

YOUNG RESEARCHERS WORKSHOP ON SCIENCE AND LAW

**SCIENTIFIC EVIDENCE IN
INTERNATIONAL AND EUROPEAN LAW**

PROGRAMME

May 31 – June 1, 2007

**Sala Conferenze del Rettorato
Università del Salento
Piazzetta Tancredi, Lecce**

Thursday 31 May

- 8.45 a.m. Welcome Speeches by Local and Academic Authorities
- 9 a.m. Welcome speeches on behalf of the Organising Committee:
Prof. Maria Chiara Malaguti
Prof. Claudio Dordi
- 9.15 a.m. Introductory Session - Conceptual Issues on Science & Law
Chair:
Maria Chiara Malaguti, Isufi, University of Salento, Lecce

Speakers:

Carlo Casonato, University of Trento
Science and Law: Competition or Mutual Benefits?

Simone Penasa, University of Trento
Science and Law before Italian Constitutional Court: a Paradigmatic Case

Hanne Birgitte Jensen, European University Institute, Firenze
From Economic to Sustainable Development - Integrating Science and Law

Gabriella Di Paolo, University of Trento
Civil and Criminal Proceedings meet Science and Technology

10.45 Discussion

11.15 Coffee break

11.30 Panel 1 - The Precautionary Principle
Chair and discussant:
Laurence Boisson de Chazournes, University of Geneva

Paper givers:

Sara Poli, University of Roma Tor Vergata
The Panel's Interpretation of the "Insufficiency of Scientific Evidence" in the Biotech Dispute and its Consequence for the EC

Saverio Di Benedetto, Isufi, University of Salento, Lecce
The Precautionary Principle and the WTO Legal System

Paolo G. Sissa, IUHEI, Geneva
The Role of the Precautionary Principle

Angela Rieti, University of Bari
The Precautionary Principle: Right of Citizenship for Scientific Uncertainty in International Law?

1.15 p.m. Lunch

3.00 Panel 2 - The WTO Biotech Dispute
Chair and discussant:
Maria Chiara Malaguti, Isufi, University of Salento, Lecce

Paper givers:

Alessandra Arcuri, Erasmus University School of Law, Rotterdam
The Role and Nature of Scientific Evidence and Risk Assessment at the WTO: the State of the Art after the EC-Biotech Dispute

Alessia Herwig, University of Bremen
Whiter Science in WTO Dispute Settlement?

Lukasz Gruscynski, European University Institute, Firenze
*SPS Measures adopted in Case of Insufficiency of Scientific Evidence –
Where do we stand after the EC-Biotech Products Case?*

Tomer Broude, Hebrew University of Jerusalem
*Genetically Modified Rules: the Awkward Rule-Exception-Right Distinction
in EC-Biotech.*

Joachim Ahman, University of Goteborg
*What did or did not constitute Risk Assessments in the SPS Disputes, and
why?*

4.45 Break

5.00 Panel 3 - New Frontiers on Science & IP Rights

Chair and discussant:

Claudio Dordi, Bocconi University, Milano

Paper givers:

Andreas Kotsakis, London School of Economics
*Biodiversity as "Genetic Gold": the Interplay of Law, Politics and Science in
Benefit Sharing Arrangement under the Convention on Biological Diversity*

Enrico Bonadio, University of Firenze
*The Impact of Biotechnology on Traditional Patent Law: a European and
WTO Perspective*

Alex Yueh-ping Yang, National Taiwan University
*Implanting the Precautionary Principle into WTO Compulsory Licensing
System: some Reflections on Taiwan's Tamiflu Compulsory License*

Angelica Bonfanti, University of Milano
*The European Patent Office at the Crossroad between Science and Public
Policy: the Role of Scientific Evidence in Disputes on Biotech Patents*

Maria Mercedes Frabboni, Queen Mary – University of London
*'Watch the Step!' Future Perspectives on the Use of DRM and TMPs in
managing Information Goods*

6.45 End of Day 1

9.00 Dinner in town

Friday 1 June

9 a.m.

Panel 4 - Integrating Science in International & EC Environmental Law

Chair and discussant:

Francesco Francioni, European University Institute, Firenze

Paper givers:

Susanna Quadri, University of Napoli

Scientific Evidence in International and European Environmental Law: the Importance of Science in Renewable Energy Law Making Process

Danio Campanelli, University of Geneva

Armed Conflicts, Environmental Protection and the Precautionary Principle

David Hornsby, Centre of International Studies, University of Cambridge

Competing Definitions of Science & Trade: an Impediment to Sustainable Development

Irini Papanicolopulu, University of Milano

Underwater Noise and the Problem of drafting International Rules in Scientific Uncertainty

Francesco Sindico, Universitat Jaume I, Castellon de la Plana

The Relationship between Climate Change and Trade: can Science provide a Solution to the Increasing Fragmentation of International Law?

10.50

Coffee Break

11.10

Panel 5 - Risk Governance in EC Law

Chair and discussant:

Nicolas de Sadeleer, Saint-Louis University, Bruxelles

Paper givers:

Patricja Dabrowska, European University Institute, Firenze

A 'never-ending Romance' between Science and Law – Some Insights from the GMO Regulation in the EU

Alberto Alemanno, Bocconi University, Milano

Science & EU Risk Regulation: the Role of Experts in Decision-making and Case Law.

Isidora Maletic, King's College of London

The Relevance of Scientific Evidence in European Law with Particular Regard to the Harmonisation Process under Article 95 EC

Anne Meuwese, University of Exeter
Impact Assessment and the Role of Scientific Evidence in the European Legislative Process

Joseph Corkin, European University Institute, Firenze
Regulating Risk Regulation: the European Court's Contribution to ensuring the Community Listens to Popular and Scientific Voices

1 p.m

Lunch

2.30

Panel 6 - Comparative Issues on Science & Law

Chair and discussant:

Giovanni Comandé, Advanced School S.Anna, Pisa

Paper givers:

Maria Gagliardi, Advanced School S.Anna, Pisa
Sound Science and the Law of Medical Errors: from Risk Management to Insurance Changing Mechanisms

Luca Nocco, Advanced School S.Anna, Pisa
Scientific Evidence & Causation

Gianluca Bellomo, University of Pescara
Political-institutional and Technical-scientific Demands in the Model of Protection of Natural Areas in Europe and Italy

Valeria Eboli, University of Pisa
Scientific Evidence & Biomedicine

4.15

Break

4.30

Final Round Table

Chairs: *Claudio Dordi*, Bocconi University, Milan and *Maria Chiara Malaguti*, Isufi, University of Salento, Lecce

Participants:

Gregory Shaffer, Loyola University Chicago School of Law

Laurence Boisson de Chazournes, University of Geneva

Giovanni Comandé, Advanced School S.Anna, Pisa

Nicolas de Sadeleer, Saint-Louis University, Bruxelles

Francesco Francioni, European University Institute, Firenze

Francesco Rubino, University of Napoli "Federico II"

5.30	Concluding Remarks
6.00	End of the Workshop

Will also intervene in the discussion

Achille de Nitto, Coordinator of the PhD in Law and Economics, ISUFI, University of Salento
Marie Eve Arbour, University Laval, Quebec, University of Salento
Marina Foltea, World Trade Institute, Bern
Valeria Di Comite, University of Bari
Lorenzo Gradoni, University of Bologna

The members of the **organizing committee** are:

- Dr. **Saverio Di Benedetto**, Researcher, ISUFI – University of Salento (saveriodibenedetto@yahoo.com)
- Dr. **Alberto Alemanno**, Référendaire at the European Court of First Instance, Luxembourg (Alberto.Alemanno@curia.europa.eu)
- Prof. **Maria Chiara Malaguti**, Chair in International Law, ISUFI - University of Salento
- Prof. **Claudio Dordi**, Chair in International Trade Law, Bocconi University, Milano