

JURIS DIVERSITAS



9th GENERAL CONGRESS / 9^e CONGRÈS GÉNÉRAL

Macau, 24th to 25th October 2024 / 24 au 25 octobre 2024

‘Convivencia’: Com-paring Legal Scenarios of a Life together in Harmony
« Convivencia » : comparaison des scénarios juridiques su vivre ensemble en harmonie



澳門大學
UNIVERSIDADE DE MACAU
UNIVERSITY OF MACAU



JURISdiversitas
CROSSING BOUNDARIES

Juris Diversitas is the name of an association as defined in Article 60 et sequens of the Swiss Civil Code. The Association has its seat at the Swiss Institute of Comparative Law in Lausanne-Dorigny, Switzerland.

Juris Diversitas est une association régie par les articles 60 et suivants du Code civil suisse. Son siège est à l'Institut suisse de droit comparé, Lausanne-Dorigny, Suisse.

ALL TIMES ON THIS SCHEDULE ARE IN LOCAL TIME

TOUS LES HORAIRES SONT EN HEURE LOCALE

DAY 1 / 1^{re} JOURNÉE

Thursday, October 24, 2024 / Jeudi 24 octobre 2024

8:30-9:15 **Welcome / Registration (Ground Floor, E32)**

9:15-9:30 **PLENARY SESSION — OPENING & WELCOMING ADDRESS (Room G020, E32)**

- *Olivier MORÉTEAU*, Louisiana State University (United States), President (from remote)
- *Salvatore MANCUSO*, University of Palermo (Italy), Vice President (Conferences)
- *Ignazio CASTELLUCCI*, University of Teramo (Italy), Vice President (Projects)

9:30-10:30 **PLENARY SESSION - KEYNOTE SPEECH 1 (Room G020, E32)**

Chair: *Salvatore Mancuso*, University of Palermo (Italy)

- **Ruminations on Comparativism, Mixity, and Bijuralism in Legal Education**
James Etienne VIATOR, Loyola University New Orleans (United States)

10:30-11:00 **Coffee break**

11:00-12:30 **SESSION 1**

1A – Legal histories of *Convivencia* (Room G020, E32)

Chair: *Ignazio CASTELLUCCI*, University of Teramo (Italy)

- **The Cohabitation between Roman Law, Ecclesiastical Law, and German Customs in European Medieval Contest: The Roots of Property, Family and Succession Law in the Modern European Legal Systems**,
Francesco Paolo TRAISCI, University of Molise, Campobasso (Italy)
- **Italian law in China? The Tientsin Settlement and its Legal Status**,
Salvatore MANCUSO, University of Palermo (Italy)
- **Living Together and the Socialist Private Law: The Civil Code of the German Democratic Republic (1975-1990) between Political Imperatives and Reality**,
Jonas KNETSCH, Université Paris 1 Panthéon-Sorbonne (France)

1B – *Convivencia* in tax and personal matters (Room G002, E32)

Chair: *Sara MIGLIORINI*, University of Macau (China)

- **The "selfish" use of environmental goods as the legal-tax basis of a "carbon-meat tax"**,
Martina D'IGNAZIO, University of Teramo (Italy)
- **How Each Country Captures the Tax Value within the Digital Business**,
Gianni VIVONA, European University in Rome (Italy) and University of Luxembourg (Luxembourg)

- **Global Convivencia and the Reform of the International Institutional System,**
Rostam J. NEUWIRTH, University of Macau (China)

1C – Convivencia and Globalization (Room G028, E32)

Chair: *Christa RAUTENBACH, North-West University (South Africa)*

- **The Rights to Personal Information - A Victim of Global Capitalism,**
Chitian WANG, University of Macau (China)
- **Peaceful Coexistence and Imperial Narratives: Identifying Shifting Paradigms for a Comparative Law of Transnational Cooperation Strategies,**
Gianmatteo SABATINO, Wuhan University of Economics and Law (China)
- **The Unsettled Governance of the Dual-Use Goods in the Light of WTO Security Exceptions,**
Xueji SU, University of Macau (China)

12:30-14:30 LUNCH

14:30-16:00 SESSION 2 (PARALLEL SESSIONS)

2A – Challenges to Convivencia (Room G020, E32)

Chair: *Eleni MOUSTAIRA, National and Kapodistrian University of Athens (Greece)*

- **The influence of Islamic Sharia in a changing Arab world: A special focus on the Unified Arab Civil Law and the Kuwaiti Civil Law,**
May HAMMOUD, Kuwait International Law School (Kuwait)
- **Islam and finance: a possible convivence?,**
Francesco PETRUCCIANO, University of Rome Tor Vergata (Italy)
- **Fame, Paternalism and Private Justice: The Case of Paedophile Hunters,**
Célia F. MATIAS, University of Macau (China)

2B – Convivencia within families (Room G002, E32)

Chair: *Rostam J. NEUWIRTH, University of Macau (China)*

- **How big is the village? Reassessing the protection of minors and the parent-child relationship,**
Mathabo BAASE, University of Cape Town (South Africa)
- **Ubuntu Ethical Philosophy within African Approaches to Sexual Violence,**
Fungisai GCUMENI, North-West University (South Africa)
- **Spiritual and material communion between the spouses, family obligations and civil Beyond the Void: Marriage nullity and legal nuance,**
Ibtisaam AHMED, University of Cape Town (South Africa)

2C – Convivencia and commercial law (Room G028, E32)

Chair: *Chitian WANG, University of Macau (China)*

- **Protection of shareholders' rights in the context of squeeze-out,**
Anatoliy KOSTRUBA, Université Paris 1 Panthéon-Sorbonne (France)
- **'Convivencia' of different models in the enlarged European Union's Single Market,**
Andrea PILETTA MASSARO, University of Turin (Italy)
- **Compliance in Competition law: Beyond the oxymoron, a tool to enhance convivencia**
Anne M. TERCINET, EM Lyon Business School, Lyon (France)

16:00-16:30 Coffee break

16:30—18:00 SESSION 3 (PARALLEL SESSIONS)

3A – Comparative law approaches to *Convivencia* (Room G020, E32)

Chair: Anne M. TERCINET, EM Lyon Business School, Lyon (France)

- **The dialogues of [comparative] law,**
Eleni MOUSTAIRA, National and Kapodistrian University of Athens (Greece)
- **'Inter-Species Entanglement' within Lusophone Legal Traditions,**
Darya Pereira REGA, Campania University (Italy)
- **A Fairer Tax System to Live Together in Harmony,**
Annalisa PACE, University of Teramo (Italy)

3B – Crossing visions of *Convivencia* (Room G002, E32)

Chair: Christa RAUTENBACH, North-West University (South Africa)

- **HUMAN AND THINGS: Multidisciplinary Reflections beyond Anthropocentrism,**
Andrea PRADI, University of Trento (Italy), *Sara HEJAZI* and *Richard HALL-WILTON*, Bruno Kessler Foundation, Trento (Italy)
- **'Paws & Laws in Harmony': China's and South Korea's approach to animal welfare laws,**
Luo YONGXIN, University of Macau (China)
- **Convivencia between Humanity, Nature and Law: What the Rise of Rights of Nature May Mean for Life under the Cupola Called Earth**
Markus G. PUDEK, Loyola University New Orleans (United States)

3C – Asian stories of *convivencia* (Room G028, E32)

Chair: Gianmatteo SABATINO, Wuhan University of Economics and Law (China)

- **Cross-Border Advance Directives: Finding Harmony between China, Hong Kong, and Macao,**
Man Teng IONG, University of Macau (China)
- **'The Geo-Legal Role of Chinese Traditions,**
Ignazio CASTELLUCCI, University of Teramo (Italy)
- **From Neoliberalism to a Diversified and Equitable Framework for Patents Relating to Vaccines,**
Gang WANG, University of Macau (China)

DAY 2 / 2^e JOURNÉE

Friday, October 25, 2024 / Vendredi 25 octobre 2024

9:00-10:00 **PLENARY SESSION - KEYNOTE SPEECH 2 (Room G020, E32)**

Chair: Ignazio CASTELLUCCI, University of Teramo (Italy)

- **Cooperation Harmony and the ASEAN Outlook on the Indo-Pacific,**
Mark Feldman, Peking University School of Transnational Law (China)

10:00-10:30 Coffee break

10:30-12:30 SESSION 4 (PARALLEL SESSIONS)

4A – Converging visions on *convivencia* in dispute resolution (Room G020, E32)

Chair: Anne M. TERCINET, EM Lyon Business School, Lyon (France)

- **Convivencia in Legal Evolution: Navigating the Dualisms of Bhe v Khayelitsha Magistrate,** Christa RAUTENBACH, North-West University (South Africa)
- **Online Dispute Resolution: An underestimated avenue towards access to justice?,** Robin CUPIDO, University of Cape Town (South Africa)
- **Is Restorative Justice an Example of Legal Insufficiency?,** Teresa LANCRY G ALBUQUERQUE E SOUSA ROBALO, University of Macau (China)

4B – *Convivencia* in the digital era (Room G002, E32)

Chair: Christa RAUTENBACH, North-West University (South Africa)

- **Adapting Compensation Models for Human Creators in the Era of AI-Generated Content,** Tianyu HAN, University of Macau (China)
- **Three is a Crowd': Coloniality, Technology, Oligopoly and the Enabling Role of Law,** Sara MIGLIORINI, University of Macau (China)
- **The Internet Courts? Works for everyone?,** Carolina FABARA, Chinese University of Political Science and Law (China)

4C – Visions of *convivencia* on climate change (Room G028, E32)

Chair: Gianmatteo SABATINO, Wuhan University of Economics and Law (China)

- **'Oxymora in International Climate Change Law – Common but Differentiated Responsibility as an Example,** Weijia ZHANG, University of Macau (China)
- **Rethinking Climate Change Law Jurisprudence in Nigeria: A Case for Transformative Environmental Constitutionalism,** Kingsley Osinachi ONU, Adeleke University and Adeniyi Olatuntosun SAN, University of Ibadan (Nigeria)
- **Harmonizing Energies: *Convivencia* and the Legal Pathways in China's Renewable Energy Transition,** Kunjie WANG, University of Macau (China)

12:30-14:30 LUNCH

14:30-15:30 PLENARY SESSION – GENERAL MEETING OF JURIS DIVERSITAS (Room G020, E32)

Chair: Olivier MORÉTEAU, President of Juris Diversitas (from remote)

15:30-16:00 PLENARY SESSION – CLOSING REMARKS

19:30 JURIS DIVERSITAS CONFERENCE DINNER at “Sofitel Macau”

ORGANIZING COMMITTEE: Olivier MORETEAU, Salvatore MANCUSO, Ignazio CASTELLUCCI, Christa RAUTENBACH, Lukas HECKENDORN URSCHALER, Rostam J. NEUWIRTH.