



**British Institute of
International and
Comparative Law**

Activity of our Team

October – December 2021

Find out more about the activities of our research fellows across the world

Publications

Berenika Drazewska, [Military Necessity in International Cultural Heritage Law](#) (Brill|Nijhoff), 9 December 2021.

Julinda Beqiraj & F Ippolito (Eds), International Law Review Special Issue, Introduction to the Forum '[COVID-19 and International Organizations: Challenges and Opportunities from the Perspective of Good Governance and the Rule of Law](#)', pp 293-306, 20 December 2021

Oliver Garner, '[Seven Reforms to Article 50 TEU](#)', *European Law Review* Volume 46, Issue 6 2021.

Kristin Hausler, 'The Role of Armed Non-State Actors in Safeguarding Cultural Heritage: Beyond Legal Obligations?', with Pascal Bongard, in Emma Cunliffe and Paul Fox (eds.), *Safeguarding Cultural Property and the 1954 Hague Convention* (Boydell and Brewer, 2021).

Irene Pietropaoli, Spyros Maniatis, Anuj Puri '[Legal contestation of artificial intelligence-related decision-making in the United Kingdom: reflections for policy](#)' (with Archie Drake and others) *International Review of Law, Computers & Technology*, 2021

Berenika Drazewska and Kristin Hausler, '[The role of Multilateral Development Banks \(MDBs\) in the protection of intangible cultural heritage](#)' Working Paper, BIICL, 21 October 2021.

Ronan Cormacain and Oliver Garner, '[Schrödinger's Trafficking Directive and the Nationalities and Borders Bill: Simultaneously law and not law](#)', UK Constitutional Law Association blog, 17 December 2021.

Oliver Garner, '[Modifying Retained EU law in the UK: Increasing Rule of Law Concerns](#)', RECONNECT blog, 20 October 2021.

Oliver Garner, '[The Instability of the Northern Ireland Protocol: A Present Threat to the Rule of Law?](#)', *Review of Democracy (RevDem)*, 10 November 2021.

Jean-Pierre Gauci, Richard Mackenzie-Gray Scott, Irene Pietropaoli and Constantinos Yiallourides and Jan van Zyl Smit, [Roadmap for Reform of International Legal Frameworks to Strengthen Cooperation in Responses to Public Health Emergencies](#)

Jean-Pierre Gauci, Richard Mackenzie-Gray Scott and Jan van Zyl Smit, [Rule of Law and Good Governance Principles Applicable to Data-Driven Responses to Public Health Emergencies](#)

See also outputs from this project authored by other BIICL colleagues:
<https://binghamcentre.biicl.org/projects/the-role-of-good-governance-and-the-rule-of-law-in-building-public-trust-in-data-driven-responses-to-public-health-emergencies>

Oliver Garner, '[In conversation with Barabara Grabowska-Moroz: The escalation of Poland's Rule of Law crisis](#)', RevDem podcast interview and transcript, 2 December 2021.

Oliver Garner and Rick Lawson, '[On a Road to Nowhere: The Polish Constitutional Tribunal assesses the European Convention on Human Rights](#)', Verfassungsblog, 23 November 2021.

Noemi Magugliani and Jean-Pierre Gauci, '[Judicial, quasi-judicial and specialised non-judicial bodies as determinants of anti-trafficking efforts](#)', BIICL Blog, 29 October 2021

Noemi Magugliani and Jean-Pierre Gauci, '[Migrant Crossings in the Channel: Non-Assistance, Securitisation and Accountability Under International Law](#)', Opinio Juris, 21 December 2021

Lucy Moxham, Julinda Beqiraj and Daniela Nadj, Educational Materials for Young People and Educators, '[Reconciling Europe with its Citizens through Democracy and the Rule of Law Project](#)', Bingham Centre for the Rule of Law, December 2021.

Irene Pietropaoli, (as part of the UKRI project on data driven responses led by Jan) 29 November, '[The Role of Good Governance and the Rule of Law in Building Public Trust in Data-Driven Responses to Public Health Emergencies](#)', 29 November 2021.

Constantinos Yiallourides, '[Global Health Governance: The Legal Duty of States to Cooperate in the Fight Against Pandemic Disease](#)', Bingham Centre for the Rule of Law, 26 November 2021.

Constantinos Yiallourides with Nicholas A. Ioannides, '[A Commentary on the Dispute Concerning the Maritime Delimitation in the Indian Ocean \(Somalia v Kenya\)](#)' EJIL:Talk! Blog of the European Journal of International Law, **Among the [Top-5 most-read EJIL blogs of 2021](#), 21 October 2021.

Oliver Garner, Bingham Centre for the Rule of Law, '[Expert analysis of the applicability of Article 6 of the European Convention on Human Rights to the constitutional courts of the States Parties, requested by the Polish Commissioner for Human Rights in the context of the case K 6/21](#)', (co-authored by Oliver Garner, Rick Lawson, and Patryk Wachowiec), 22 November 2021.

Conference Presentations

Duncan Fairgrieve, Comparative Law in Time of Emergencies, Annual Conference of the Italian Association of Comparative law, 23rd October 2021.

Duncan Fairgrieve, Panellist on "[Smart, Connected and Straight to Your Doorstep: The next 3 years of product safety in the EU](#)", International Consumer Product Health and Safety Organization (ICPHSO) annual conference 27th October 2021.

Jean-Pierre Gauci and Noemi Magugliani, '[Judicial, quasi-judicial and specialised non-judicial bodies as determinants of anti-trafficking efforts](#)', PluriCourts Conference, 28 October 2021

Jean-Pierre Gauci, Refugee Law, Human Rights Law and International Humanitarian Law, G20+6 Model United Nations, 20 November 2021

Jean-Pierre Gauci, Chair, Human Rights and Migration Panel, The Duty of States to Cooperate in International Law: 30th Annual SLS/BIICL Workshop, 29 November 2021.

Jean-Pierre Gauci, International Migration Law: Instruments and Frameworks, GCM Academy, Global Research Forum on Diaspora and Transnationalism, 11 December 2021

Jean-Pierre Gauci, Global Compact on Migration Objective 10, Global Compact Migration Seminar Series, 14 December 2021

Kristin Hausler, Chair, Concluding Panel, 'Culture, Art, Cultural Identity and Small States', organised with Wilmerhale and the Institute for Small and Micro States, 19 November 2021.

Kristin Hausler, Chair, Keynote Panel, The Duty of States to Cooperate in International Law: 30th Annual SLS/BIICL Workshop, 29 November 2021.

Kristin Hausler, 'The Security Council Resolutions Addressing Cultural Heritage', Rome La Sapienza, 2 December 2021.

Michael Abiodun Olatokun, "[What Rules Govern the UK's Democracy](#)" and "[What are the basic human rights of citizens, and how should we expect politicians to behave?](#)" University College London Constitution Unit, Citizens' Assembly on Democracy in the UK, 9 October 2021.

Michael Abiodun Olatokun, "[Rule of Law Education](#)", European Law Students Alumni Association, 14 November 2021.

Michael Abiodun Olatokun, "[How is COVID-19 impacting women's and men's working lives in the UK?](#)", University of Nottingham, 19 November 2021.

Michael Abiodun Olatokun, "[Comparing the Turing and Erasmus+ Schemes](#)", The London-Leiden Conference 2021: The Future for European Youth, London, 3 December 2021.

Lise Smit, "The Basics of Human Rights Due Diligence", American Bar Association International Law Section, 12 October 2021.

Lise Smit, "Social Enterprise, ESG, and Impact Investing" Trustlaw Social Enterprise training panel on "Mandatory Environmental and Human Rights Due Diligence", 27 October 2021.

Lise Smit, "Human Rights and Environmental Due Diligence in Global Value Chains: Perspectives from the Global South" German Institute for International and Security Affairs, 28 October 2021.

Lise Smit, "Business & Human Rights Ten Years On: Where are we now?", SOAS, 3 November 2021.

Lise Smit, "Guest Lecture: Cost-Benefit Analysis", Columbia University SIPA, 8 November 2021.

Constantinos Yiallourides, Conference Paper, 'Environmental Cooperation in Disputed Maritime Areas' [30th Annual SLS/BIICL Conference on Theory in International Law: The Duty of States to Cooperate in International Law](#), 29 November 2021

External Teaching

Jean-Pierre Gauci, International Criminal Defence, November 22- November 24 2021.

Kristin Hausler, 'Cultural Heritage and Human Rights' (Georgetown Law Executive Education, Program in Cultural Heritage & Art Law), 7 December 2021.

Impact and Recognition

Oliver Garner, Inclusion of 'Expert analysis of the applicability of Article 6 of the European Convention on Human Rights to the constitutional courts of the States Parties' (translated into Polish and in original English) in the [additional submissions to the Polish Constitutional Tribunal by the Polish Commissioner for Human Rights in the case K 6/21](#), 24 November 2021.

Michael Abiodun Olatokun - Kirton, Gill and Greene, Anne-Marie, The Dynamics of Managing Diversity and Inclusion, 2021.

Landman, Todd, 2022, 'The Rights Track: Sound Evidence on Human Rights and Modern Slavery' Anthem Press
Qingxiu Bu, 2021, '[The global governance on automated facial recognition \(AFR\): ethical and legal opportunities and privacy challenges](#)', London

Irene Pietropaoli and Lise Smit: [UK civil society coalition call for a UK failure to prevent law](#) (based expressly on the BIICL report co-authored by Irene Pietropaoli and Lise Smit): (first para links to our report). The civil society call is being supported by 36 leading businesses and investors, including Microsoft, Tesco, Primark and Nestlé, who are calling for such a law to be introduced in the UK, 19 October 2021.

Irene Pietropaoli and Lise Smit: Legal opinion by Timothy Otty QC and Naina Patel of Blackstone Chambers (briefed by the BHRRC and CJC) which refers to Irene Pietropaoli and Lise Smit's UK [Failure to Prevent Report](#) (2020), including in its own subsection entitled "The BIICL report" at para 39 onwards, October 2021.

Irene Pietropaoli and Lise Smit: A Guardian article about the above civil society campaign and legal opinions: Sarah Butler, "[Retailers press for human rights and environmental checks on supply chains](#)", 22 October 2021.