

JURIS DIVERSITAS



9th GENERAL CONGRESS / 9^e CONGRÈS GÉNÉRAL

Macau, 24th to 26th October 2024 / 24 au 26 octobre 2024

‘Convivencia’ : Com-paring Legal Scenarios of a Life together in Harmony

« Convivencia » : comparaison des scénarios juridiques su vivre ensemble en harmonie



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

Wednesday, October 24, 2024 / Mercredi 24 octobre 2024

8:30-9:15 Welcome / Registration

9:15-9:30 PLENARY SESSION — OPENING & WELCOMING ADDRESS

- *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

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*

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)
- **Le vivre ensemble dans la conception socialiste du droit civil Le Code civil de la République démocratique d'Allemagne (1975-1990) entre ambition et réalité**,
Jonas KNETSCH, Université Paris 1 Panthéon-Sorbonne (France)

1B – *Convivencia* in tax and personal matters

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)
- **A Fairer Tax System to Live Together in Harmony**,
- *Annalisa PACE*, University of Teramo (Italy)

1C – *Convivencia* and Globalization

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*

Chair: *Elina 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

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,**
Ibitisaam AHMED, University of Cape Town (South Africa)

2C – *Convivencia* and commercial law

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

- **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, EMLyon Business School, Lyon (France)

16:00-16:30 Coffee break

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

3A – Comparative law approaches to *convivencia*

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

- **The dialogues of [comparative] law,**
Elina MOUSTAIRA, National and Kapodistrian University of Athens (Greece)
- **'Inter-Species Entanglement' within Lusophone Legal Traditions,**
Darya Pereira REGA, Campania University (Italy)
- **Global Convivencia and the Reform of the International Institutional System,**
Rostam J. NEUWIRTH, University of Macau (China)

3B – Crossing visions of *convivencia*

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

- **Multidisciplinary Reflections beyond Anthropocentrism,**
Andrea PRADI, *Sara HEJAZI*, University of Trento (Italy) 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*

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

Thursday, October 25, 2024 / Jeudi 25 octobre 2024

9:00-10:00 PLENARY SESSION - KEYNOTE SPEECH 2

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

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

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

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

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.*