



Stockholm
University

Department of Law

BerkeleyLaw
UNIVERSITY OF CALIFORNIA

Berkeley Comparative Equality
& Anti-Discrimination Law
Study Group

You are hereby invited to attend the annual Berkeley Comparative Equality and Anti-Discrimination Law Study Group Conference, 17-18 June 2019 being hosted by Stockholm University. There is no cost for the conference, but we ask that you register using this [link](#) by 15 May 2019. We can accommodate about 100 audience members, which if need be we will take in order of registration date. The conference is taking place on the Stockholm University Frescati campus, which is handicapped accessible. The program is as follows, but please be advised it is tentative and subject to change.

**Berkeley Comparative Equality and Anti-Discrimination Law Study Group
Annual Conference, Stockholm University
17-18 June 2019**

17 June 2019

8:30-9:00 Registration outside Auditorium 2 (Stockholm University, Frescati campus)

9:00-9:15 Welcoming Remarks – Laura Carlson (Stockholm University)/David Oppenheimer (University of California, Berkeley Law) (Auditorium 2)

9:15-10:00 Keynote Speaker: Catherine Barnard, Trinity College, Cambridge University, *“Enforcement of Discrimination Law”*, respondent David Oppenheimer (Auditorium 2)

10:00-10:30 Break

10:30 – 12:00 Parallel Sessions A

Panel A1 - Overarching themes in combatting disability discrimination (Room D416)

Chair: Karen O’Connell, University of Technology Sydney

- Gerard Quinn and Anna Bruce, Raoul Wallenberg Institute of Human Rights, Lund University, *“Disability and the Global De-Institutionalization Agenda. The Limits and Possibilities of Equality/Non-Discrimination as applied to Disability Rights”*
- Felix Welti and Lilit Grigoryan, University of Kassel, *“Incorporation and application of the UN CRPD in the Austrian and in the German domestic legal System”*
- Alice Taylor, Australian National University, *“The Duty to Adjust and the Australian Problem of Persistent Misreading”*

Panel A2 - Challenges to the efficacy of discrimination legislation (Auditorium 3)

Chair: Alvaro Oliveira, EU Commission

- Isabelle Rorive, Université libre de Bruxelles and Ana Maria Corrêa, Université libre de Bruxelles (ULB), *"Digital Profiling: Challenges for Equal Opportunities in Online Targeted Advertising"*
- Liam Elphick, University Western Australia and Alice Taylor, Australian National University, *"Discrimination Law and the Language of Torts in the UK Supreme Court"*
- Robin Banks, University of Tasmania, *"Views of the effectiveness of discrimination law and ideas for change – Australia"*
- Petra Herzfeld Olsson, Stockholm University, *"Equal Treatment for Highly Qualified Labour Migrants"*

Panel A3 - Different facets of religious and ethnic discrimination (Auditorium 4)

Chair: Constanza Hermanin, College of Europe

- Lucy Vickers, Oxford Brookes University, *"Freedom of Religious Organisations and Employment"*
- Charlotte Proudman, Queens' College, University of Cambridge, *"The Critical Barriers that Prevent Female Genital Mutilation Laws from Functioning Effectively in Preventing and Eliminating the Practice"*
- Ofra Bloch, Yale University, *"Hierarchical Inclusion: The Untold History of Israel's Affirmative Action for Arab Citizens (1948-1968)"*
- Raphaële Xenidis, EUI/Utrecht University, *"Litigating against Islamophobia in Europe: a 3D puzzle"*
- Jane Norton, University of Auckland, *"The Expressive Harm of Contracting Out - Religious suppliers"*

Panel A4 - Gender at the crossroads (Auditorium 5)

Chair: Russell Robinson, University of California, Berkeley Law

- Michelle Weldon-Johns, Abertay University, *"Assisted Reproduction and Workplace Engagement: Conceiving a New Interpretation of Equality"*
- Susanne Burri, University of Utrecht, *"At the crossroad of legal concepts of equality and work-life balance issues: a comparative approach"*
- Jaime Cabeza, University of Vigo and Maria Belén Cardona Rubert, University of Valencia, *"Gender Harassment at work against elder women"*
- Maria Caterina La Barbera Nebrija University (co-author Emanuela Lombardo, Universidad Complutense de Madrid), *"Judicial protection of parental rights in Spain: towards equal sharing of care?"*

12:00-13:00 Lunch at Lantis

13:00-14:30 Parallel Sessions B

Panel B1 - Accessibility and inclusion under disability discrimination legislation (Room D416)

Chair: Gerard Quinn, Raoul Wallenberg Institute of Human Rights, Lund University

- Laverne Jacobs, University of Windsor, *"Defining the 'Worthy Participant': Disability, Accessibility Legislation, and Aspirations of Equality Disability rights in Canada"*
- David Gutierrez Colominas, Universitat Autònoma de Barcelona (UAB), *"Is the Spanish law permitting termination for inadequate work performance inconsistent with the Convention on the Rights of Persons with Disabilities?"*
- Fernanda de Paula, Universidade do Estado do Rio de Janeiro (UERJ), *"The Brazilian Law for the Inclusion of Person with Disability: The Impact of International Law upon Domestic Jurisdiction"*
- Lisa Waddington, Maastricht University, *"Why Reasonable Accommodation Claims Fail"*

Panel B2 - Overarching aspects with respect to sexual harassment (Auditorium 3)

Chair: Charlotte Proudman, Queens College, University of Cambridge

- Mia Caielli, University Torino, *"Harassment on grounds of sex as a form of discrimination under EU law: issues of interpretation and application"*
- Ann Numhauser-Henning, University of Lund, *"Sexual Harassment - Discrimination versus Dignity, A comment in the wake of the #MeToo movement"*
- Yun-hao Hsin, Taiwan Labor Bureau, *"Discrimination based on physical appearance; good looks and body type. US and Taiwan"*
- Therese MacDermott, Macquarie Law School, *"What does organisational justice look like for those who experience sexual harassment at work?"*

Panel B3 - General issues in discrimination law (Auditorium 4)

Chair: Susanne Burri, University of Utrecht

- Stephanie Bornstein, University Florida Levin College of Law, *"Disclosing discrimination as a means to enforce anti-discrimination law in the US"*
- Barbara Havelkova, University of Oxford, *"Does the general principle of equality harm the specific prohibition of discrimination on suspect grounds?"*
- James Hand and Panos Kapotas, Portsmouth Law School, *"Protection from third-party harassment in Europe: A Human Rights Approach"*
- Beth Gaze, University of Melbourne, *"Unpacking intention in anti-discrimination law (Australia)"*

14:30 – 15:00 Break

15:00 – 16:30 Plenary Session 1: Overarching threads in equality law (Auditorium 2)

Chair: Laura Carlson

- Mark Bell, Trinity College, University of Dublin, *"The Principle of Equal Treatment and the European Pillar of Social Rights"*
- Dorothea Staes, EU Commission, *"European Commission's recommendation on standards for equality bodies"*
- Alysia Blackham, University of Melbourne and Dominique Allen, Monash University, *"The Emerging Importance of Transparency in Achieving Equality"*
- Alberto Coddou McManus, Diego Portales University, *"Administrative Anti-Discrimination Law: the case for Public Sector Equality Duties"*

17:00 – 18:15 **Book panels**

Book Panel 1: The Worldwide #MeToo Movement: Global Resistance to Sexual Harassment (Auditorium 2)

Chair: Ann Noel, Editor

Participants: Shreya Atrey, University of Bristol, Emmanuelle Bribosia, Université Libre de Bruxelles, Marie Mercat Bruns, SciencesPo Law School, Laura Carlson, Stockholm University, Debbie Collier, University of Capetown, Peter Dunne, University of Bristol, Costanza Hermanin, College of Europe, Joelle Nwabueze, Enuga State, Karen O'Connell, University of Technology Sydney, Amy Oppenheimer, Law offices of Amy Oppenheimer, Berkeley, David Oppenheimer, University of California Berkeley Law, Puja Kapal Paryani, University of Hong Kong, and Isabelle Rorive, Université libre de Bruxelles, Isabel Jarmillo Sierra, Universidad de los Andes.

Book Panel 2: EU Anti-Discrimination Law beyond Gender (Hart 2018) (D416)

Chair: Uladzislau Belavusau, University of Amsterdam

Author panel: Anna Sledzinska, University of Wroclaw, Dimitry Kochenov, University of Groningen, Kristin Henrard, Erasmus University Rotterdam, Rachel Horton, University of Reading, Raphaële Xenidis, EUI/Utrecht University

June 18, 2019

8:45 – 9:00 Announcements (Auditorium 2)

9:00 – 9:45 Keynote Speaker: Tom Pegram, University College London, “*Paris Principles*”, discussant Laura Carlson, Stockholm University (Auditorium 2)

9:45-10:15 Break

10:15-11:45 Parallel Sessions C

Panel C1 – NHRI:s, equality bodies and civil society (Auditorium 3)

Chair: Mark Bell, Trinity College Dublin

- Paul Lappalainen, University of Stockholm, “*The role of civil society and equality bodies/NHRIs in the development of effective anti-discrimination law: US and Sweden*”
- Simon Rice and Belinda Smith, University of Sydney, “*The regulatory limitations of Australian anti-discrimination law*”
- Laura Carlson, University of Stockholm, “*The Paris Principles and Sweden*”
- Amy Oppenheimer, Practitioner, Offices of Oppenheimer, “*Comparing Workplace Harassment Investigations in the U.S., Canada, Australia, Ireland and New Zealand*”

Panel C2 – Sexual harassment at the workplace (Auditorium 4)

Chair: Wanhong Zhang, Wuhan School of Law

- María José Gómez-Millán Herencia, University Pablo de Olavide, “*Facing Sexual Harassment at the Workplace with safe labour environments and punitive damages*”
- Shivangi Misra, Queens University and Nehmat Kaur, NGO Lawyers' Collective, “*Implementation of Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act in Educational Institutions in India*”
- Aaron Halegua, NYU Law School, “*Sexual Harassment law and litigation in China*”
- Adriana Orifici, Monash Business School, “*Workplace investigations and equality law in Australia*”

Panel C3 – Issues at the frontiers of sexual orientation discrimination (Auditorium 5)

Chair: Suzanne Kim, Rutgers University Law School

- Peter Dunne, University of Bristol, *“Us Too? Making Room for LGBT Experiences in the Global Fight against Sexual Harassment”*
- Laura Cardenas, Canadian SCt Clerk, *“This Is Not Your Child”: Posthumous Conception & Discrimination of LGBTQ+ Families in Canada”*
- Kelley Loper, University of Hong Kong and Holning Lau, University North Carolina Law School, *“Gay rights in Taiwan and Hong Kong”*
- Brian Soucek, UC Davis, *“The Case of the Religious Gay Blood Donor”*

11:45-12:45 Lunch (Lantis)

12:45-13:30 Keynote Speaker: Theresia Degener, Protestant University of Applied Sciences, *“Challenges of Disability Law (tentative)”* respondent Gerard Quinn (Auditorium 2)

13:30-15:00 Parallel Sessions D

Panel D1 - Old and New Paradigms of Disability Discrimination (Room D416)

Chair: Aimee Cooper, Victoria Legal Aid

- Petra Foubert, University of Hasselt and Eugenia Caracciolo di Torella, University of Leicester, *“Surrogacy and disability under EU law”*
- Luciana Guaglianone, Marzia Barbera and Susanna Pozzolo, University of Brescia (UNIBS), *“Old and New Paradigms of Disability”*
- Karen O'Connell, University of Technology Sydney, *“Sexual harassment and disability”*

Panel D2 – Sexual harassment and violence (Auditorium 3)

Chair: Emmanuelle Bribosia, Université Libre de Bruxelles

- Joelle Nwabueze, Enugu State University of Science and Technology, *“Curbing Sexual Harassment of Students by Lecturers in Tertiary Institutions - Place and Role of Legal Policies: A Case Study from Nigeria”*
- Laís Santana da Rocha Salvetti Teixeira, Universidade Nove de Julho, *“Gender violence and harassment of sexual content practiced abroad from Brazilian perspective”*
- Isabel Jaramillo Sierra, Universidad de los Andes, *“Telling the stories of sexual violence: the judicialization hyperbole”*

Panel D3 – Race and equality (Auditorium 4)

Chair: Hubert Smekal, Masaryk University

- David Badillo, Lehman College CUNY, *“In the Shadow of Jim Crow: Post-Brown African American and Latino Advancement Organizations and Desegregation Litigation”*
- Kristen Barnes, University of Akron, *“Race, Place, and Political Impact - The Fair Housing Act”*
- Juan Carlos Benito Sánchez, UC Louvain, *“Antidiscrimination law in the age of housing commodification and financialization”*
- Anton Kok, University Pretoria, *“The Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000 (South Africa): Equality, Transformation and De Minimis Non Curat Lex”*

15:00-15:30 Coffee

15:30 – 17:00 Plenary session 2 – Different levels of addressing discrimination (Auditorium 2)

Chair: Sophie Robin-Olivier, Ecole de droit de la Sorbonne (Paris 1)

- Shreya Atrey, University of Bristol Law School, *“Constitutional Solutions: Reform of Sexual Harassment Law in India”*
- Kyriaki Topidi, University of Lucerne, *“Comparative Constitutional Law and Diversity Management: Towards a Right to Difference”*
- Kim Barker, University Stirling and Olga Jurasz, Open University, *“Global Sexual Harassment: Social-Media as the Antithesis of Equality?”*
- Belinda Smith, University Sydney and Liam Elphick, University of Western Australia, *“Addressing Discrimination and Harassment in the Workplace: The Promise of Work Health and Safety Laws”*
- Kadriye Bakirci, Hacettepe University, *“Work related Whistle-blowing in Democratic Societies Context – A Comparative Study of International, EU and Turkish Law”*

17:15 Roundtable, Closing remarks: Lessons From The Study Group’s Past & Future Conferences (Auditorium 2)

Roundtable: Marie Mercat Bruns, Paris, France (Sciences-Po, 2012); David Oppenheimer, Berkeley, California (Berkeley Law, 2013); Emmanuelle Bribosia and Isabelle Rorive, Brussels, Belgium (Université Libre de Bruxelles, 2014); Wang Bin, Shanghai, China (Jiao Tong University, 2016); Mark Bell, Dublin, Ireland (Trinity College, Dublin, 2017); Alysia Blackham and Beth Gaze, Melbourne, Australia (Melbourne Law School, 2018) and Laura Carlson, Stockholm, Sweden (Dept. of Law, University of Stockholm, 2019). Upcoming is Debbie Collier, Capetown, South Africa (Capetown University, 2020).

Conference location: The conference will be held at Stockholm University. There is a direct subway line from the central station to the university (red line/Mörby center, stops centralen to universitet, about 15 minutes). There is an elevator going from the University subway platform up to the subway station entrance.

By registering for the conference, the audience member consents to the collection of personal data by the University of California, Berkeley Law and the Department of Law Stockholm University for use with respect to this conference. The University of California, Berkeley Law and the Department of Law Stockholm University comply with the requirements of the EU General Data Protection Regulation and will only use any personal data collected in connection with this conference and will not disseminate any personal data to any third party not connected with the conference.