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**THE TRUMPET**

**Stirling Law School’s Bulletin 1/2024**

This bulletin is for sharing Stirling Law School’s achievements in research, teaching, and citizenship. This recognises the importance of celebrating successes, strengthening our sense of community, and creating opportunities for cross-Faculty and cross-University collaborations. We hope you’ll enjoy these snippets of Stirling Law School’s recent successes.

Table of Contents

[Impact and engagement 1](#_Toc165272773)

[Publications 6](#_Toc165272774)

[*Books* 6](#_Toc165272775)

[*Journal articles* 7](#_Toc165272776)

[*Chapters* 8](#_Toc165272777)

[Esteem, network, and citizenship 8](#_Toc165272778)

[Dissemination and media presence 9](#_Toc165272779)

[Internationalisation 9](#_Toc165272780)

[Events organised 10](#_Toc165272781)

[Staff announcement 11](#_Toc165272782)

[Get in touch 11](#_Toc165272783)

# **Impact and engagement**

**HCCH Working Group on Jurisdiction**

**Professor Paul Beaumont** represented the European Union in two meetings of the Hague Conference on Private International Law's (HCCH) Working Group on Jurisdiction.

The first meeting was organised by the HCCH's Regional Office for Latin America and the Caribbean in Buenos Aires, Argentina in cooperation with the Argentinian Government. Negotiations took place in the former Presidential Palace from 18th - 22nd of September 2023. Significant progress was made on developing a new Treaty on Conflicts of Jurisdiction in Civil or Commercial Matters. This was the first time that a Hague Working Group had met in South America.

The second meeting took place at the Permanent Bureau in The Hague, from 29th January to 2nd February 2024. Progress proved to be more difficult as consensus could not yet be achieved on the balance between rules providing legal certainty and giving sufficient discretion to the judges. However, on a number of points, consensus was closer to being achieved than the final outcome of the meeting might suggest.

The Working Group asked the Council of the HCCH to enable it to have two more meetings, one likely to be held in Tokyo, in the coming fiscal year, and the Council agreed to this in its meeting in March 2024.

**Professor Beaumont** is grateful that despite Brexit, the European Union continues to ask him to serve as an expert representing the EU in this important global intergovernmental organisation.

**Dr Domenico Carolei** received the Faculty of Arts and Humanities Impact Support Funding (ISF). With the help of his recently awarded ISF grant, he visited the European Parliament in April 2024 to present research from his book, *NGOs and the Law*, during an event entitled "NGO Regulation and Accountability: normative proposals for the EU Parliament". This was presented to representatives of a parliamentary group, and there was discussion of the recommendations of the report "Transparency and Accountability of EU Funding for NGOs Active in EU Policy Areas within EU Territory" (2023).

This event featured contributions by several policymakers: Brando Benifei (MEP, Leader of the Italian Democratic Party delegation at the EU Parliament), Pina Picerno (MEP, Vice-president of the EU Parliament), Toni Ricciardi (Vice-president of the Democratic Party group of the Italian Chamber of Deputies), and Beatrice Covassi (MEP, Vice-chair CONT).

Several policy proposals were discussed at this event, including the creation of an international ombudsman for NGO accountability and the subjecting of NGOs to corporate accountability standards, such as the OECD Guidelines for multinational enterprises.

Figure 1: Dr Domenico Carolei (third from the right) discussing his research at the European Parliament.

These proposals are outlined in the report 'Transparency and Accountability of EU Funding for NGOs Active in EU Policy Areas within EU Territory' (2023), prepared by the Committee on Budgetary Control (CONT) of the EU Parliament. **Dr Carolei’s** academic work was cited in this report.

This event was reported by *Scottish Legal New*s ([link here](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.scottishlegal.com%2Farticles%2Fdomenico-carolei-presents-ngo-research-at-eu-parliament&data=05%7C02%7Crobbie.reid%40stir.ac.uk%7C30bc5f30013b4fa0235808dc5df9ae4e%7C4e8d09f7cc794ccb9149a4238dd17422%7C0%7C0%7C638488574170892162%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=e%2B%2BPT6E5cmiosl5pE7GVC6G5ICGC%2BNwaYtcbqwUc84I%3D&reserved=0)) and by the Italian newspaper *il Quotidiano del Sud* ([link here](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.quotidianodelsud.it%2Fcalabria%2Fcrotone%2Fpolitica%2Finterviste%2F2024%2F04%2F08%2Fil-prof-carolei-lasciate-fare-alle-ong-il-loro-lavoro&data=05%7C02%7Crobbie.reid%40stir.ac.uk%7C30bc5f30013b4fa0235808dc5df9ae4e%7C4e8d09f7cc794ccb9149a4238dd17422%7C0%7C0%7C638488574170903876%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=bzKxzI4vi0RJ9nRSa%2FnJTl%2Bcss%2BGtA7sBFBW9vnmQrg%3D&reserved=0)). It was also advertised on the website of the [Parliamentary Group S&D/Italian Democratic Party](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Feurodeputatipd.eu%2Fevent%2Fregolamentazione-e-accountability-delle-ong-sviluppi-e-proposte-normative-per-il-parlamento-europeo%3Fd%3D2024-04-09&data=05%7C02%7Crobbie.reid%40stir.ac.uk%7C30bc5f30013b4fa0235808dc5df9ae4e%7C4e8d09f7cc794ccb9149a4238dd17422%7C0%7C0%7C638488574170913328%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=IT0faI446csjGTBOmwOFwBg3Posyqo9%2FIxeGTB08EWM%3D&reserved=0).

**Dr Damian Etone** led an event at the UN in Geneva as Joint Coordinator for the UPR Academic Network in collaboration with UPR Info and the Permanent Mission. You can read about some of the highlights from the event at <https://www.upr-info.org/en/news/assessing-upr-bridging-research-and-practice>.

**Dr Tracy Kirk** was part of a team of researchers at the University who were successful in a £10,000 funding bid to the Impact Acceleration Account, part of the ESRC funding body. The knowledge exchange project with local authorities and schools seeks to develop capacity for curriculum making across schools and local authorities in Scotland with an emphasis upon children’s rights and agency in education.

**Professor Guido Noto La Diega** was invited to attend a roundtable discussion at the House of Lords by Lord Holmes of Richmond. This is part of Lord Holmes of Richmond’s work with departments and academic advisers to consider government applications, pilots, potential use cases and ultimately provide an extra layer of challenge and ideas on the future of DLT for public good. This follows on from the report “DLT for Public Good” (2017) spearheaded by Lord Holmes, which was inspired by Sir Mark Walport’s “Beyond Blockchain” report (2016). While **Guido** was unable to attend the roundtable discussion, he nevertheless contributed written notes in response, which are available to view [here](https://guidonotoladiega.wordpress.com/2024/03/06/distributed-ledger-technologies-blockchain-and-the-uk-government/).

**The Smart Technology to Smart Laws project update**

The “Smart Technology to Smart Laws” project has used empirical data from focus groups and several interviews to enhance and supplement its legal analysis and critique. The project group has written and submitted a paper to the Journal of Consumer Policy titled: “Conceptualising cyborg vulnerability: reassessing fundamental principles of consumer law and policy in the internet of things”*.* This is going through review at present, and it is hoped that this will be published soon.

In December 2023, the Smart Technology to Smarts Law project had a really successful workshop in Osnabruck (Germany) where the team and advisory board got together to discuss drafts of their book. The group is currently working on the second draft of the book which will be a comprehensive guide to Internet of Things law and policy. This work includes work on business models and technologies related to wearable technology, connected cars and smart homes, and chapters centering on themes such as ‘Bricking’ (where devices are cut off from their smart functions by companies for reasons of planned obsolescence and private enforcement), Personalisation (and in particular the personalisation of AI assistants), Things as Services (documenting the challenges inherent in the servitisation of the digital economy) and Product Liability.

The group hosted a workshop in April 2024 at Stirling Campus Central, which was attended by **Professor** **Guido Noto La Diega,** Professor Christoph Busch from Osnabrueck, Professor Christian Twigg-Flesner from Warwick, and Professor Lousia Spect from Bonn. This workshop included a “legal design jam session” to understand how software and hardware of smart devices can be used to better protect IoT consumers e.g. can we impose on IoT business a ‘switch off’ button to implement a right to be disconnected? This session was an opportunity to think creatively about solutions to some of the consumer issues in the IoT identified so far in the project i.e. bricking, liability, personalisation, and ‘Things as a Service’.

**Scottish Law and Innovation Network (SCOTLIN) updates:**

**(1) UNESCO Internet For Trust Initiative**



SCOTLIN has become a founding member of the UNESCO “I4T Global Knowledge Network” which aims to address online disinformation and hate speech and improve governance of digital platforms. The internet has undeniably revolutionised the way we communicate and share information, but with its vast reach and anonymity, it has also become a breeding ground for misinformation, hate speech, and harmful content. This poses significant threats to democratic discourse, societal harmony, and individual well-being. By controlling and regulating online disinformation and hate speech and improving governance of digital platforms, we can create a safer, more inclusive, and democratic online environment for all. Please find the Press Release [here](https://sites.google.com/i4tknowledge.net/i4tknowledge2024wd/press-release).

**(2) The SCOTLIN Podcast**

The first episode of The (En)Lightening Talks has launched. The first instalment guest stars Katherina Bisset from the brilliant podcast Nerds of Law talking about her book, *The Agile Lawyer*, and discussing implantation of agile principles into legal practice. Please like and subscribe on Acast:

<https://shows.acast.com/the-enlightening-talks> or on Spotify: <https://open.spotify.com/show/1lQ5UJtZ7JIOBQYKQJEM1s>

**Professor Guido Noto La Diega** has contributed to the written evidence submitted by the British and Irish Law, Education and Technology Association (BILETA) to the Information Commissioner’s Office (ICO) in the context of the privacy watchdog’s [public consultation about generative AI and data protection](https://ico.org.uk/GenAI). **Guido** has underlined that the ICO’s current approach should be revisited to better account for the different types of GenAI and to reflect the upcoming law reform that is set to scrap many GDPR safeguards.

**Professor Guido Noto La Diega** has been invited by I4T Global Knowledge Network (a [UNESCO Internet for Trust network](https://www.unesco.org/en/internet-trust)) to join the Network on behalf of the Just AI Lab and of the Scottish Law and Innovation Network (SCOTLIN). I4T brings together labs and think tanks working on digital platform governance.

On 28th February, the Scottish Society for Computers and Law hosted **Dr Benjamin Clubbs Coldron**. The talk provided an overview of the relationship between wearables, privacy, and data protection. This explored some of the tensions and uncertainties surrounding privacy rights and data protection in the wearable fashion industry. It examined the phenomenon of “invisible” fashion technology and its implications for continuing consent and non-user privacy, highlighting the potential for privacy-intrusive technologies to become more prevalent in the fashion sector. More information about the event can be found [here](https://www.scl.org/events/event/scottish-scl-event-wearable-ai-giving-surveillance-capitalism-a-makeover-wearable-technology-in-the-fashion-industry/).

**Professor Annalisa Savaresi** has delivered the following talks in recent months:

* Keynote talk on “Climate change litigation in the EU” (with J Hartmann), University of Trento (9th February). For further information see: <https://www.greendealnet.eu/Climate-Change-Litigation-EU>.
* Presentation on “COP28: What was it all about?”, University of Glasgow (23rd January 2024).
* Keynote talk on “Climate change litigation: the role of international law" at the Cambridge International Law Journal 13th annual conference, University of Cambridge, (9th April). For further information see: <https://cilj.co.uk/call-for-papers-13th-annual-conference-of-the-cambridge-international-law-journal/>
* Address on the theme of “The right to a healthy environment at the COE” to the Committee on Social Affairs, Health and Sustainable Development (SOC) of the Parliamentary Assembly of the Council of Europe, Paris (26th March).

In addition to these, **Professor Annalisa Savaresi** is scheduled to:

* Participate to the “Keynote Panel – climate change and the realization of human rights: imperatives, challenges and opportunities of social and economic transformation” at the British Academy and Wellcome Trust conference “The realisation of human rights in societies beyond growth”, University of Essex (30th April). For further information see: <https://www.essex.ac.uk/events/2024/04/30/the-realisation-of-human-rights-in-societies-beyond-growth>
* Participate in a roundtable discussion on climate change litigation at the Italian Supreme Court of Cassation (24th May).
* Give the keynote address at the Conference “Shaping Climate Law: Dynamic Roles of State and Non-State Actors”, Prague (30-31st May).

# **Publications**

## *Books*

**Damian Etone** has published the following co-edited work: D Etone, A Nazir, A Storey (eds), *Human Rights and the UN Universal Periodic Review Mechanism: A Research Companion* (Routledge, 2024). This is available to view [here.](https://www.routledge.com/Human-Rights-and-the-UN-Universal-Periodic-Review-Mechanism-A-Research/Etone-Nazir-Storey/p/book/9781032524184)

Abstract: “*The Universal Periodic Review (UPR) is a peer-review mechanism, reviewing all 193 UN Member States’ protection and promotion of human rights. After ten years of the existence of the UPR mechanism, this collection examines the effectiveness of the UPR, theoretical and conceptual debates about its modus operandi, and the lessons that can be drawn across different regions/states to identify possible improvements.”*

**Professor Guido Noto La Diega** has partnered with LexisNexis, one of the leading providers of legal, government, business and high-tech information sources, to co-produce its entry “Internet of things (IoT)—data, privacy and cybersecurity issues in the EU”, as well as its UK version.

**Guido** is also now under contract with Edward Elgar as the lead editor – alongside leading thinkers Professor Roger Brownsword (King’s College London) and Professor Caroline Ncube (University of Cape Town) – of the book, *A Research Agenda in Law and Technology*. The [*Elgar Research Agendas*](https://www.e-elgar.com/shop/gbp/book-series/education/elgar-research-agendas.html) are an exciting new flagship series of books; designed to be visionary and provocative, each book will point the way ahead for future research on a particular topic. These books are being written and contributed to by some of the world’s leading scholars. A call for chapters will be out soon.

**Professor Francis McManus** has recently published the latest edition of *Delict Essentials* (2023, 5th edn). The new edition provides an update on case law and includes discussion of the Defamation and Malicious Publication (Scotland) Act 2021.

**Dr Domenico Carolei’s** book, *NGOs and The Law: Self-Regulation and Accountability*, has received positive reviews and endorsements:

* Dr John Picton (The University of Manchester, UK), charity law expert, has reviewed **Domenico's** book for the [Voluntary Sector Review (Bristol University Press)](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fbristoluniversitypressdigital.com%2Fview%2Fjournals%2Fvsr%2Faop%2Farticle-10.1332-20408056Y2023D000000001%2Farticle-10.1332-20408056Y2023D000000001.xml%3Frskey%3Dz2xIzz%26result%3D1&data=05%7C02%7Crobbie.reid%40stir.ac.uk%7C3f3722bb03964628683808dc32e51089%7C4e8d09f7cc794ccb9149a4238dd17422%7C0%7C0%7C638441206606812660%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=RVGCCzCzqEQ0JUhxuzeOW7yGeFIVAsEbgsEAb%2FASsS8%3D&reserved=0). He wrote:

*“(…) the book is a very valuable one. Despite their enormous international significance, the regulation of NGOs, as they work and operate internationally, has not before been the subject of an extended legal study. Carolei’s important analysis corrects that omission.”*

* [As reported on the CISRUL website (University of Aberdeen)](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fcisrul.blog%2F2024%2F02%2F18%2Fngos-and-the-law-self-regulation-and-accountability%2F&data=05%7C02%7Crobbie.reid%40stir.ac.uk%7C3f3722bb03964628683808dc32e51089%7C4e8d09f7cc794ccb9149a4238dd17422%7C0%7C0%7C638441206606823846%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=9M1WJw9gRJXxHBFTMttssl%2B%2BCJCmaBn2VHWrtkcmIVc%3D&reserved=0), **Domenico's** book has also received an endorsement from Prof. Giuseppe Nesi (Università di Trento, Italy), member of the United Nations International Law Commission:

*“This book provides an excellent contribution to a topic that has been dealt several times in different environments in recent years. However, the volume by Domenico Carolei fills a gap since through an in-depth analysis, that is the result of a serious research, it offers an all-encompassing picture of the main legal issues regarding accountability of non-governmental organisations, increasingly relevant and sometime indispensable actors in internal as well as international affairs. The overall message is that law, in all its manifestations, matters when accountability is at stake; if both States and NGOs take this message without reservations, they will improve their mutual relations and shape a constructive and more solid role of NGOs in both national and international environment.”*

## *Journal articles*

**Professor Annalisa Savaresi** has published the following articles:

* [A Savaresi, “Advisory opinions on climate change: leading from the bench?” (2023) Questions of International Law (special issue).](http://www.qil-qdi.org/advisory-opinions-on-climate-change-leading-from-the-bench/)
* [A Savaresi, K Kulovesi, S Oberthür, H van Asselt, “The European climate law: strengthening EU procedural climate governance?” (2024) Journal of Environmental Law.](https://doi.org/10.1093/jel/eqad034)
* [A Savaresi, C Heri and L Nordlander, “Recognizing the right to a healthy environment at the Council of Europe: why does it matter?” (2023) 1(2) Environmental Rights Review 1.](https://environmentalrightsreview.com/2024/02/08/recognizing-the-right-to-a-healthy-environment-at-the-council-of-europe-why-does-it-matter/)

**Professor Francis McManus** has published a case analysis of the Supreme Court case of *Fearn v Board of Trustees of the Tate Gallery* [2023] UKSC 4: see [F McManus, “Liability in nuisance: Fearn v Board of Trustees of the Tate Gallery” [2023] UKSC 4” (2023) 74(3) Northern Ireland Legal Quarterly 643.](https://www.bing.com/ck/a?!&&p=a517a9e698168ca3JmltdHM9MTcxNDAwMzIwMCZpZ3VpZD0yZWQ2ZjQyZi0yMWVjLTY1YmItMjQ1NC1lN2IxMjBiMzY0NDkmaW5zaWQ9NTIxMA&ptn=3&ver=2&hsh=3&fclid=2ed6f42f-21ec-65bb-2454-e7b120b36449&psq=francis+mcmanus+fearn+tate+gallery&u=a1aHR0cHM6Ly9uaWxxLnF1Yi5hYy51ay9pbmRleC5waHAvbmlscS9hcnRpY2xlL2Rvd25sb2FkLzExMDEvOTA5LzMyMjA&ntb=1)

**Robbie Reid** has published a case comment in the Edinburgh Law Review on the use of the docket procedure in sexual offence trials, following the High Court of Justiciary’s appellate decision in *Fisher v HM Advocate* [2022] HCJAC 43; 2023 SCCR 1: see [R Reid, “Fisher v HM Advocate: the use of the docket procedure in sexual offence trials” (2024) 28(1) Edinburgh Law Review 113.](https://www.euppublishing.com/doi/abs/10.3366/elr.2024.0878)

**Dr Tracy Kirk** has had an article accepted for publication in the Edinburgh Law Review. The paper, “Scots law, 16- and 17-year-olds and the UNCRC: balancing autonomy and protection” examines whether incorporation of the CRC into Scots law requires all age limits to be realigned to 18 years, consistent with the definition of a child in the Convention.

## *Chapters*

**Dr Damian Etone** published the chapter: D Etone, “The Universal Periodic Review and Transitional Justice” (Chapter 6) in D Etone, A Nazir, A Storey (eds), *Human Rights and the UN Universal Periodic Review Mechanism: A Research Companion* (Routledge, 2024). Further information and access to this work can be found in the item above.

**Professor Guido Noto La Diega** has published the chapter: G Noto La Diega, G Cifrodelli and A Dermawan, “Sustainable Patent Governance of Artificial Intelligence: Recalibrating the European Patent System to Foster Innovation (SDG 9)” in B Amani, C Ncube, and M Rimmer (eds), *Elgar Companion on Intellectual Property and Sustainable Development Goals* (Edward Elgar, 2023) at 299-322. This is available to view [here](https://doi.org/10.4337/9781803925233.00020).

Abstract: *“This chapter reflects on what a sustainable patent governance looks like in the age of the rise of inventive AI. To do so, we critically evaluate the relationship between artificial intelligence, European patent law, and sustainability, with a focus on the Sustainable Development Goal 9, i.e. to build resilient infrastructure, to promote inclusive and sustainable industrialisation, and to foster innovation. In particular, we consider SDG Targets 9.1, 9.2 and 9.5 for their emphasis on equitable access to innovation, inclusive industrialisation, and the imperative to consider the national circumstances of developing countries. While the contribution of patent law to SDG 9 may prima facie appear as straightforward – both promote innovation - we problematise this relationship by shedding light on the unsustainability of patents. In Section 1, we analyse patent data related to climate change mitigation technologies to discover that, under the European Patent Convention, there has been a significant growth in AI-related patenting, but that developing countries are being left behind. In Section 2, to overcome the decreased access to innovation stemming from an inventive step requirement that does not match the reality of AI-powered ingenuity, we focus on AI datasets and suggest a recalibration that revolves around the concept of Therapeutics Data Commons. In Section 3, we suggest a more nuanced understanding of AI inventorship to include Global South perspectives before concluding”.*

# **Esteem, network, and citizenship**

**Professor Annalisa Saveresi** has chaired the first meeting as Chair of the Environmental Standards Scotland International Advisory Panel (28 February 2024).

**Professor Annalisa Savaresi** examined Alina Holzhausen’s viva on “The Role of Human Rights-Based Climate Litigation in Achieving Ambitious Climate Action” at the University of Aberdeen (19th January).

**Dr Damian Etone** was appointed as Academic Adviser to the Commonwealth Scholarship Commission (CSC).

**Dr Leslie Dodd** was elected a Fellow of the Royal Historical Society.

# **Dissemination and media presence**

On 3rd February, **Professor Guido Noto La Diega** was one of a panel of guests to appear on the Italian TV programme 'Progress' (shown via Sky News), where they discussed the new EU law on Artificial Intelligence (AI Act). You can [watch the clip via this film link](https://uoscomms.newsweaver.com/universityofstirling.1ubors542y/m5uu5xtr5f21ngs5v3fv0b/external?email=true&a=5&p=3381170&t=380530).

On 13th March, **Guido** presented “Generative AI, Education, and Copyright Law: An Empirical Study on Policymaking in UK Universities” at the University of Aberdeen’s Centre for Commercial Law Seminar Series, on kind invitation by Dr Qiang Cai. This empirical work, co-authored with Dr Christof Koolen of KU Leuven, presents the legal analysis of the nearly 200 responses to the authors’ Freedom of Information (FOI) requests targeted at all UK universities to find out more about our universities’ approach to GenAI and whether copyright issues are being given appropriate consideration.

# **Internationalisation**

**The University of Stirling and the African Commission on Human and Peoples’s Rights (ACHPR)** recently signed an internship programme partnership. This partnership is part of joint efforts to contribute to the training of human rights professionals who would contribute to the promotion and protection of human rights globally, and within the African continent. As part of this partnership, students on our MSc programme in Human Rights and Diplomacy will have the opportunity to undertake internships at ACHPR’s headquarters in Banjul, The Gambia.

Our **MSc Human Rights and Diplomacy programme (run in partnership with the United Nations Institute of Training and Research)** has been focusing on providing experiential work-based learning and mentorship opportunities for human rights students. We are pleased to expand our partnership network of reputable organisations to include the ACHPR, one of the main human rights organs of the African Union. This strengthens our collaboration with industry and expands opportunities for our students to get work-related experience while contributing to the human rights work of ACHPR.

In February, **Dr David McArdle** gave a guest lecture for the students on the LLM in International Sports Law at the Higher Institute of Law and Economics (ISDE) in Madrid. The paper was on the CJEU’s December ruling in *Royal Antwerp and UL v UEFA*, which concerns the legality of the homegrown player rules that apply in European football. It was one of three sports-related decisions handed down on the same day.

Those rules require clubs to select a minimum number of ‘locally-trained players’ under the age of 23 in their matchday squads. The club’s and player’s argument is that the rules unlawfully impact on players’ opportunities because they discriminate on grounds of nationality and are an abuse of the governing bodies’ dominant position. If you are under 23 but don’t meet the criteria then the top clubs are less likely to sign you because your playing time might be restricted, so your free movement rights are also infringed.

Although the ruling is a bit gnomic, on Dave’s reading it is open to the Belgian court to say that the undoubted restrictions on players’ opportunities serve the legitimate sporting interest of encouraging the development of young players rather than allowing the richest clubs to buy the best established talent and thus win everything. If it decides that’s the case, then the breaches of competition and free movement law can be justified as a matter of law. However, it is also possible that the Belgian court will say that while the rules are basically sound they should be amended so that they compel the top clubs to actually train some of those players themselves – it isn’t enough for them to just sign players that have been developed and trained by other Belgian clubs. Less likely but not out of the question is that the court will say the rules can’t be justified at all because they don’t serve that legitimate sporting interest and/or they have the restriction of competition (i.e. the competition to sign the best players) as their objective rather than it being a side-effect.

In February, **Professor Guido Noto La Diega** visited the University of Turin in Italy and the European Trade Unions Institute in Brussels. In Turin, Guido presented the paper “All we have is our body and it does not belong to us”, as part of a multidisciplinary panel on “[Internet of Bodies and the Law](https://www.dimt.it/evento/diritto-e-internet-of-bodies-le-nuove-frontiere-della-sessualita-online/)” with Dr Vera Tripodi (Politecnico di Torino), chaired by Dr Antonio Vercellone (Università di Torino). In Brussels, **Guido** participated in the ETUI-ETUCE expert conference on AI at work ([The impact of AI on the higher education and research sector](https://www.etui.org/events/etui-etuce-expert-conference-ai-work-impact-ai-higher-education-and-research-sector)) in the panel “Generative AI, intellectual property rights of academics and researchers”. Guido presented “A legal perspective, protection and gaps” in conversation with Dr Wayne Holmes (UCL), Dr James Stewart (Edinburgh), Dr Kari Kivinen (EU Intellectual Property Office), and Jorunn Dahl Norgård (Norwegian Association of Researchers).

**Private International Law Research Cluster**

An in-person meeting of the **Private International Law Research Cluster** was held in February. It was encouraging to have a full attendance of the Cluster: **Professor Paul Beaumont**, **Dr Pontian Okoli**, **Dr Jayne Holliday**, **Robbie Reid** and **Stephen Babalola**.

**Stephen Babalola** presented a chapter from his ongoing PhD research on the Hague Securities Convention, examining the application of the Convention in the United States of America.

# **Events organised**

As mentioned in the previous issue, **Dr Mo Egan**, **Professor Hong-Lin Yu** and **Dr Tracy Kirk** were successfully awarded funding from the Clark Foundation for Legal Education to organise a seminar series: International Perspectives on Scots Law 2023/24. Further details can be found [here](https://www.stir.ac.uk/about/faculties/arts-humanities/law-and-philosophy/law-research/international-perspectives-on-scots-law/).

The seminar series seeks to bring together academics, practitioners and other stakeholders to present research examining the role of Scots law in the international legal landscape. Seminars have been delivered in a hybrid format and provide accredited CPD for Scottish legal practitioners.

Following on from last year’s seminars, we have also had seminars this year on “Internationalisation of Scots law from the perspective of Private International Law” (Dr Mukarrum Ahmed – University of Lancaster), “Constitutional Law: lessons learned from the Scottish devolved experience” (Professor Adelyn Wilson – University of Strathclyde, and Dr Robert Taylor – University of Aberdeen), and “Comparative Perspectives on Scottish Criminal Procedure” (Professor Pamela Ferguson – University of Dundee)

There will be one more seminar in the series, which will be on “Internationalisation of Scots law from the Perspective of Private Law” (Dr Stephen Bogle – University of Glasgow). This will take place on Friday 10th May at 2pm.

# **Staff announcement**

Since the last issue, we are delighted to announce that two new members of staff have joined the Law School. Our warmest welcome to **Dr Craig Anderson** and **Dr Oche Onazi**, who have joined us as Senior Lecturers in Law. We wish them both all the best in these new roles!

# **Get in touch**

If you would like to contribute or suggest anything for future bulletins, please get in touch with Robbie here.