University of Eastern Piedmont)

14.48 - 15.30 Discussion and Q&A

PANEL 8: Fundamental rights in a digital era (2)

Chair: Isabelle Vanwalleghem
Room FR 0.03

14.00 - 14.12 The concept of risk (assessment) in the proposal for an Artificial Intelligence Act
Nikolaos Ioaniddis (Vrije Universiteit Brussel)

14.12 - 14.24 Improving (Digital) Access to justice for Self-represented Litigants in Small Claims Cases
Sayedeh Salehi (Vrije Universiteit Brussel)

14.24 - 14.36 Rule of Law: Threshold to Courts R(evolution)
Goda Strikaitė-Latušinskaja (Vilnius University)

14.36 - 15.30 Discussion and Q&A

PANEL 9: Questions on discrimination (2)

Chair: Alicia Hendrickx
Room FR 0.04

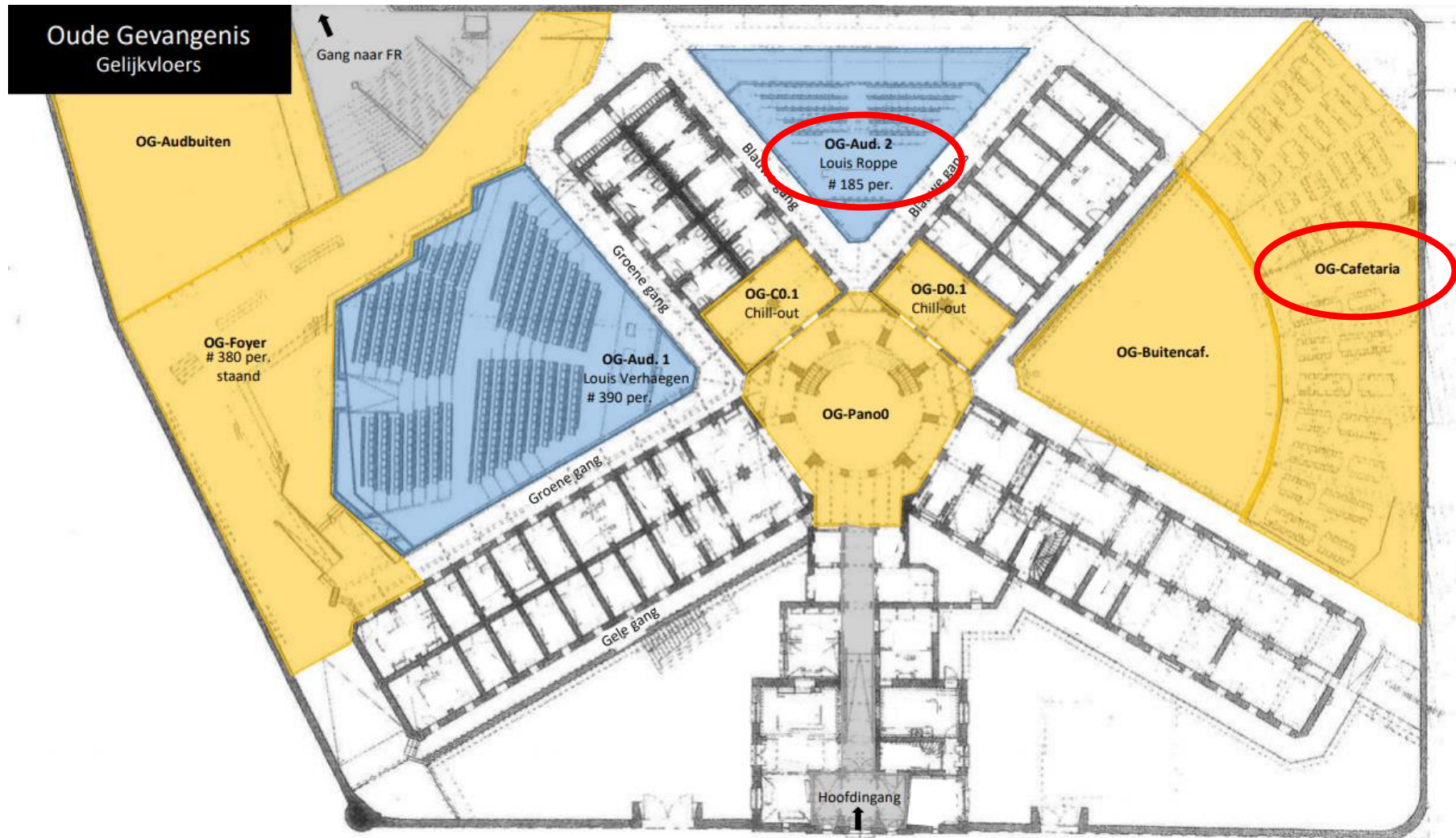
14.00 - 14.12 From collective to corporate religious freedom: simply the next step or a leap forward?
Maksymilian Hau (University of Warsaw)

14.12 - 14.24 State law and the internal law of religions: are they really two separate legal orders?
Jędrzej Zieliński (University of Warsaw)

14.24 - 14.36 Segregation in education: breaking the cycle of disadvantage with help of the ECHR's Roma segregation case law?
Merel Vrancken (University of Hasselt)

14.36 - 15.30 Discussion and Q&A

MAP OF THE BUILDING



Campus rechten Gelijkvloers



Campus rechten

Eerste verdieping



