**Eurasian legal systems in a world in transition**

**economic prosperity or disparity, and the return of politics in international law**

11th and 12th May 2023

Law School, Inha University, Incheon, Republic of Korea

**6th Kazakh-Franco-Korean international law conference**

previous editions (5 books published) held in

 Kazakhstan 2014, France 2016, Korea 2017 (1st cycle) - Kazakhstan 2019, France 2021, Korea 2023 (2nd cycle)

[**https://zoom.us/j/91877375679**](https://zoom.us/j/91877375679)

**co-organised by**

**Inha Law School and Legal Institute, AI Big data Center, Incheon Bar Association, Republic of Korea**

Hye-Hwal Seong / Remus Titiriga

**LexFEIM** Research Centre, Le Havre, France

Pierre Chabal, director (co-founder of Al-Farabi Center for European Law) / Louis Philippe Gratton

 **Al-Farabi** KazNU International Law Department, Almaty

Zhuldyz Sairambayeva, chair

**in collaboration with**

**Juriscope**, Poitiers University, France

Philippe Lagrange, former dean

**Fondation SEFACIL**, France

Yann Alix, general delegate

**Wednesday 10th May 2023**

**18h00 : Event of Eve of the Conference : Reception dinner**

 **Ramada Songdo Hotel**

**Thursday 11th May 2023**

**9h00-9h30 : Opening speeches (chair : Prof. Hye-Hwal SEONG)**

Young-Jin JUNG, Dean of Inha Law School

Won-oh KIM, Director of Inha AI-&-Big Data Center

Gwan-ju AN, the President of Incheon Bar Association

Pierre CHABAL, Director of Lexfeim research Center (**ONLINE)**

Zhuldyz SAIRAMBAYEVA, Chair of International Law Department

**I - Challenges and turmoils in the region: when conflictual dynamics take over from Covid and jeopardize the context of cooperation**

**Chair : Sungkee HONG, former Dean, Inha**

9h30 9h50 / (15h30 - **From France 8h30**)**-** The origins of the ‘Third Rome’ in the 15th-18th century

Elise Frêlon, Université de Poitiers (**speaking ONLINE)**

9h50 10h10 - Growth and decline (recession): for a balanced global governance ?

Philippe GAST, Université Le Havre

10h10 10h30 - Crisis of modern international law & its mechanisms for ensuring international security

Sagyngaliy Aidarbayev, Al-Farabi Kazakh National University

10h30 10h50 - A study on the transformation from linear to circular economy: a legal aspect

Young-Geun CHAE, Inha University

10h50 11h10 - Risks & opportunities for Kazakhstan's foreign policy in the context of modern geopolitical changes

Kuralay Baizakova, Fatima Kukeyeva, Al-Farabi Kazakh National University

 11h10 11h30 - Prospects of the ‘Greater Turkestan’ idea in the wake of the EAEU’s weakening

Yesbol Omirzhanov, Al-Farabi Kazakh National University (**speaking ONLINE)**

11h30 11h50 - A Permanent Neutrality for the Korean Peninsula : Past and Present

Taiuk CHUNG, Inha Univ. Law School

**12h00 Luncheon (Inha Univ. Restraurant )**

**II - Legal and economic impact on commercial institutions (EAEU, EU …) and cooperation agreements (Silk Roads …)**

**Chair : Sagyngalyi AIDARBAYEV, former Dean, KazNU**

13h30 13h50 - Legal dimension of the global/regional tax reform

Ilya LIFSHITS, Russian Foreign Trade Academy

13h50 14h10 - The sanctions related to Russia's military actions in Ukraine and the global perspective

Remus TITIRIGA, Inha University

14h10 14h30 - Customs protection of intellectual property rights within the EAEU and the EU

Zhuldyz Sairambaeva, Madina NURTAY, Al-Farabi Kazakh National University

14h30 14h50 - Dispute settlement in WTO: international experience and prospects for Kazakhstan

Zulfiya Baimagambetova, Asem Akhmetova, Al-Farabi Kazakh National University (**speaking ONLINE)**

14h50 15h10 - "A Study for Korea-Japan Claims Agreement - Forced Labor Compensation Verdict"

Sung-Kee HONG, Inha University

15h10 15h30 The Singapore Convention on Mediation and the settlement of international commercial disputes in Eurasia (**speaking ONLINE from Spain**)

Guillermo Palao Moreno, University of València

**18h00 Dinner**

**Friday 12th May 2023**

**III - Legal and political impact on security institutions (SCO, CSTO …):**

**expansion, re"centration" or deconstruction of great *ensembles* ?**

**Chair : Philippe LAGRANGE, former Dean, Poitiers**

9h30 9h50 - The OSCE and co-operative security put to the test by the crisis in Ukraine

Philippe LAGRANGE, Université de Poitiers

*9h50 10h10 -* Ensuring security in Central Asia: Legal aspects of the activities of the CSTO and CICA

Gulmira Mashimbaeva, Al-Farabi Kazakh National University (**speaking ONLINE)**

10h10 10h30 - Transformation of the SCO in the new conditions of a multipolar world : prospects for enlargements and positioning changes

Leila Delovarova, Al-Farabi Kazakh National University (**speaking ONLINE)**

10h30 10h50 -Legal aspects of the problems of security of the Caspian region in the light of the Black Sea tensions

Askhat Darkenbayev, Al-Farabi Kazakh National University

10h50 11h10 - Are institutions still called to last or to become transient constructs ?

Pierre CHABAL, Université Le Havre (**excused from speaking)**

**12h00 Luncheon (Inha Univ. Restraurant )**

**IV - Artificial Intelligence and Big data**

Chair : Joon Buhm LEE, Professor, Inha

13h30 13h50 - - Could Data lie?: Generative AI and Bias in legal perspective

Hyun-Jin KIM, Inha University

13h50 14h10 - Artsooificial Intelligence Generated Works and Korean Patent Law: Korean Patent Law Reforms Needed to Accommodate the Growth of Artificial Intelligence Generated Inventions

Soo-Mee LEE, Inha University

14h10 14h30 - Is it possible to impose a tax on artificial-intelligence robots ?

Young-Soon KIM, Inha University

**14h30 14h50 -** China's regulation of algorithms and its implications for regional and international trade

Louis Philippe Gratton, Québec Bar & *Data protection y consultant*, Minsk

14h50 15h10 - Insurance in the face of the increase of cyber risks in the wake of regional isntability

Amandine CAYOL, Université de Caen

15h10 15h30 - Antitrust regulation transformation: China's digital platforms' development new phase

Bing CHEN, Nankai Univ. Law School, China (**speaking ONLINE)**

15h30 16h50 - The development of robo-advisor and a desirable regulatory framework

Hye-Hwal SEONG, Inha University

**17h00-17h30 – Closing speeches (chairs : Hye-Hwal SEONG & Zhuldyz SAIRAMBAYEVA)**

 Hye-Hwal SEONG, professor Inha Law School

Sagyngalyi AIDARBAYEV, honorary Dean, KazNU IR Faculty

Philippe LAGRANGE, honorary Dean, Poitiers Law Faculty

Pierre CHABAL, Director of Lexfeim research Center **(speaking ONLINE)**

**18h00 Farewell party banquet**

The pace of history has accelerated in recent years and even months, well beyond a new cold-war dynamic. Trading nations entertain friendly commerce relations but they also engage in trade- and information-wars, thereby mixing regional construction and inter-regional deconstruction; that is, merging economic integration and political disintegration. Eurasia, with half of the world population, would represent, if economically and regionally integrated, the greatest consumer market and productive capacity on earth. Considering this geo-political/economic background, the question is simply whether such a Eurasian economic integration is achievable or not. Here, the “return of politics” through the neo-role played by States in Covid-management and, from 2022, in international economic law and other wider issues, is proving a challenge for analysts of the ‘legalisation’ of regions.

After the hasty and disorderly withdrawal of US troops from Afghanistan, an open conflict between Azerbaijan and Armenia over Nagorno-Karabakh, a brief entry of the CSTO into Kazakhstan, and the emerging consequences of the lapse COVID-related monetary policies (inflation and stagflation, the global logistical links interruptions), this conference looks at the sombre dynamics that question the *raison d’être* of Eurasia today.

While the sanctions against China were maintained by the US and even expanded under J. Biden to include semiconductors and new sanctions are considered aimed at deterring China vis-à-vis Taiwan, and more sanctions are applied against Russia’s special military operation in Ukraine, the world is nearing confirmed turmoil. Additionally, the US and the EU adopted a system of political and economic sanctions on exports of high-tech components with military impact, of ban on gas imports and on visas, etc., logically leading to Russia’s adopting counter-sanctions against countries sanctioning her.

The present conference is set in sessions looking at the unstable configuration created by challenges of multiple dimensions. **SESSION 1** analyses these challenges in their differing nature. **SESSION 2** and **SESSION 3** assess how the actors in Eurasia position themselves in this new reality and in the new challenges, focusing first on the **economic** consequences and answers, then n the **political** security impacts and rearrangements. An additional **SESSION 4** brings in timely perspectives on Artificial intelligence and Big data issues

**Session 1 - Challenges and turmoils in the region: when conflictual dynamics take over from Covid and jeopardize the context of cooperation**

The Eurasian region and the world at large are presently affected by the military operations around the Black Sea as regards the delivery of cereals and fertilizers… with an impact leading to a global food crisis. In addition, sanctions and counter-sanctions cut the ties on essential gas-, oil-, and raw materials deliveries, creating a dilemma in the international markets. More generally, the return of politics has taken the form of the return of the military in open conflicts subsuming other disruptions such as Covid-affected monetary and logistical policies (extra cash to support populations has meant a renewed inflation), energy policies in general well beyond the disruption of Russian exports and the return of massive sanctions as a privileged form of international relations. Topics in this session thus include:

- artificial Intelligence and big data, as affecting the framework of exchanges

- regional security, international competition

- the late economic impact of covid and policies relative to covid

- the impact of inflation, stagflation, energy, raw material, food supplies

- direct and indirect consequences of the situation in Ukraine

- follow-up on economic (US new) sanctions against China

- western sanctions against Russia (links with China and India) and eventual counter measures

**Session 2**- **Legal and economic impact on commercial institutions (EAEU, EU …) and cooperation agreements (Silk Roads …)**

The upheavals of the recent months could impact the implementation of the provisions of the *Treaty on the Eurasian Economic Union* (EAEU) and the *Regional Comprehensive Economic Partnership* (RCEP) if nations adopted national legislation aimed at restricting trade in food-, gas-, security-, military-, information- and data- commodities. Dispute-settlement mechanisms could also be impacted by the choice to resort to armed actions in regional conflicts and to threats against other countries. Indeed, energy- and climate-change policies already permeate through Western countries looking for new providers of energy : rehabilitation of nuclear power in Europe, reopening of coal power plants. Topics in this session thus include:

- artificial Intelligence and big data : financing and funding scientific progress in IT

- commercial dispute-settlement between partners

- re-centration of policies in the EU’s energy policies (agreement with Nigeria, Norway, or the US for gas delivery, agreement with Azerbaijan, reinstating of a nuclear energy policy, etc.). The new importance of uranium will place Kazakhstan at the core.

- sanctions towards a formal agreement or more flexible ones

- commerce : furthering exchanges through trade agreements

- Building a regional economic integration or competing between nations

- EAEU-hesitation : late reticence of Kazakhstan related to Ukraine-Russia situation

- Silk Road evolutions by China – problems of state defaulting

**Session 3- Legal and political impact on security institutions (SCO, CSTO …): expansion, re-"centration" or deconstruction of great ensembles ?**

The *Collective Security Treaty Organization* (CSTO)’s disposal of troops in Kazakhstan in January 2022 raised the question of CSTO members’ reciprocal influence in each other’s security and influence in the post-Soviet zone. Kazakhstan’s diplomacy is very cautious as regards the situation in Ukraine, Azerbaijan, Armenia, challenging *de facto* the present system of peacekeeping role in the South Caucasus, and clashes resumed between Kyrgyzstan and Tajikistan. Meanwhile, the *Shanghai Cooperation Organisation* (SCO) expands with Iran then Belarus upgraded to member-status, while numerous countries are becoming dialogue partners (3 in 2021, 5 in 2022). *NATO* is also reinforced, with the adhesion (?) of Finland and Sweden and the spontaneous request of Ukraine to join the Alliance. Topics in this session thus include:

- artificial Intelligence and big data : deviant uses in mingling in domestic affairs

- Moscow's influence in the post-Soviet region : Kazakhstan’s diplomacy as recently signalled by the view that China is a key partner.

-Azerbaijan has renewed tensions with Armenia, challenging Russia's peacekeeping role in the South Caucasus.

-Questioning the CSTO : open conflict on the Kyrgyz-Tajik border; most severe fighting of Azerbaijan/Armenia since 2020 (when Armenia invoked the CSTO's Treaty for assuring Armenia's security, Russia’s “fact-finding” mission.

-Finland and Sweden’s fluctuating position vis-à-vis NATO.

-SCO expansion (Iran/Belarus becoming members -Turkey ? -Egypt, Saudi Arabia, Qatar as partners + 5 new partners in 2022)

Can continuations of US sanctions vs China (microprocessors, etc.) and security concerns over Taiwan become a “kinetic war” ?

- East Asian perspectives : Korea, Japan

**Session 4 – Artificial Intelligence and Big data**

AI and big·data are the core technologies of the 4th industrial revolution and have become the protagonist of the future era. Almost all of the nations around the world are implementing a policy to rapidly raise the competitiveness of AI and data fields which are the core of the digital new deal policy in the post-corona era. However, we must seriously consider the dark sides that may cause the marginalized characters. It is because they lead to the damage of data monopoly, invasion of privacy due to leakage of personal information, and risk of falling into the surveillance society due to the control of personal information, although AI·data technologies bring convenience to us. Accordingly, we need to do research to find a harmonization and balance between the utilization of AI and Big data and their adverse effects.

Artificial Intelligence

Big data

4th industrial revolution

Privacy

personal information

surveillance society.

This 2023 edition completes five publications focusing i/ (in **Kazakhstan**) on “Regional law within international law”, published as a book *Le régionalisme et ses limites : regards croisés franco-kazakhs* in Russian in 2014 in Kazakhstan and in French in 2016 in Belgium (183 p.); ii/ (in **France**) on "Societal mutations and legal responses", published as a book *Mutations de société et réponses du droit : perspectives franco-asiatiques comparées* in Russian in Kazakhstan in 2017 and in French in Belgium in 2017 (280 p.); iii/ (in **Korea**) on the *European and Asian origins of legal and political systems: views from Korea, Kazakhstan and France,* published as a book in English in 2018 in Belgium (298 p.); iv/ (in **Kazakhstan**) on the *Challenge of change in the legal and political systems of Eurasia and the New Silk Road,* published as a book in English in 2020 in Belgium (312 p.); and v/ (in **France**) on the *Eurasian challenges to international economic law*, published as a book in English in 2022 in Belgium (337 p).

These books published by Peter Lang (series *Cultures Juridiques et Politiques*) discuss how national and regional legal systems and their responses to the challenge of change must be studied both in their slow, institutional **evolutions** as well as in their necessarily hurried **adaptations**, in times of crises. These systems revert to a need to legislate *en temps réel* while having to anticipate on further challenges still unknown. The latter point to sheer violence such as terrorism, to unpredictable health hazards such as pandemics, to political regime-change such as newly elected radical leaderships, to the use of open military conflict with a high probability of the demise of carefully-constructed multilateral organisations.

**Keywords 2023: artificial intelligence and big data, legal and economic impact of open tensions, Western sanctions on Russia, Counter-sanctions, Economic impact of sanctions and counter-sanctions, Energy crises, Food-crises, Sino-Russian economic relations within sanctions and counter-sanctions, US-China trade war, Covid monetary policies, questioning CSTO, enlarging SCO, challenging EAEU, destabilising EU…**

Proposed papers to be submitted as abstracts (200 words) to the organisers not later than 15th December 2022: pierrechabal@yahoo.fr, hhseong@inha.ac.kr, titiriga.rem@gmail.com, zhuldyz.sairam@gmail.com. Accepted papers will be notified to authors by 15th January 2023. Final papers are expected **no later than 15th April** 2023 in Word file **within 25 000 signs** spaces included, with footnotes, not end-notes, references in footnotes not in end-bibliography. Participants are expected to pay for their own travel from home to InHa university and back. Local organisers cover three nights on 10th, 11th and 12th of May 2023 as well as meals from dinner on the 10th to breakfast on the 12th. A selection of the best papers will be published in the Peter Lang series *Cultures juridiques et politiques*.

**23 participants from 6 countries, representing 8 universities or institutions**

**Korea (7)**

1. A study on the transformation from linear to circular economy: a legal aspect

Young-Geun CHAE, Inha University

4. A study on the residual rights of movie directors

Sung-Kee HONG, Inha University

4. Is it possible to impose a tax on artificial-intelligence robots ?

Young-Soon KIM, Inha University

4. Artificial-Intelligence-generated works and Korean Intellectual Property laws

Soo-Mee LEE, Inha University

4. The development of robo-advisor and a desirable regulatory framework

Hye-Hwal SEONG, Inha University

2. The sanctions related to Russia's military actions in Ukraine and the global perspective

Remus TITIRIGA, Inha University

4. A study on the Net Neutrality regarding to the big data companies

Hyun-Jin KIM, Inha University

**China (0)**

*Title to be indicated to the organisers*

Bin CHEN, Nankai University

**Kazakhstan (8)**

1. The crisis of modern international law and its mechanisms for ensuring international security

Sagyngaliy Aidarbayev, Al-Farabi Kazakh National University

3. International security issues of Central Asia today: comparative legal analyses of the activities of the SCO, the CICA and the CSTO

Gulmira Mashimbaeva, Al-Farabi Kazakh National University

3. Legal aspects of the problems of security of the Caspian region in the light of the Black Sea tensions

Askhat Darkenbayev, Al-Farabi Kazakh National University

1. Risks & opportunities for Kazakhstan's foreign policy in the context of modern geopolitical changes

Kuralay Baizakova, Fatima Kukeyeva, Al-Farabi Kazakh National University

2. Cooperation between Kazakhstan and the EU in the context of today’s trade situation

Zhuldyz Sairambaeva, Al-Farabi Kazakh National University

2. Trade dispute regulation: the WTO and the EAEU in times of crises

Zulfiya Baimagambetova, Al-Farabi Kazakh National University

 2. Prospects of the ‘Greater Turkestan’ idea in the wake of the EAEU’s weakening

Yesbol Omirzhanov, Al-Farabi Kazakh National University

3.Transformation of the SCO in the new conditions of a multipolar world : prospects for enlargements and positioning changes

Leila Delovarova, Al-Farabi Kazakh National University

**Russia (1)**

2. Legal dimension of the global tax reform

Ilya LIFSHITS, Russian Foreign Trade Academy

**Spain (1)**

2. The Singapore Convention on Mediation and the settlement of international commercial disputes in Eurasia

Guillermo Palao Moreno, University of València

**France (6 or 5)**

3.Are institutions still called to last or to become transient constructs ?

Pierre CHABAL, Université Le Havre

1. Growth and decline (recession): for a balanced global governance ?

Philippe GAST, Université Le Havre

1. Insurance in the face of disruption-related dynamics in Ukraine

Amandine CAYOL, Université de Caen

3. The OSCE and co-operative security put to the test by the crisis in Ukraine

Philippe LAGRANGE, Université de Poitiers

*Title to be indicated to the organisers*

Pierre-Charles Pupion, IPAG de Poitiers

1. The origins of the ‘Third Rome’ in the 15th-18th century

Elise Frêlon, Université de Poitiers

**Canada/Belarus (new = 1)**

**4.** China's regulation of algorithms and its implications for regional and international trade

Louis Philippe Gratton, Québec Bar & *Data protection y consultant*, Minsk

**Romania (new = 0))**

*Title to be indicated to the organisers*

Nadia Anitei, University of Galati

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**ABSTRACTS**

**Remus TITIRIGA**

2. The regime of Western sanctions against Russia regarding the operation in Ukraine

**Abstract**: -The sanctions such as they were instituted since 2014, even if focusing on economic and extra-economic sanctions imposed after February 2022. The paper will focus on the US sanctions but will include those of the US allies (European and extra European). It will examine their legal regime, conditions, outcome (including their eventual blowback), and significance for future Global and Eurasian Geopolitics.

**Louis-Philippe GRATTON**

**2.** China's regulation of algorithms and its implications for regional and international trade

**Résumé:** Algorithms, artificial intelligence, and machine learning can contribute to recommending products on online platforms, sorting information on social media, filtering out search results, or generating content. If regulated at the national level, they may further local interests and businesses to the detriment of foreign ones, especially in times of conflict and instability. The new Chinese legislation on algorithmic recommendation may potentially pursue that goal and affect the trade relationships that Eurasian nations entertain. It may infringe on China’s commercial international obligations and curb the free exchange of goods, services, and ideas. As one of the first laws regulating this sphere, it may also influence the adoption of similar legislation around the world and shape their provisions, paving the way to latent disputes. This paper explores the compatibility of these measures with commercial treaties and whether they fall under consumer protection or personal information protection exceptions.

**Young-Geun CHAE**

A Study on the Transformation from Linear to Circular Economy : A Legal Aspect

As a fundamental solution to environmental problems including climate change, the transition to a circular economy is being discussed around the world. The linear economy model, which takes resources, manufactures products, and discards them, has led to excessive consumption of resources and energy. The circular economy is to shift to an economic structure that minimizes the use of resources and energy by increasing the circulation of resources.  The transition to a circular economy goes beyond environmental policy, because the content is about fundamental changes in the economy. In order to build a circular economy, the transition to the digital economy must be accompanied. The digital economy is the worldwide network of economic activities, commercial transactions and professional interactions that are enabled by information and communications technologies (ICT). It can be succinctly summed up as the economy based on digital technologies. A new business model using the 4th industrial revolution technology can maximize the efficiency of resource use and lead to economic development and decoupling of resource use.

**Sung-Kee HONG**

A Study on the Residual Rights of movie directors

Hyun-Jin KIM

Title to be announced

Young Soon KIM

Is it possible to impose a tax on artificial intelligence robots?

The corona pandemic has been prolonged, and the polarization of income has intensified. In addition, the concept of ‘basic income’ is proclaimed because there is a possibility that mass unemployment will occur with the development of artificial intelligence robot technology in the future. A robot tax is being considered as a way to solve this problem. In order to introduce a robot tax, there are many issues that need to be resolved in advance. The purpose of this research is to study the international trend of robot tax and related problems.

Soo-Mee LEE

Artificial Intelligence Generated Works and Korean Intellectual Property  Laws:  Korean Intellectual Property Law Reforms Needed to Accommodate the Growth of Artificial Intelligence Generated Works

Advancements in artificial intelligence (AI), big data, and semiconductors have resulted in software systems that are automating the creation of new works. As the traditional patent and copyright laws were never designed to work with AIs that create and manufacture, the laws struggle with the growth in the number and the scale of AI created works.  In this paper, we will probe into the problems of inventorship, authorship and requirements of the traditional patent and copyright laws when dealing with AI-generated works.  And then we will propose the reforms to accommodate these changes.

Hye Hwal SEONG

The development of Robo-advisor and a desirable regulatory framework

Robo-advisor is one of the prominent developments of in the securities market by the technology of artificial intelligence. This paper introduces the present situation of Korean robo-advisor in the stock market, analyses the pros and cons of the non-human advisory service and suggests a desirable regulatory framework for the AI-driven investment advisory.

Ilya Lifshits,

Legal dimension of the global tax reform

professor of the Russian Foreign Trade Academy

doctor of legal sciences

Global tax reform has been elaborated since 2021 under the auspice of the OECD. It is about to bring radical changes to the century based approach to the taxation of Multinational Enterprises. First pillar of this reform is the taxation of the revenues irrespective the physical presence of the international company in the marketing jurisdiction. Such presence has a special legal term ‘permanent establishment’ in Double Taxation Treaties, and until now permanent establishment has created the essential condition of business profits taxation in the host country. However the current plan is to tax earnings of the international company if it sells goods and services in certain jurisdiction even if such company does not have permanent establishment there. The second pillar is implementation of the global minimum corporate tax of 15%. These changes suppose that home jurisdiction of the Multinational Enterprise will have the right to impose top-up tax if the effective tax rate for the global profits of such enterprise is less than minimum corporate rate. The states in the special OECD group - BEPS Inclusive Framework - plan to implement these revolutionary changes in a new Multilateral Convention in 2023.

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