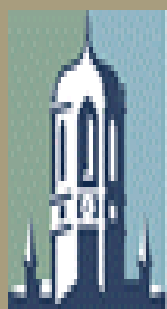


2016

Irish Society of Comparative Law Annual Conference

National University of Ireland Galway



NUI Galway
OÉ Gaillimh



Conference Conveners/Contact Details



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For general queries, please contact
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Directions to the National University of Ireland Galway

NUI Galway is located in Galway city on the West Coast of Ireland. [View on map >](#)



There are daily **direct flights** to Ireland from a wide range of cities in the UK, Europe and the US, & from the Emirates. Airports include: **Shannon Airport** c. 1 hour 5 mins by car/bus - [View airline/destination information for Shannon](#), **Dublin Airport** c. 2 hours 20 mins by car/bus - [View airline/destination information for Dublin](#), **Knock Airport** c. 1 hour 10 mins by car/bus - [View airline/destination information for Knock](#)

Getting to Galway

- Galway city is served by an extensive **public transport** network linking Dublin, Shannon and Knock airports. **Irish Rail**, offers 9 daily train transfers from Dublin City with a travel time of 2 hours 10 minutes. Regular bus services operated by [Bus Éireann](#), [Go Bus](#) and [Citylink](#), with fully air-conditioned coaches equipped with free Wi-Fi. The motorway from Dublin Airport to Galway City allows for travel time from 2 hours 20 minutes, with direct bus services operating every half hour (Dublin Airport Terminal to Galway City Centre). Knock and Shannon Airports are currently serviced by Bus Éireann. For **detailed information on travelling from Dublin, Shannon or Knock Airport** by train, bus or taxi, or for information on car hire, please refer to our [Getting to Galway Guide](#). Should you wish to **travel to Galway by car**, please refer to the [AA Road Maps & Route Planner](#)

Getting to NUI Galway



Conference Venue



The conference will be held in Aras Moyola, NUIG.

The Aras Moyola building is located on the North Campus, as above. It can also be found on [the NUIG campus map](#).

Campus Parking

Parking Permits

If you require a parking permit, please click on the following link

[file:///C:/Users/13230473/Downloads/The%20Irish%20Society%20of%20Comparative%20Law%20\(1\).pdf](file:///C:/Users/13230473/Downloads/The%20Irish%20Society%20of%20Comparative%20Law%20(1).pdf)

Please print and display attached permit on your vehicle. Note that the parking permit is only valid only for the Park & Ride carpark at Dangan (north of the campus) (which is close to the conference venue). Please ensure to park in white line spaces only. Buses run from Dangan to various locations on campus. See link for map and timetable. http://www.nuigalway.ie/buildings/park_and_ride.html Please note parking elsewhere on campus is metered (pay and display).

Directions to Dangan Park & Ride Car park at NUIG (via Corrib Village)

Arriving in Galway on the main N6, follow signs for the N59 (Galway-Oughterard/Clifden), crossing the River Corrib at the Quincentennial Bridge. Go through the traffic lights and take exit 5 at the next roundabout (bringing you back towards the Quincentennial Bridge). Take a left turn at the traffic lights and continue for 1km. You will see the Corrib Village entrance on your right. After entering, take an immediate left to get to the Dangan Park & Ride Car Park.

Other NUI Galway Entrances

University Road Entrance - Arriving in Galway on the main N6, follow signs for the N59 (Galway-Oughterard/Clifden), crossing the River Corrib at the Quincentennial Bridge. Immediately after the Quincentennial Bridge, take a left turn at the traffic light controlled crossroads and follow the signs for city centre/University/Hospital. Continue through three sets of traffic lights (approx. 1km) to large junction with University Hospital on the right. Take filter lane to the left onto University Road and the main entrance to NUI Galway is approximately 100m from this junction on the left-hand side.

Newcastle Road Entrance Arriving in Galway on the main N6, follow signs for the N59 (Galway-Oughterard/Clifden), crossing the River Corrib at the Quincentennial Bridge. Immediately after the Quincentennial Bridge, take a left turn at the traffic light controlled crossroads. The Newcastle Road entrance is the first left after Topaz petrol station.

Upper Newcastle Entrance Arriving in Galway on the main N6, follow signs for the N59 (Galway-Oughterard/Clifden), crossing the River Corrib at the Quincentennial Bridge. Go through the traffic lights and take exit 5 at the next roundabout (bringing you back towards the Quincentennial Bridge). Take a left turn at the traffic lights. The Upper Newcastle entrance is the first right.



Galway City

Galway has just been voted the friendliest city in the world! It is a vibrant, cosmopolitan city steeped in culture, rich in folklore and famous for its cobble-stoned streets, quaint shops and charming restaurants. Home to the world renowned [Druid Theatre Company](#), [Macnas Street Theatre Company](#) and [An Taibhdhearc](#), there is much to do in the city. Also, the surrounding landscape leaves one breathless, from the prehistoric fort of Dun Aengus, the most westerly point in Europe, to the Cliffs of Moher, Connemara and the Burren. Click [here](#) closer to the conference dates, to see what is happening in the city at that time, or any of these: [Wild Atlantic Way](#), [Galway Arts Festival](#), [Galway Film Festival](#), www.frommers.com/destinations/galway

Accommodation

Campus Accommodation

NUI Galway is delighted to welcome delegates attending the Irish Society of Comparative Law Conference to our campus accommodation at Corrib Village



Located only a few minutes' walk from the conference venue, Corrib Village is a complex of apartments and bungalows on landscaped courtyards in a riverside setting, making it a good option for conference delegates. Facilities include 24-hour reception and security, FREE parking, FREE Wi-Fi, & FREE shuttle buses to/from city centre. To enquire about same, please email conference@nuigalway.ie or phone +353 (0) 09 492264.

Other Accommodation - Given the relative proximity of NUIG to the city centre and its transport links, walking times between city centre accommodation and the university are between 15-30 minutes. There are a range of cheaper [Bed & Breakfast](#) & [hostel options](#), available throughout the city. In addition to these and the campus [Corrib Village](#), the following hotel options are available:

Meyrick Hotel - 10 minutes walk from NUIG. See <http://www.hotelmeyrick.ie/> Rates agreed: Midweek Single B&B €140, Double/Twin B&B €170 | Email reshm@hotelmeyrick.ie quoting reference ISCL Conference.

Ardilaun Hotel - 2km from NUIG, with pool, gym and parking. See www.theardilaunhotel.ie Rates agreed: Single B&B €119. Double/Twin B&B €159 (including breakfast). Email cboyd@theardilaunhotel.ie or emarketing@theardilaunhotel.ie or 091 521 433, quoting reference ISCL Conference.

Harbour Hotel - in the heart of the Galway City, 10 minutes from NUIG and 3 minute from the city centre, see www.harbour.ie Rates agreed: Midweek: Single B&B €109 | Double/Twin B&B €119 | email tara.hetherington@harbour.ie quoting reference ISCL Conference.

Westwood Hotel is the closest to NUIG. See www.westwoodhousehotel.com Rates Agreed: € 119 B&B. Email sales@westwoodhousehotel.com quoting reference ISCL Conference.

Clayton Hotel is 4km from City Centre, with a pool and fitness suite. See www.claytonhotelgalway.ie Rates agreed: Single B&B €89 | Double B&B €99. Email doconnor@clayton.ie quoting reference ISCL Conference.

Maldron Hotel, Sandy Road Galwa - fitness suite and spa. See www.maldronhotelsandyroadgalway.com Rates: Single B&B €109 | Double €119. Email imelody@maldronhotels.com. Quote reference ISCL Conference.

Twelve Hotel see www.thetwelvehotel.ie. Rates agreed: Single B&B €170 | Double B&B €180. To book: Email Fiona enquire@thetwelvehotel.ie quoting reference ISCL Conference.

Jurys Inn, Quay St, Galway - centrally located. Rates agreed: €109.00BB per room per night, single occupancy. €119.00BB for double occupancy. See <https://www.jurysinns.com/hotels/galway> or Tel: +353 91 566444.

Radisson Hotel, where the **conference dinner** will be held, is located on the edge of Lough Atalia and overlooking Galway Bay. It is a few minutes walk to Galway city centre and the railway and bus stations. See <http://www.radissonhotelgalway.com/> Email: galway@radissonblu.com or phone +353 91538300.

Keynote Speaker



Professor Mark Tushnet is a William Nelson Cromwell Professor of Law at Harvard Law School. He is the co-author of four casebooks, including the most widely used casebook on constitutional law. He has written numerous books, including a two-volume work on the life of Justice Thurgood Marshall and, most recently, *Advanced Introduction to Comparative Constitutional Law*, *In the Balance: The Roberts Court and the Future of Constitutional Law*, *Why the Constitution Matters*, and *Weak Courts, Strong Rights: Judicial Review and Social Welfare Rights in Comparative Perspective*, and has edited several others. He was President of the Association of American Law Schools in 2003. In 2002 he was elected a fellow of the American Academy of Arts and Sciences. His presentation for this year's Irish Society of Comparative Law Conference is titled: "*The Boundaries of Comparative Law*".

Conference Panels

Parallel Session 1

- 1 **Comparative Constitutional Law**
Dr Konrad Lachmayer, Prof James Allan and Dr Gerhard Van der Schyff
- 2 **Methodology and Legal Tradition**
Francesco Campodonico, Lidia Sokolowska, Dr Jessica Viven-Wilksch, Paulina E. Wilson

Parallel Session 2

- 3 **Migration and Refugees**
Dr Ciara Smyth, Dr Ekaterina Yahyaoui and Denise Gormley
- 4 **Functional Method**
Patrick O'Sullivan, Stijn De Dier and Kaiyu XIAO
- 5 **Perspectives on Monetary Matters**
Dr Emanuele Tuccari, Kamol Tanchinwuttanakul and Mary Tumelty

Parallel Session 3

- 6 **Human Dignity**
Dr Ioanna Tourkochoriti, Dr Daniel Bedford, Dr Natasa Mavronicola and Dr Catherine Dupre
- 7 **Theory of State**
Dr Darren O'Donovan, Dr Eoin Daly and Mesenbet Assefa Tadege
- 8 **Welfare State & Public Service**
Eirini Pothitou, Maarten Aalbers and Prof Uche Jack-Osimiri

Parallel Session 4

- 9 **Privacy & Responses to Terrorism 1**
Prof Ron Krotozinsky, Dr Rhita Bousta, Dr Valerio Lubello and Dr Gregor Heissl,
- 10 **Culture Matters**
Radosveta Vassileva, Reem Almujaledi and Dr Conor O'Mahony

Parallel Session 5

- 11 **Privacy & Responses to Terrorism 2**
Prof Arianna Vedeschi, Annemarie Shea and Prof Luca Pietro Vanoni
- 12 **Humans: from Birth to Death**
Lorraine Lally, Stephen Strauss-Walsh, Dr Roni Rosenberg and Prof Linda Schoeman

Program Summary

Monday 23rd May 2016

14.00 – 15:00	Registration with refreshments - Aras Moyola Lobby	
15:00 – 15:15	Welcome by Professor Donncha O’Connell, Head, School of Law, NUI Galway and Professor Steve Hedley, President of the ISCL (Room MY127)	
15:15 – 16:15	Keynote Plenary by Prof Mark Tushnet of Harvard Law School (MY127) “The Boundaries of Comparative Law”	
16:15 – 17:45	Parallel Sessions 1	
	<i>Panel 1 (MY124)</i> Comparative Constitutional Law	<i>Panel 2 (MY125)</i> Methodology & Legal Tradition
17:45 - 18.15	ISCL AGM (MY125)	
19:00 – 21:00	Conference Dinner at the Radisson Hotel, Galway (sponsored by the School of Law and the Irish Centre for Human Rights)	

Tuesday 24th May 2016

8.30-9.00	Registration - Aras Moyola Lobby		
9:00-10:30	Parallel Session 2		
	<i>Panel 3 (MY124)</i> Migration & Refugees	<i>Panel 4 (MY125)</i> Functional Method	<i>Panel 5 (MY126)</i> Perspectives on Monetary Matters
10:30-11:00	Refreshments		
11:00- 12:30	Parallel Session 3		
	<i>Panel 6 (MY124)</i> Human Dignity	<i>Panel 7 (MY125)</i> Theory of State	<i>Panel 8 (MY126)</i> Welfare State & Public Service
12:30 – 13:30	Lunch		
13:30 – 15:00	Parallel Session 4		
15:00 – 15:30	<i>Panel 9 (MY124)</i> Privacy & Responses to Terrorism 1		<i>Panel 10 (MY125)</i> Culture Matters
	Refreshments		
15:30 – 17:00	Parallel Sessions 5		
19:00 – 21:00	<i>Panel 11 (MY124)</i> Privacy & Responses to Terrorism 2		<i>Panel 12 (MY125)</i> Humans: from Birth to Death
	Refreshments		

Full Program

Monday 23rd May 2016

- 14.00 **Registration with refreshments - Aras Moyola Lobby**
- 15:00 **Welcome:** Professor Donncha O’Connell, Head of the School of Law, NUI Galway and Professor Steve Hedley, President of the ISCL (Room MY127)
- 15:15 **Keynote Plenary:** Professor Mark Tushnet of Harvard Law School
“The Boundaries of Comparative Law” (Room MY127)
- 16:15 -17:45 **Parallel Session 1**

1 Comparative Constitutional Law – Room MY124

Chair: Dr Ioanna Tourkochoriti

- Dr Konrad Lachmayer – *‘Comparing Constitutional Networks’*
- Prof James Allan – *‘Comparing the Statutory Bills of Rights in the United Kingdom, New Zealand, the State of Victoria, Australia, and Canada’s Charter of Rights’.*
- Dr Gerhard Van der Schyff – *‘Conceptualising Comparative law in the European constitutional space: The necessity and promise of identity-based arguments’.*

2 Methodology and Legal Tradition – Room MY125

Chair: Dr Ekaterina Yahyaoui

- Francesco Campodonico - *A methodological question about historical knowledge in comparative research: space and time as insuperable limits in comparative law?*
- Lidia Sokolowska - *Is Poland an ‘extraordinary’ place for comparatists? An arbitration law perspective.*
- Dr Jessica Viven-Wilksch *‘Legal System Classification: (Re) Locating The Tree in the Forest of Legal Traditions Traditions’*
- Paulina Wilson – *‘Educating the Legal Profession in a Globalising World: Lessons from Comparative Law’*

17:45 - 18.15 ISCL AGM (Room MY125)

19.00- 21:00 Conference Dinner at the Radisson Hotel, Galway

The conference dinner is sponsored by NUIG School of Law and the Irish Centre for Human Rights. If you have not done so, please inform organizers of your attendance at the dinner. For directions, <http://www.radissonhotelgalway.com/>

Tuesday 24th May 2016

8.30 Registration - Aras Moyola Lobby

9:00 – 10:30 Parallel Session 2

3 **Migration and Refugees** - Room MY 124

Chair: Dr Ekaterina Yahyaoui

- Dr Ciara Smyth: *The Current Migration 'Crisis'*.
- Dr Ekaterina Yahyaoui – *'Private Sponsorship of Refugees and the 'Migration Crisis'*
- Denise Gormley – *'(Re)Locating Law: Displacing Sexual and Gender Based Violence'*

4 **Functional Method** – Room MY 125

Chair: TBC

- Patrick O'Sullivan – *'Comparing the Application of Anti-bribery and Corruption in the Corporate World from in the US, EU and Africa: a Uniform Approach or Varying Trends from one Continent to Another'*.
- Stijn De Dier - *'Rescission suits as a Functional Equivalent to Derivative Actions: a Theoretical Assessment'*.
- Kaiyu XIAO – *'How the Functional Method helps to Compare the Enhanced Trademark Protection in the EU and China?'*

5 **Perspectives on Monetary Matters** - Room MY 126

Chair: TBC

- Kamol Tanchinwuttanakul – *'International Investment Agreement (IIA) and Protection of Human Rights as A Community Right in Thailand'*.
- Dr Emanuele Tuccari – *'Change of Circumstances and Contractual Justice" in European Private Law'*.
- Mary Tumelty - *'Calculating the 'true' cost of Medical Negligence Litigation: Perspectives from Ireland & the UK'*

10.30-11.00 Refreshments

11.00 - 12:30 Parallel Session 3

6 Human Dignity - Room MY 124

Chair: Dr Ioanna Tourkochoriti

- Dr Ioanna Tourkochoriti – ‘Human dignity: a legal value? Transatlantic disagreement in its definition and protection’.
- Dr Daniel Bedford – ‘*Human Dignity and Vulnerability in the Law of England and Wales*’.
- Dr Natasa Mavronicola – ‘*Article 3 ECHR, the torture continuum, and human dignity: adventures in specification and abstraction*’.
- Dr Catherine Dupre ‘*A New Focus for Comparative Law: Boundaries, Location and Narratives: The Example of Human Dignity in Europe*’.

7 Theory of State – Room MY 125

Chair: Dr Ekaterina Yahyaoui

- Dr Darren O’Donovan – ‘*The Executive in Comparative Perspective: Filling the Silences in Irish Constitutional Jurisprudence on Executive Power*’.
- Dr Eoin Daly - ‘*Comparative Law in Rousseau’s Constitutional Thought*’.
- Mesenbet Assefa Tadege - ‘*The Importance of a Democracy-Based Theory of Speech in Developing a Coherent Free Speech Jurisprudence.*’

8 Welfare State & Public Service – Room MY 126

Chair: TBC

- Eirini Pothitou – ‘*Welfare State, Social State & Economic Crisis: the cases of Ireland and Greece*’.
- Maarten Aalbers - ‘*Regulating and operating public services: Interplay and divergence between the ECJ’s case law on competition law and the fundamental freedoms*’.
- Prof. Uche Jack-Osimiri - ‘*Offshore Transactions and Tax Evasion, the Challenges*’.

12:30 – 13:30 Lunch

9 Privacy & Responses to Terrorism 1 - Room MY124

Chair: Dr Ioanna Tourkochoriti

- Dr Gregor Heissl – *‘Tension between the Obligation to Prevent Terrorisms and the Fundamental Rights to Privacy and Protection of Personal Data in Austria’*.
- Dr Rhita Bousta *‘LIBERTÉ, ÉGALITÉ, FRATERNITÉ »... AND TERROR. COUNTERTERRORISM AND RESTRICTIONS OF FUNDAMENTAL RIGHTS IN FRANCE’*.
- Dr Valerio Lubello – *The Law of Digital Profiling: the EU and the Italian Contexts’*.
- Dr Ron Krotozinsky - *‘Privacy and Dignity through the lens of Comparative Law’*.

10 Culture Matters – Room MY125

Chair: Dr Ekaterina Yahyaoui

- Radosveta Vassileva – *‘Relocating’ Research in Comparative Contract Law: On How the Study of East European Jurisdictions Exposes the Cultural Biases of the Theory of Legal Families’*
- Reem Almujaedi – *‘The Influence of the Ideological Misuses of Moral Discourses on Pluralism’*.
- Dr. Conor O'Mahoney – *‘Location Matters, to both Form and Substance: Two Different Routes to Marriage Equality’*.

15:00 – 15:30 Refreshments

15:30 – 17:00 Parallel Session 5

11 Privacy & Responses to Terrorism 2 - Room MY 124

Chair: Dr Ioanna Tourkochoriti

- Annmarie Shea – *‘International Terrorism & Traditional Theories for the use of Military Force’*
- Prof. Luca Pietro Vanoni – *‘Beyond the legal borders: Security and Privacy in Comparative Perspective’*
- Prof. Arianna Vedeschi – *‘Counter-Terrorism Measures: a Comparative Analysis’*

12 Human Beings: From Birth to Death - Room MY 125

Chair: Dr Ekaterina Yahyaoui

- Lorraine Lally – *‘Maternal-Foetal Conflict- Public Health Intervention vs. Individual Rights’*
- Dr Roni Rosenberg – *‘Revenge Porn’ As Sexual Harassment’*.
- Stephen Strauss-Walsh – *‘A Comparative Analysis of Victim Centrality in Eighteenth-Century England and Ireland’*.
- Prof Linda Shoeman *‘Commorientes –Half Circle or Full Circle?’*.