



5th Multinational Conference  
**Rethinking Expropriation Law**

27-29 September 2018, Katowice, Poland

[www.expropriation2018.ue.katowice.pl](http://www.expropriation2018.ue.katowice.pl), email: [expropriation2018@ue.katowice.pl](mailto:expropriation2018@ue.katowice.pl)



**THURSDAY, 27 Sept.**

12:00 – 13:00	<b>Registration of participants.</b> Welcome coffee
13:00 – 13:30	<b>Opening of the conference</b> Welcome address: - Rector of the University of Silesia – Prof. Andrzej Kowalczyk - Rector of the University of Economics – Prof. Robert Tomanek - Vice- Dean of the Faculty of Law and Administration – Prof. Piotr Pinior - Dean of the Faculty of Finance and Insurance – Prof. Andrzej Piosik
<b>Session 1: Expropriation: purpose v. property protection</b> <b>Chair: Prof. Magdalena Habdas</b>	
13:30 – 13:55	<i>Revisiting assumptions about farmland expropriation for urban development: A cross-national probe.</i> - Prof. Rachelle Alterman, Micha Drori Israel Institute of Technology, Haifa, Israel
13:55 – 14:20	<i>'Tailor-made' since 1864: the equity-agenda of the Dutch Supreme Court regarding compensation for expropriation.</i> - Prof. Jacques Sluysmans, Radboud Universiteit, Nijmegen, the Netherlands
<b>14:20 – 15:00</b>	<b>Late Lunch</b>
15:00 – 15:25	<i>Property Protection before the ECtHR and the ECJ: the End of State's Monopoly on Expropriation?</i> - Dr. Sabrina Praduroux, University of Turin, Italy
15:25 – 15:50	<i>The violation of property rights according to article 1§ 1 of the First Protocol to the European Convention of Human Rights (ECtHR): the judgments concerning the expropriation law in Greece</i> - Dr. Hariclia Athanassopoulou, the Greek Ombudsman Office
<b>15:50 – 16:10</b>	<b>Discussion</b>
<b>17:45 – 18:50</b>	<b>Tour of the Polish National Radio Symphony Orchestra (NOSPR) seat in Katowice</b>
<b>19:00</b> <b>Cadenza</b> <b>Restaurant</b> <b>(NOSPR)</b>	<b>Book Launch:</b> <b>Rethinking Expropriation Law III – Fair Compensation (2018 Eleven International Publishing)</b> eds: B. Hoops, E.J. Marais, L. van Schalkwyk, N.K. Tagliarino Presented by Dr. Björn Hoops and Dr. Ernst Marais  <b>Followed by: <u>SUPPER</u></b>

Organizers:



Cooperating partners:



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## FRIDAY, 28 Sept.

### Session 2: Expropriation in the context of the real estate market.

Chair: Prof. Brendan Edgeworth

9:30 – 9:50	<i>Taking without a 'Taking': Development Obligations in Canada</i> - Prof. Eran Kaplinsky, University of Alberta, Edmonton, Canada
9:50 – 10:10	<i>Expropriation of monuments under Polish law</i> - Dr. Paulina Gwoździewicz-Matan, University of Silesia, Katowice, Poland
10:10 – 10:30	<i>Case Study. The Enforcement of the Public Interest in a Typical Hungarian Expropriation Procedure.</i> - Dr. Imre Andorkó, University of Debrecen, Hungary
10:30 – 11:00	<b>Discussion</b>
11:00 – 11:30	<b>Coffee break</b>

### Session 3: Justifying expropriation – contemporary and historical challenges

Chair: Dr. Björn Hoops

11:30 – 11:50	<i>Addressing the systemic shortcomings of expropriation as a tool of transformation</i> - Prof. Hanri Mostert, University of Cape Town, the Republic of South Africa
11:50 – 12:10	<i>Lack of reprivatisation as expropriation - contemporary consequences of historical legislation</i> - Dr. Grzegorz Matusik, University of Silesia, Katowice, Poland
12:10 – 12:30	<i>Specificity of expropriation and deprivation of rights derived from tainted past under challenges of transformation – between Agri South Africa v. Minister for Minerals and Energy (2013) and Jahn v. Germany (2005)</i> - LLM Wojciech Bańczyk, Jagiellonian University, Kraków, Poland
12:30 – 13:00	<b>Discussion</b>
12:50 – 14:00	<b>Lunch</b>

### Session 4: Expropriating airspace – compensating for airport nuisance

Chair: Prof. Jacques Sluysmans

14:00 - 14:25	<i>Expropriation of airspace? – compensating homeowners in the vicinity of airports.</i> - Prof. Magdalena Haldas, University of Silesia, Katowice, Poland; Dr. Jan Konowalczyk, University of Economics, Katowice, Poland
14:25 – 14:50	<i>Airport noise - reconciling airport operations and the residential community interests.</i> - Mariusz Wiatrowski - President of Poznań Ławica Airport; Marcin Drzycimski, Director of Poznań Ławica Airport
14:50 – 15:15	<i>Airports and use of surrounding land – challenges of developing air traffic.</i> Tomasz Kloskowski - President of Gdańsk Lech Wałęsa Airport
15:15 – 15:40	<i>Designating a new RUA for Kraków Airport – risks and opportunities connected with airport growth.</i> - Dr. Tomasz Bolek, University of Economics, Katowice, Poland; Mariusz Saługa – member of the Management Board of Kraków Balice Airport
15:40 – 16:10	<b>Discussion</b>
19:00	<b>Gala Dinner</b>

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**SATURDAY, 29 Sept.**

**Session 5: Compensating for expropriation (I)**

**Chair: Prof. Leon Verstappen**

10:00 – 10:20	<i>Expropriation without compensation: A yawning gap in the justification of expropriation.</i> - Dr. Björn Hoops, University of Groningen, the Netherlands
10:20 – 10:40	<i>Relative Value or Absolute Value? Competing Measures of Just Compensation in Assessing Solatium</i> - Prof. Brendan Edgeworth, University of New South Wales, Sydney, Australia
10:40 – 11:00	<i>Substitute property and its role in the real property expropriation</i> - Dr. Anna Klimach, University of Warmia and Mazury, Olsztyn, Poland
<b>11:00 – 11:30</b>	<b>Discussion</b>
<b>11:30 – 12:00</b>	<b>Coffee break</b>

**Session 6: Compensating for expropriation (II)**

**Chair: Prof. Hanri Mostert**

12:00 – 12:20	<i>Determining Compensation in Expropriations for Social Reform Purposes.</i> - Justice Antonie Gildenhuys, the Republic of South Africa
12:20 – 12:40	<i>The Msiza-case: the perpetuation of injustices by the miscalculation of “just and equitable” compensation</i> - Prof. Elmiën Du Plessis, North-West University, Potchefstroom, the Republic of South Africa
12:40 – 13:00	<i>Claim for real estate buyout referred to in Article 19 of the Act of 9 June 2011 Geological and Mining Law in the light of the constitutional principle of protection of ownership</i> - LLM Agnieszka Wróbel, University of Silesia, Katowice, Poland
<b>13:00 – 13:30</b>	<b>Discussion</b>
<b>13:30 – 13:40</b>	<b>Close of conference – Prof. Magdalena Habdas, Dr. Jan Konowalczyk</b>
<b>13:40 – 14:30</b>	<b>Lunch</b>

**OPTIONAL: GUIDO COAL MINE**

**Meeting time: 15:30**

**Return: 20:00**

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