



**British Institute of  
International and  
Comparative Law**

## Activity of our Team

July – September 2021

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

### Publications

Duncan Fairgrieve, Marta Santos Silva, Piotr Machnikowski, Jean-Sebastien Borghetti, Anne Keirese, Pedro Del Olmo, Eleonora Rajneri, Christoph Schmon, Vibe Ulfbeck, Vera Vallone and Hebert Zech, “Relevance of Risk-benefit for Assessing Defectiveness of a Product: A Comparative Study of Thirteen European Legal Systems” *European Review of Private Law* 91–132, 2021.

Oliver Garner, ‘Justice and Home Affairs’ in Federico Fabbrini (ed.) *The Law & Politics of Brexit: Volume III. The Framework of New EU-UK Relations* (OUP), 2021.

Jean-Pierre Gauci and Marina Farias, ‘Human Trafficking as a Crime Against Humanity’ in Omar Grech, *Crimes Against Humanity: Towards a More Comprehensive Approach?* (MEDAC 2021)

Kristin Hausler, Francesca Fiorentini and Andrzej Jakubowski, ‘Cultural Heritage and European Identity in European Union Law and Policy’ in Eva Stegmeijer and Loes Veldpaus (eds) *A Research Agenda for Heritage Planning* (Edward Elgar), September 2021.

Constantinos Yiallourides and Greg Gordon, ‘Chapter 24: Decommissioning of (Abandoned or Disused) Offshore Installations’ in Martha Roggenkamp and others (eds), *Elgar Encyclopedia of Energy Law and the Environment* (Elgar 2021), 23 July 2021.

Oliver Garner, ‘Case C-709/20 CG v The Department for Communities in Northern Ireland: A Post-Brexit Swansong for the Charter of Fundamental Rights’, *European Law Blog*, 27 July 2021.

Oliver Garner, ‘The UK Command Paper on the Protocol on Ireland/Northern Ireland: Future Relationship à la carte?’ *DCU Brexit Institute blog*, 29 July 2021.

Oliver Garner, ‘Book Review: Federico Fabbrini, “Brexit and the Future of the European Union: The Case for Constitutional Reforms” (OUP)’ *European Law Review*, Volume 46, Issue 4, 568-570, 2021.

Yarik Kryvoi, *Sovereign Wealth Funds: Transnational Regulation and Dispute Resolution*, BIICL and Withers, 2021.

Katie Lines, *The Police, Crime, Sentencing and Courts Bill - A Rule of Law Analysis*, 13 September 2021.

Katie Lines and Richard Mackenzie-Gray Scott, *Submission* to the Scottish Government's COVID-19

public inquiry set-up team, 16 September 2021.

Irene Pietropaoli, Owain Johnstone and Alex Balch, '[Effectiveness of forced labour import bans](#)', Modern Slavery Policy and Evidence Centre, July 2021.

Constantinos Yiallourides, Ivano Alogna, Jean-Pierre Gauci, Irene Antonopoulos & Kristin Hausler, Post-Event Reports: '[Rising Sea Levels: Promoting Climate Justice through International Law](#)', July 2021.

Duncan Fairgrieve, Submission to Law Commission of England & Wales: Consultation on 14th Programme of Law Reform.

Duncan Fairgrieve, OPSS UK Product Safety Review: Call for Evidence Response of the Product Liability Forum.

Oliver Garner, '[Written evidence submitted by Oliver Garner \(FRE0017\)](#)' to the House of Commons European Scrutiny Committee inquiry 'The institutional framework of the UK/EU Trade and Cooperation Agreement, 9 September 2021.

## Conference Presentations

Jean-Pierre Gauci, Presentation, Rule of Law and Public Health Emergencies, Urban Law Day, UN Habitat and IALS, Online, 1 July 2021.

Jean-Pierre Gauci, Presentation, Reflections on Law and Migration, Imiscoe Conference 2021, Imiscoe, 9 July 2021.

Jean-Pierre Gauci, Presentation, The Role of Private Vessels when they Rescue Migrants at Sea', Immigration Law and Policy, Border Control and Migrant Deaths, Online, 30 September 2021.

Yarik Kryvoi, Presentation, '[Responding to Public and Private Cyberattacks: Self-Defence, Countermeasures and Jurisdiction](#)', 'The Challenge of Global Cybersecurity' conference organised by the University of Granada, Spain, 16 September 2021.

Yarik Kryvoi, Presentation, 'Corruption in international investment agreements and investor-state dispute settlement', '[Rethinking Global Economic Governance](#)' organised by the Society of International Economic Law and Università Bocconi, 9 July 2021.

Michael Abiodun Olatokun, 'The Right to Protest' Goldsmiths College, University of London, London, September 2021.

Michael Abiodun Olatokun, '[Careers in Law- NGOs and Civil Society](#)' JUSTICE, Online, 30 September 2021.

Michael Abiodun Olatokun, 'My Career' King Edward VI Handsworth School, Birmingham, September 2021.

Lise Smit, Presentation, Human Rights in the Tourism Sector, "Status Quo and Outlook: International Developments on Human Rights Due Diligence". [Roundtable Human Rights in Tourism](#), 22 September 2021.

Jan van Zyl Smit, Presentation 'Judicial independence and/or accountability', ICON-S Mundo Annual Conference, 6-9 July 2021.

Jan van Zyl Smit, Presentation 'Judiciary – Its Integrity and Independence', Justice KT Desai Memorial Roundtable, Online 28 July 2021.

Constantinos Yiallourides, Guest Lecture '[The Rising Status of Non-Aggravation in the Domain of the Peaceful Settlement of International Disputes](#)', Waseda University Institute of Advanced Studies, Tokyo,

14 August 2021.

## External Teaching

Duncan Fairgrieve, diverse lectures on comparative law topics at Université de Dauphine Paris PSL.

Kristin Hausler, 'The legal framework for cultural objects taken in times of armed conflict', Leiden Summer School on Cross-Border Transfer of Cultural Objects, 24 August 2021.

Lise Smit, Closing Panel of Rome Business and Human Rights Summer School, 2 July 2021.

Lise Smit, Judiciary of Rwanda - Business and Human Rights Webinar, by the Secretariat to the Standing International Forum of Commercial Courts (SIFoCC) and International Strategy Advisor, Judicial Office, 16 July 2021.

## Impact and Recognition

Oliver Garner 'Book review: Reinforcing rule of law oversight in the European Union' International Journal of Constitutional Law 15 (3), 866-872 cited in Jan Wouters and Michal Ovádek, 'The European Union and Human Rights: Analysis, Cases, and Materials' (OUP, 2021), July 2021.

Yarik Kryvoi, UNCITRAL Working Group III, Possible reform of investor-State dispute settlement (ISDS) Assessment of damages and compensation, Note by the Secretariat citing Costs, Damages and Duration in Investor-State Arbitration, BIICL and Allen & Overy, 2021.

Katie Lines – Lord Thomas cited the Rule of Law report on the Police, Crime, Sentencing and Courts Bill in the second reading in the House of Lords, 14 September 2021.