

Workshop, Lund University, October 3/4, 2024
**From Protection to Coercion:
The Limits of Positive Obligations in
Human Rights Law**

Gamla Biskopshuset, Biskopsgatan 1, 223 62 Lund, Sweden

Thursday 3 October

10.30 - 10.45 Opening remarks David McGrogan and Vladislava Stoyanova

10.45 - 12:15 Panel 1 Conceptual Challenges

10.45 - 11.05 Vassilis Tzevelekos 'On the Elusiveness of Positive Obligations: Tracing Conceptual and Delimitation Challenges'

11.05 - 11.25 Johan Wibey 'Conceptual Hurdles for Correlativity in Human Rights Law'

11.25 - 11.45 Eric Heinze 'Free Speech and the Revolution in Positive versus Negative Freedoms'

11.45 - 12.15 General Discussion after Panel 1

12.15 - 13.15 Lunch

13.15 - 14:45 Panel 2 Causation

13.15 - 13.35 Vladyslav Lanovoy 'The Role of Causation in the Context of Positive Obligations'

13.35 - 13.55 Vladislava Stoyanova 'The Importance of Causation for Finding Breach of Positive Obligations under the ECHR'

13.55 - 14.15 Claudia Candelmo 'Failure to Prevent Human Rights Violations and the Limits of State Responsibility: What Role for the Principle of Causality'

14:15 - 14.45 General Discussion after Panel 2

14.45 - 15.00 Break

15.00 - 16.30 Panel 2 Risk and Reasonableness

15.00 - 15.20 Ilias Plakokefalos 'The Standard of Reasonableness in Human Rights Positive Obligations'

15.20 - 15.40 Sophie Treacy 'Causation, Reasonableness and Positive Obligations'

15.40 - 16.00 Thea Chesterfield 'The Rise of Risk in the Reasoning of the Human Rights Committee: Implications for the Review of State Parties' Implementation of the ICCPR'

16:00 - 16.30 General Discussion after Panel 3

17.00 Dinner (Gamla Biskopshuset)

Friday 4 October

10.00 - 11.50 Panel 5 Coercion and Positive Obligations

10.00 - 10.20 Tristan Cummings 'The Limits of the Positive Obligation to Enforce the Parent-Child Relationship under Article 8 of the ECHR'

10.20 - 10.40 Frederick Cowell 'The Positive Duty to Protect against Religious Offence and the Danger of Rights Restrictions'

10.40 - 11.00 Katie Pentney 'States' Positive Obligations and Individuals Duties and Responsibilities under Article 10 ECHR: Towards Complementarity and Coherence in the Fights against Disinformation'

11.00 - 11.20 David McGrogan 'Human Rights and Political Reason'

11.20 - 11.50 General Discussion after Panel 5

11.50 - 12.50 Lunch

12.50-14.40 Panel 6 Human Rights Overreach?

12.50-13.10 Ole Windahl Pedersen 'From the Rule of Law to the 'over-Enforcement' of the International Environmental Law'

13.10-13.30 Benoit Mayer 'Challenges to the Conceptualization of Climate Change Mitigation as a Positive Human Rights Obligations'

13.30-13.50 Katalin Sulyok 'Scientific Evidence, Causation, and the Obligations of States in Environmental and Climate Cases'

13.50-14.10 Conall Mallory 'The Righting of Assistance to Nationals Abroad'

14.10- 14.40 General Discussion after Panel 6

14.40 - 15.00 Break

15.00 -16.00 Panel 7 Are There Limits?

15.00- 15.20 Eleni Frantziou 'Can We Speak of the 'Horizontal Effect' of the ECHR? An Analysis of Substantive Positive Obligations in the Field of Digital Rights'

15.20-15.40 Betul Durmus 'Determining Limits to Positive Obligations: A Holistic View on the United Nations Treaty Body Jurisprudence'

15.40 - 16.00 General Discussion after Panel 7

16.00 Closing Remarks



**FACULTY
OF LAW**

Organizers: Vladislava Stoyanova
(Associate Professor, Lund University)
and David McGrogan (Associate
Professor, Northumbria University Law
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