

# Rijeka Doctoral Conference RIDOC 2022

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8-9 DECEMBER

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University of Rijeka  
Faculty of Law



**PRAVNI**

Pravni fakultet Faculty of Law



Sveučilište u Rijeci  
University of Rijeka

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## Session 1 – International Law

Thursday, 8 December 2022, 14:00 – 16:00 CET, [Session Link](#)

**Professor Mia Swart** (Edge Hill University), **Professor Pavel Koukal** (Masaryk University) & **Associate Professor Petra Perišić** (University of Rijeka)

**Maria Theocharous** (University of Cyprus) *Prohibitions of Ship Entry by Port States under International and European Union Law*

**Andres Caceres Solari** (Maastricht University) *The Inability of International Humanitarian Law to Regulate Insurgencies in Their Conduct of War*

**Penelope Spentzouris** (University of Witwatersrand) *An Analysis of International Standards Regarding Doing Business in War Zones and the Role of Private Military Security Companies in Africa*

**Marija Tomljenović** (University of Rijeka) *New Acquisitions of Russian Military Doctrines in Terms of Integration of Military and Non-Military Assets*

**Aaditya Vikram Sharma** (West Bengal National University of Juridical Studies) *A Third World Approach to Property Rights in Outer Space: A Probe into the Current Scenario*

**Adriana Caballero-Pérez** (Maastricht University) *Voting Matters: An Analysis of the Use of Electoral-Assistive Devices through the Lens of the UN Convention on the Rights of Persons with Disabilities*

## Session 2 – Rule of Law & Human Rights

Thursday, 8 December 2022, 16:00 – 18:00 CET, [Session Link](#)

**Professor Vesna Crnić-Grotić** (University of Rijeka), **Professor Janja Hojnik** (University of Maribor) & **Professor Maciej Serowaniec** (Nicolaus Copernicus University in Toruń)

**Rosita Silvestre** (University of Rome “Tor Vergata”) *The Crisis of the Rule of Law in the European Union: Between Stagnation and Disintegration*

**Benjamin Nurkić** (University of Tuzla) *The Influence of Rule by Law Tradition on the Rule of Law in Bosnia and Herzegovina*

**Asea Gašparić** (University of Miskolc) *Article 6 of Convention on Human Rights in the Context of Croatia*

**Inês Neves** (University of Porto) *The Freedom to Conduct a Business as a Fundamental Right and How to Treat as Such*

**Edin Skrebo** (University of Milan-Bicocca) *Constitutional Identity as Based on the Right: The Case of Bosnia And Herzegovina and the European Union*

**Izolda Takács** (Eötvös Loránd University) *Conflicts between Absolute Rights? The Theoretical and Legal Issues Around International Human Rights*

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## Session 3 – Theory, Methodology and Codification of Law

Friday, 9 December 2022, 8:30 – 10:15 CET, [Session Link](#)

**Professor Borja Garcia-Garcia** (Loughborough University), **Associate Professor Maša Marochini Zrinski** (University of Rijeka) & **Researcher Esperanza Buitrago Diaz** (Maastricht University)

**Lilla Lőrinczi** (Eötvös Loránd University) *The Possibilities of Legal Canon Formation*

**Paula Šamanić** (University of Rijeka) *Improving the Quality of Legislation and Policy Instruments for Better Regulation*

**Hellen van der Kroef** (Maastricht University) *Language, Law and Legal Tech: A New Approach for Europe?*

**Dominik Bobrovský** (University of Miskolc) *Civil Law Codifications in the Territory of Modern Slovak Republic*

**Tereza Žuffová-Kunčová** (Masaryk University) *The Importance of Heuristics for Cognition of Human Rights*

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## Keynote Panel Lecture

Friday, 9 December 2022, 10:30 – 11:30 CET, [Session Link](#)

**Professor Ivan Padjen** (University of Rijeka)

*Ivan Padjen is a retired Professor of Theory of Law and State at the University of Rijeka, Faculty of Law, formerly affiliated with the University of Zagreb, Faculty of Political Sciences. His academic focus is on theory of law and state, methodology of legal and social sciences. He was a visiting scholar at several institutions and has received a Fulbright scholarship for the study visit at the Yale Law School. His most prominent work is a monograph Methodology of Legal Science: Law and Related Disciplines (in Croatian) in which he adjusts McDougal's and Lasswell's policy-oriented jurisprudence as a methodological framework for de lege ferenda research. He is the founding father of the RIDOC Doctoral Study Programme.*

## Do We Still Need Theory of Law and State?

Richard Reeve Baxter's statement "international law is the most nationalistic law there is", made in 1974, is more pertinent today. Meanwhile, even Europeans have assimilated the Anglo-American frog's-eye view that law is what the courts do. The view is deceptive in that it focuses on law instead of on the courts; and assumes that the courts can be identified like cats or mobs. Hans Kelsen's Theory of Law and State still points towards a way out. But it is a remedy that is in need of methodological purification.

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## Session 4A – Comparative Obligations Law

Friday, 9 December 2022, 11:30 – 13:30 CET, [Session Link](#)

**Professor Zlatan Meškić** (Prince Sultan University), **Associate Professor Dharmita Prasad** (O.P. Jindal Global University) & **Associate Professor Sandra Winkler** (University of Rijeka)

**Andrej Fatur** (University of Ljubljana) *Determination of Damages in Private Enforcement of Competition Law Before Slovenian Courts*

**Petra Petříková** (Masaryk University in Brno) *Imputability of Contributor's Conduct to the Damaged Party*

**Jakub Slavík** (Masaryk University in Brno) *The Role of Regressive Compensation in the Context of State Liability for Damage*

**Sanja Mihalić** (University of Rijeka) *General Assumptions of Refutation of Legal Actions in Bankruptcy Proceedings*

**Amira Mahmoud Hanafy Mahmoud** (University of Rome “Tor Vergata”) *Harmonization of Islamic Law on the Sale Contract: A Comparative Study with the Regard of CISG*

**Marina Širola** (University of Rijeka) *Novelties Introduced by the Directive on Representative Actions for the Protection of the Collective Interests of Consumers: The Real Deal or Accessorized Status Quo?*

## Session 4B – Labour Law

Friday, 9 December 2022, 11:30 – 13:30 CET, [Session Link](#)

**Professor Pavel Koukal** (Masaryk University), **Associate Professor Vanja Smokvina** (University of Rijeka) & **Associate Professor Adrijana Martinović** (University of Rijeka)

**Nikol Holubářová** (Masaryk University in Brno) *The Financial Assistance Fund and EU Law*

**Csaba Szabó** (University of Miskolc) *Historical Development of Legislative Protection of Gender Equality in Employment In Romania*

**Judita Juharová** (University of Miskolc) *Historical Development of Legislative Protection of Gender Equality in Employment in Slovakia*

**Tena Konjević** (University of Miskolc) *Legal Evolution of Female Worker's Position in Croatia Since the First Half of the 20th Century*

**Tomasz Mirosławski** (University of Miskolc) *Development of the Polish Legislation on the Principle of Gender Equality in Employment – A Historical Perspective*

**Aljoša Polajžar** (University of Maribor) *Removing Barriers to Access to Collective Bargaining for Platform Workers?*

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## Session 5A – Digital Law

Friday, 9 December 2022, 14:30 – 16:40 CET, [Session Link](#)

**Professor Manuel Ignacio Feliu Rey** (University Carlos III of Madrid), **Associate Professor Bernardo Calabrese** (University of Verona) & **Paulius Jurcys** (Prifina Inc.)

**Tadeja Urbas** (University of Ljubljana) *Shall Regulation of AI Open a Pandora's Box?: Critical Analysis of the Contemporary International Legal Framework and its Impact on the Protection of Human Rights*

**Francesca Ferretti** (University of Camerino) *The Protection of Personal Data in Healthcare: Potentials and Risks of AI*

**Alba Ribera Martínez** (University Carlos III of Madrid) *Control Point Analysis Applied to the Google Privacy Sandbox*

**Anna Didyk** (Masaryk University in Brno) *AI as a Violator of Patent Rights: Determining Liability*

**Anamarija Jengiđ Bujan** (University of Rijeka) *Press Publishers' Right in Croatia*

**Karisma Jaykant** (University of Malaya) *Legal and Regulatory Challenges Facing Blockchain-Enabled Energy Trading*

**Sharmin Nisar Chougule** (University of Camerino) *Novel Issues of IoT and Blockchain in Smart Contracts*

## Session 5B – Sustainability, Ecology and Energy Law

Friday, 9 December 2022, 14:30 – 16:40 CET, [Session Link](#)

**Professor Anna Brzezinska-Rawa** (Nicolaus Copernicus University in Toruń), **Professor Joel B. Eisen** (University of Richmond) & **Lecturer Charikleia Vlachou** (University of Cyprus)

**Leon Źganec-Brajša** (University of Padua, University of Zagreb, Western Sydney University, University of Nicosia) *Small Island States, Human Rights and the Sea Level Rise*

**Ivan Allegranti** (University of Camerino) *The European Protection of People with Disabilities in Lands Triggered by Natural Hazards: An Unfinished Matter*

**Manini Syali** (Guru Gobind Singh Indraprastha University) *Legal Regime for Governance of Trans-Boundary Biodiversity Resources: Suggesting Alternatives to the Existing State-Centric Approach*

**Ying Xie** (Maastricht University) *The Monitoring and Enforcement Regime of China's National Emission Trading System*

**Maria Francesca Lucente** (University of Camerino) *Digitization and Energy Communities: New Emerging Consumer Protection Profiles*

**Ilaria Samoré** (University of Bologna) *Ecclesiastical Cultural Heritage between Technological Innovation and Sustainability: Innovative Solutions for Ancient Problems and New Challenges*



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## Session 6A – Private International and Arbitration Law

Friday, 9 December 2022, 16:40 – 18:40 CET, [Session Link](#)

**Professor Thalia Kruger** (University of Antwerp), **Professor Jerca Kramberger Škerl** (University of Ljubljana), **Professor Zeynep Derya Tarman** (Koç University) & **Assistant Professor Can Eken** (Durham University)

**Victoria Garin Gimenez** (European University Institute) *On the Plausibility of Transnational Fairness: Could There Be a Duty of Good Faith in Private International Law?*

**Noelia Fernández Avello** (University of Oviedo) *International Jurisdiction in Labour Disputes: Is the Brussels I bis Regulation Suitable for Improvement?*

**Martina Tičić** (University of Rijeka) *Enforcement of the EU Regulations on Cross-Border Collection of Monetary Claims*

**Edoardo Piermattei** (University of Bologna) *International Commercial Courts: A Vehicle for the Propagation of Legal Comparison*

**Michal Plšek** (University of Milan-Bicocca) *Friends or Foes: Relation between the ICSID Convention and the EU Treaties*

**Kateřina Palkovská** (Masaryk University in Brno) *Lis Pendens in International Investment Arbitration as a General Principle of Law*

## Session 6B – Criminal Law, Vulnerability & Foundations

Friday, 9 December 2022, 16:40 – 18:40 CET, [Session Link](#)

**Professor Joanna Wegner** (University of Lodz), **Associate Professor Dalida Rittossa** (University of Rijeka) & **Assistant Professor Annalisa Volpato** (University of Maastricht)

**Marcin Dorochowicz** (Nicolaus Copernicus University in Toruń) *Non-Criminal Competences of the Prosecutor's Office in the Countries of Central and Eastern Europe*

**Francesco Stocchi** (University of Milan-Bicocca) *Neurotechnologies, Mind Reading, and Criminal Trials: A Case Study from Italy*

**Lea Feuerbach** (University of Miskolc) *Criminological Analysis of Recidivism in Croatia*

**Serena Cancellieri** (University of Camerino) *The Essentiality of the Person in the Light of the Health System: Informed Consent to Medical Treatment for Minors*

**Andrea Bartíková** (Masaryk University) *Anti-Money Laundering and Public-Benefit Foundations*

**Adam Holubář** (Masaryk University in Brno) *Can the Foundation's Investment Strategy be Understood as a Part of the Foundation's Purpose?*

**Adam Juras** (Masaryk University in Brno) *Perception of Restorative Justice by the Public of the Czech Republic*

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## Programme Committee

**Professor Manuel Ignacio Feliu Rey** (Universidad Carlos III de Madrid), **Professor Thalia Kruger** (University of Antwerp), **Professor Ivana Kunda** (University of Rijeka) – president, **Professor Zlatan Meškić** (Prince Sultan University), **Professor Agustín Parise** (University of Maastricht), **Professor Richard Parrish** (Edge Hill University), **Associate Professor Dharmita Prasad** (O.P. Jindal Global University), **Professor Maciej Serowaniec** (Nicolaus Copernicus University in Toruń), **Associate Professor Sandra Winkler** (University of Rijeka).

## Organisation Committee

**Professor Ivana Kunda** (University of Rijeka) – president, **Associate Professor Sandra Winkler** (University of Rijeka), **Assistant Professor Danijela Vrbljanac** (University of Rijeka).

## About RIDOC

**Rijeka Doctoral Conference** started as a biannual and turned into an annual international conference for doctoral candidates who wish to present and test their preliminary research findings before academics and practicing lawyers, as well as to discuss these findings with their peers. Speakers have to be enrolled in a doctorate study or a doctoral school, while the topics of their doctoral dissertation should be within the field of law or other field closely related to law.

Following the Conference, the RIDOC Books of Abstracts is published collecting summaries of the presented. While there are no conference proceedings, participants are encouraged to offer their papers for publication in the double-blind peer-review journal published by the Faculty of Law in Rijeka – [Collected Papers](#), which is indexed in HeinOnline, ECSCO, DOAJ, WoSS-ESCI etc. In addition to papers in Croatian, the journal accepts papers in English, German and Italian.

## About YUFE Alliance

RIDOC 2022 is special in that it is the third doctoral conference organised with the support of the YUFE partner universities. This is evident in the participation of doctoral students, as well as academic staff in the programme committee and panels. **Young Universities for the Future of Europe** (YUFE) is made of ten dynamic, young, student-centred research-based universities and several non-academic partners from the non-governmental and private sector joined to establish a true and impactful European University.

