

REPORT TO BOARD OF MANAGEMENT

July 2015 - June 2016

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**REPORT TO THE BOARD OF MANAGEMENT OF
THE CENTRE FOR COMPARATIVE AND PUBLIC LAW
JULY 2015- JUNE 2016**

Members of the CCPL Board of Management 2015-2016
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Puja Kapai

Director, Centre for Comparative and Public Law
Associate Professor, Faculty of Law
University of Hong Kong

Farzana Aslam

Associate Director, Centre for Comparative and Public Law
Principal Lecturer, Faculty of Law
University of Hong Kong

John Burns

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University of Hong Kong

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Executive Council of the Hong Kong SAR Government
Chairperson, Hong Kong Competition Law Commission

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Faculty of Law
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Constitutional Law Center,
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University of Hong Kong

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Professor of Law
University of North Carolina

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Emeritus Professor
University of Hong Kong

Carole Petersen

Professor and Director, Spark M. Matsunaga
Institute for Peace and Conflict Resolution
School of Law, University of Hawaii

Hurst Hannum

Professor of International Law
The Fletcher School
Tufts University

Personnel

Core Staff



Associate Professor **Puja Kapai** has been Director of CCPL since July 2013. In June 2015, her term was renewed until 30 June 2017. Her research expertise lies in international human rights law and political theory and her writing spans a broad range of subjects including equality and non-discrimination, minority rights, identity politics, domestic violence, and comparative law and legal transplants. She is also the Convenor of the Women's Studies Research Centre as of January 2016.



Principal Lecturer **Ms. Farzana Aslam** is Associate Director. She is co-editor of *Employment Law and Practice in Hong Kong* and her research interests include employment law, corporate social responsibility and human rights in business.



Dr Sherif A. Elgebeily is the Assistant Research Officer at CCPL. He is also part-time Lecturer, and Course Convenor of the Clinical Legal Education programme (Refugee Stream). He is the author of *A Framework for the Rule of Law at the UN Security Council: Turning the Focus Inwards*, and writes frequently for media outlets.



Joyce Fung is the Executive Secretary for CCPL. She manages the registration and publicity for CCPL conferences and seminars and many other administrative matters.

Goals of the Centre for Comparative and Public Law

The Centre for Comparative and Public Law (CCPL) was established in 1995 as a virtual centre within the Faculty of Law. Its goals are (1) to advance knowledge on public law and human rights issues primarily from the perspective of international and comparative law and practice; (2) to encourage and facilitate collaborative work within the Faculty, the University, and the broader Hong Kong community in the fields of comparative and public law; and (3) to make the law more accessible to the community and more effective as an agent of social change. Throughout the year, the CCPL has aimed to align its activities with The University of Hong Kong's [HKU's strategic vision](#). The University's move to position itself as [Asia's Global University](#) has as its foundation the [3+1 I's](#) – Internationalisation, Innovation, Interdisciplinarity converging on Impact. This framework is embedded in each of CCPL's core objectives. and depicted through its various activities.

The CCPL has been engaged in mentoring students to develop their expertise and interests through interactive work experiences with CCPL that expand their legal education through exposure in various types of research and community engagement, including public interest and capacity building through social justice and public interest work. The Centre has tried to leverage technological advances to reach a broader audience using multimedia, including its continued development of the Disability Rights Resource Network and Human Rights Portal and its recently launched Hong Kong's Hidden Stories YouTube channel depicting narratives of Hong Kong's ethnic minorities, and the Student Scholarship Blog showcasing student scholarship and excellence.

Report Overview

This report covers the period from 1 July 2015 to 30 June 2016. The CCPL organised a number of significant events during this period, including: fifteen major conferences, panel discussions, symposiums and workshops, and fifty-one seminars, dialogues, and screenings. The CCPL housed funding granted by external and internal funding bodies and schemes including Public Policy Research funding from the Central Policy Unit, General Research Fund and the Early Careers Research Scheme funded by the Research Grants Council as well as HKU's Knowledge Exchange Funding for Knowledge Exchange Research and Knowledge Exchange Impact Awards, and outside funding from various institutions including government, law firms, NGOs and civil society organisations. CCPL's research activities and engagement have led to various outputs, including research publications, infographics, submissions to government bodies and international treaty bodies and other multimedia. These are detailed in the Appendices to this Report.

In addition to holding academic events and activities, the CCPL also engaged in an unprecedented range and number of major knowledge exchange projects, working closely with the Office of the Vice-Chancellor on one of its events and having the pleasure of hosting the Vice-Chancellor at 3 of its events under the aegis of the Vice Chancellor's designation as Impact Champion for United Nations Women's HeforShe Initiative. Some of the knowledge exchange projects that the CCPL engaged in over the reporting period include,

- the launch of the Student Scholarship Blog;
- a Human Rights Film Festival organised in conjunction with *Minor Acts for the Greater Good* and the HKU LL.M in Human Rights,
- a capacity-building workshop for ethnic minority rights advocates entitled '*Leadership, Advocacy, and Civic Participation for Ethnic Minorities: A Workshop for Community Advocates*';
- a joint workshop led by internationally-renowned speaker and filmmaker Dr Jackson Katz, hosted in coordination with the University of Hong Kong's Women's Studies Research Centre and The Women's Foundation on engendering a culture of prevention of violence and sexual assault on campus;
- a film screening of *She Objects*;
- the launch of *Hong Kong's Hidden Stories: I am Hong Kong Too*, a CCPL project dedicated to building a collective narrative of Hong Kong's ethnic minorities;
- *Sports For All*, the first community-initiated inclusive sports day in HK, an advocacy and capacity-building event for children with special educational needs attended by Chief Secretary Carrie Lam and Legislative Councillor Dr Fernando Cheung;
- a joint conference with Hong Kong Unison entitled '*Receptivity and Responsibility: Are Mainstream Schools Prepared for Hong Kong's Ethnic Minority Students?*', aimed at dialogue around inclusive and equitable education for ethnic minority children;

- co-hosting of *The Magna Carta and the Rule of Law in Hong Kong* conference alongside the Law Faculties of the Chinese University of Hong Kong and City University;
- a joint workshop with the University of Hong Kong's Women's Studies Research Centre entitled, "*Twenty Years After the Beijing Platform: the Hong Kong Journey and the Road Ahead*", which engaged frontline advocates gender equality.

Further details on these projects can be found in the Knowledge Exchange section below.

New and Existing Initiatives Introduced July 2015 - June 2016:

In the past year, CCPL has built upon existing initiatives aimed at enhancing engagement with the community with a view to further bridging the gap between research and accessibility and adaptability of technical legal knowledge for social change.

Part of the




In conjunction with the Women's Studies Research Centre and under the *HeForShe* Initiative, CCPL has been involved in promoting a new strand of research under the *Gender Plus Series*, under which CCPL hosted a series of events, altering what is added to the *Gender* root to promote conversation around the intersection between gender and other dimensions, discipline or issue-focused. For example, *Gender Plus Violence* was the theme of the CCPL's conference in June 2016 on enhancing equal access to justice through protective measures for victims of sexual violence; both April 2016 presentations of Justice Allyson Duncan (4th Circuit United States Court of Appeal), co-hosted under the *Judicial Studies Programme*, were themed *Gender Plus Law* given the focus of her lectures, which discussed the role of women in the legal profession. Further details on these events and the series can be found in the Events section.

Social Media and Public Engagement

With the continuation of its YouTube Channel, the Centre uploads all conferences, seminars and rights talks online. The site enables us to broaden our audience beyond the University, and to build our profile as a venue for constructive dialogue, as well as the progression and collaboration on developing changes in international comparative and public law. The channel allows the Centre to widen its reach, provide accessible records of discussions on specialised issues and themes and expand its scope to the international viewership. Enhancements have also been made to the individual event reports pages on our website, with visitors now being able to view and download PowerPoint slides, papers, and other materials relevant to the talks.


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3,978 views
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CCPL

CENTRE FOR COMPARATIVE AND PUBLIC LAW
AT THE FACULTY OF LAW, THE UNIVERSITY OF HONG KONG


Centre for Comparative and Public Law




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1:01:18

Hochelaga Lecture 2016: Harmonization and...
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University Governance, Academic Freedom & the need for...
21 views • 2 months ago




1:06:47

Hochelaga Lecture: Freedom of Expression for Those Who Wis...
50 views • 2 months ago




1:14:29

Ms. L.A. Robis: Enforcing Political Accountability for...
11 views • 2 months ago



53:28


(Panel 1, Part 2) 20 Years After the Beijing Platform: the Hong...
28 views • 3 months ago



52:03


(Panel 1, Part 1) 20 Years After the Beijing Platform: the Hong...
46 views • 3 months ago

Created playlists
Public




9 VIDEOS

20 Years After the Beijing Platform: the Hong Kong Journ...




3 VIDEOS

Dialogue Series on the Future Hong Kong's Constitution



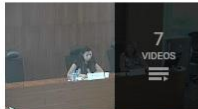
11 VIDEOS

Receptivity and Responsibility: Are Mainstream Schools...




2 VIDEOS

A United Nations Convention on the Rights of Older Persons (18...



7 VIDEOS

'Mind the Culture Gap' - (24th October 2015) (by speakers)



















































































































































































5 VIDEOS

CCPL Political Reform Series Seminar (26th, 28th May 2015)

Knowledge Exchange

The Centre has also continued its own Newsletter and Human Rights Bulletin publications to better inform the public of its events both past and future. Our Newsletter features information, links to material and photographs from recent events and conferences, as well as a feature profile of a prominent local or visiting scholar in the field whose work and expertise may be of interest. The Newsletter also provides updates on the research initiatives housed within the Centre, including grants, recent publications of CCPL Fellows and appearances of CCPL Fellows in the media. The Human Rights Bulletin presents human rights case law and jurisprudence from Hong Kong, foreign jurisdiction courts, as well as cases of note from international tribunals and courts.

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Student Participation: Student Rapporteurs

The Centre has also continued direct participation by students in our events by creating roles for volunteers as Student Rapporteurs. The function of Rapporteurs is to capture and summarise key discussion points from events, which are later made available online to visitors to the CCPL website. The Centre has plans to consolidate these into a collected work in the coming academic year.

Over 50 Student Rapporteur summaries available
online at
<http://www.law.hku.hk/ccpl/index.html>

Other recent initiatives include the continuation of the *Young Scholars Seminar Series*, part of the Judicial Studies Programme housed in CCPL. The *Young Scholars Seminar Series* organizes occasional informal lunchtime talks by young legal scholars on their areas of interest and research, and is led by Professor of Practice Mr. Anselmo Reyes.

Fellows

Fellows are full-time academic members of HKU, with demonstrated expertise in the fields of comparative and/or public law who take an active interest in the work and activities of CCPL and whose work is aligned with the broader goals of the Centre. Fellows undertake research and partake in the activities of CCPL. For a complete list of Fellows, see **Appendix 2**.

Visiting Fellows

Visiting Fellows are external academics or scholars (including those pursuing research postgraduate degrees) who are non-teachers of The University of Hong Kong and visit CCPL to conduct research, present research at events or participate in other significant ways for a fixed period of time of less than one year.



Benoit Mayer is Associate Professor in the Faculty of Law of Wuhan University, where he is affiliated with both the International Law Institute and the Environmental Law Institute. He graduated from Sciences Po Lyon, McGill University and the National University of Singapore. His recent research has focused on the concept of “climate migration” in global governance, on the articulation of the climate regime with central concepts in international law (e.g. responsibility and reparations, sovereignty, human rights) and on more specific issues within international and domestic climate change law. Benoit Mayer is also affiliated with the Centre for International Sustainable Development Law, the Oppenheimer Chair in Public International Law (McGill), and the Asia-Pacific Centre for

Environmental Law (NUS). He was Visiting Fellow from 16th January – 16th February, 2016.



Stephanie Persson won the Edwin Parker Prize for excellence in international law as well as the Human Rights Institute Commendation for Leadership and Commitment in Human Rights. She was a Harlan Fiske Stone Scholar from 2013 until 2015, where she received an award for high academic achievement. In addition, she is a member of the Civil Rights Society and Co-Chair of Rightslink. Her research at Hong Kong University has the following focus: “I am interested in researching the evolution of Chinese laws relating to children. I would like to compare China’s current laws to international norms and standards, discuss the extent to which China is meeting its obligations under the CRC, and track the influence of foreign legal systems on some of the recent reforms (for example the British inspired “appropriate adult” system in juvenile interrogations). I would also like to compare and contrast the current child welfare and juvenile delinquency systems in mainland China and Hong Kong. Finally, I would like to research and discuss the drivers behind the current reform movements – focusing on changes in political will, as well as the use of “pilot programs” and the various roles that local actors have played in pushing for reforms.” She was Visiting Fellow from 8th February – 29th July 2016.



Maximilian Kressner is working on a PhD in Public Health Law at the Max-Planck-Institute for Social Law and Social Policy in conjunction with the Ludwig-Maximilians-Universität (LMU) in Munich, Germany. He holds a master’s level degree in law (First State Examination) from the Humboldt University in Berlin, Germany, as well as a Magister Juris (MJur) from the University of Oxford, where he specialised in Comparative Public Law and Medical Law and Ethics. His research interest is in the area of public health promotion and disease prevention, with particular focus on the constitutional restraints on public health interventions and the protection of individual liberty and personal autonomy, and the right to health in international law. He is also tutor for public and private law at the LMU Munich. He was Visiting Fellow from 7th – 24th March, 2016.



Paul Backer has 20+ years of professional experience as an attorney and C level company officer; served as the General Counsel of an energy company with over a dozen international subsidiaries; led over \$1.25 billion in Eurobond and other domestic and international securities and financial transactions; and is a member of the New York State Bar with Dual LL.M. degrees from Georgetown University Law Center in International Law and in Securities Regulation. He has a career long interest in the impact of international regulation on company operations and how companies can effectively respond, having begun his legal career with a U.S. Government position focused on the nexus of international finance and investment and regulatory and sanctions regimes. He was Visiting Fellow from July 15th – August 30th 2015

CCPL Research Team

(Young Researchers, Senior Research Assistants, and Research Assistants)

Astina Au Sze Ting

Bonnie Tong Yuet Wan

Byron Chiu

Cheng Yulin

Che Singh Kochhar-George

Dora Cheung

Jane Horan

Jonathan Lai

Joshua Chan

Edward Wong Kai Yeung

Kelly Shum Ka-ching

Kevin Lau Cheuk Kei

Kathleen Lau KaYiu

Brian Fan

Melissa Loja

Yu Qiufan

Ni Zhen

Sophie Amy Mayatt-Simmons

Victor Lui

Yuen Mei Sharon

For more information on the projects they were involved with, see **Appendix 3**.

Public Conferences, Roundtables and Panel Discussions

Most CCPL events are open to the general public and free of charge, although participants who wish to obtain continuing professional development credit must pay a small fee to cover the additional administrative cost. Participants at CCPL events come from the international legal community, HKU, other local and overseas universities, the government, NGOs, and include practitioners and other interested members of the community.

Over the course of the reporting period, the CCPL held fifteen such events.

She Objects: A Film Screening and Discussion

23rd June 2016

Supported by the Education Bureau, a number of leading NGOs, media, academic institutions and businesses, the screening served to mobilise the community to challenge gender stereotypes and to call for greater sensitivity and responsibility towards media portrayal of women. Approximately 200 guests at the community screening took a pledge to “safeguard the positive portrayal of women and celebrate diversity in the media.” Members of the public were invited to support the campaign on social media with #SHEOBJECTS. A 10-minute documentary short is available at the She Objects website (www.sheobjects.org). The Women’s Foundation is also working with a team led by Professor Stephen Chiu at the Institute of Asia-Pacific Studies of the Chinese University of Hong

Kong to develop training materials drawing on the film to promote media literacy and critical thinking among university and secondary students in Hong Kong.

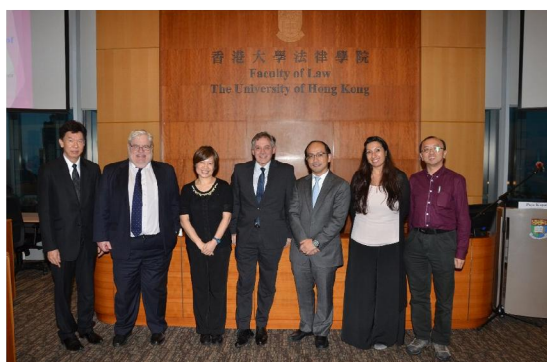


Moderator: *Ms. Rita Ching*, Deputy CEO, The Women's Foundation

<i>Professor Stephen Chiu</i> Co-Director, Hong Kong Institute of Asia-Pacific Studies, The Chinese University of Hong Kong	<i>Mr. George Chen</i> Head of Public Policy, Hong Kong & Taiwan, Facebook
<i>Dr. Catherine K.K. Chan</i> Deputy Secretary for Education, (Curriculum & Quality Assurance Branch)	<i>Ms. Kylie Lui</i> Student, The University of Hong Kong
<i>Mr. James Mok</i> Director, Hong Kong Federation of Youth Groups Media 21	

The Right to a Fair Trial: Safeguarding Equality of Access to Justice for Victims of Sexual Assault through Enhancing Protective Measures to Address Common Barriers in Court

7th June 2016



Organised in conjunction with the Association Concerning Sexual Violence Against Women (ACSVAW), this panel discussion hosted over 70 participants including the Rt. Hon. Dr. Fernando Cheung, Legislative Councillor for the HKSAR. The panel fit into ongoing discussions exploring

the need for and projected benefits of additional protective measures for witnesses, including the decision by the HK Judiciary to issue amended Practice Directions 9.3 and 9.4 in November 2015, which were seen as first steps towards ensuring the right to a fair trial for all parties.

The panellists reached a consensus on implementing protective measures for victims of sexual violence in courtroom in order to shield them from second trauma in the Judiciary; proposals raised in the seminar included the provision of a screen and special passage to victims, separating them from the public seats, and their recognition as victims of sexual crimes under a special category of victims who may be permitted to give evidence via video link under s. 79B of the Criminal Procedure Ordinance (Cap. 221).

Mr. Wesley Wong SC, Solicitor General of Hong Kong remarked that the discussion was mature, and emphasized that the Department of Justice would maximize all chances to steer through reform. Following the seminar, on the 27th June 2016, the Panel on Administration of Justice and Legal Services met to discuss the issue of protective measures for victims of sexual violence in court, highlighting both the significance and the potential of the discussions of the evening.

Moderator: *Professor Simon Young*, Professor of Law, Faculty of Law, University of Hong Kong

<i>Mr. Stephen Hung</i> President, The Law Society of Hong Kong	<i>The Honourable Mr. Justice Kevin Zervos</i> Judge of the High Court, The High Court
<i>Ms. Linda Wong</i> Director, Rainlily	<i>Mr. Andrew Bruce SC</i> Chairman, Criminal Justice Committee, Bar Association
<i>Mr. Eric TM Cheung</i> Principal Lecturer, Faculty of Law, University of Hong Kong	Puja Kapai, Associate Professor of Law, CCPL Director, Faculty of Law, Convenor, Women's Studies Research Centre, University of Hong Kong

The CCPL Human Rights Documentary Film Festival

21st – 23rd March 2016

Organised in conjunction with *Minor Acts for the Greater Good* and the HKU LL.M in Human Rights, the Human Rights Documentary Film Festival 2016 screened both international and local documentaries exploring a number of important and sometimes under-discussed human rights issues. Themes of the films shown over the three-day festival included race and disability discrimination against Albinos in East Africa (*In the Shadow of the Sun*), the tension between urban development and the right to livelihood of farmers in Hong Kong (*Open Road After Harvest*), as well as labour rights and environmental issues behind the fashion industry (*The True Cost*). Through screenings and panel discussions, guest speakers and participants together reflected on the issues raised in the films, their implications and possible actions.

Day 1



IN THE SHADOW OF THE SUN

Harry Freeland, Filmmaker and Director of 'In the Shadow of the Sun'

Kelley Loper, Associate Professor and Director, LL.M in Human Rights Programme, Faculty of Law, HKU

Day 2



OPEN ROAD AFTER HARVEST

Chan Ho Lun Freddie, Filmmaker and Director of 'Open Road After Harvest'

Wong Yu Wing, Farmer and Character in the film

Day 3



THE TRUE COST

Farzana Aslam, Principal Lecturer and Associate Director, CCPL, Faculty of Law, HKU

William Nee, China Researcher, Amnesty International

Forum on Services for Ethnic Minority Victims of Domestic and Sexual Violence: An Exchange Among Practitioners

14th December 2015

The forum followed on from the Legislative Council Subcommittee meeting on Domestic Violence and Sexual Violence impacting ethnic minorities, which was held on 6th October 2015. This meeting highlighted the limitations and gaps in the existing protection and service frameworks in providing effective assistance and seeing to the safety needs of this group of victims, and identified the various challenges and implications these pose for future resource and policy development.





Forum participants:

<i>Mr. Raymond Ho Wing Keung</i> Equal Opportunities Commission	<i>Ms. Linda To</i> Chief Executive, HER Fund
<i>Mr. Niru Vishwanath</i> Equal Opportunities Commission	<i>Ms. Judy Kan</i> Program Officer, HER Fund
<i>Ms. Cynthia Abdon Telliez</i> Mission for Migrant Workers	<i>Ms. Prasanti</i> Hong Kong Women Workers' Association
<i>Ms. Holly Allan</i> Helpers for Domestic Helpers	<i>Mr. Adam Severson</i> Justice Centre
<i>Ms. Pandora Liu Pui-shan</i> CEASE Crisis Centre	<i>Mr. Jonathan</i> Lady MacLehose
<i>Ms. Yuki Ng</i> CEASE Crises Centre	<i>Ms. Phyllis Cheung</i> Hong Kong Unision
<i>Ms. Linda Wong</i> Chief Executive of Association Concerning Sexual Violence Concerning Women / RainLily	<i>Ms. Eleanor Lam</i>

Receptivity and Responsibility: Are Mainstream Schools Prepared for Hong Kong's Ethnic Minority Students?

11th December 2015

This conference provided a platform that promoted a constructive and open dialogue between different stakeholders to discuss (a) the legal obligation to provide an inclusive and equitable education to ethnic minority children; (b) creating an inclusive learning environment that supports ethnic diversity in the mainstream setting; and (c) the effective use of the Learning Framework (and other measures). The conference therefore served to strengthen communication, collaboration and coordination amongst the key actors and open new channels for sharing information between the stakeholders.



Conference speakers:

<i>Hon. Ip Kin Yuen</i> Legislative Councilor	<i>Dr. Chan Kui Pui</i> Principal, Delia Memorial School (Glee Path)
<i>Mr. Cheung Chik Wing</i> Curriculum Director, Non-Chinese Speaking Students Chinese Learning Centre	<i>Dr. Liz Jackson</i> Assistant Professor, Faculty of Education, The University of Hong Kong
<i>CCPL Director Puja Kapai</i> Associate Professor and CCPL Director, Faculty of Law, The University of Hong Kong	<i>Professor Kerry Kennedy</i> Director, Centre for Governance and Citizenship, Hong Kong Institute of Education
<i>Mr. Lo Pui Lam</i> Chief Curriculum Development Officer (Chinese Language Education), Education Bureau	<i>Dr. Mark Shum</i> Deputy Director, CACLER, Faculty of Education, The University of Hong Kong
<i>Mr. Club Thapa</i> Former student	<i>Mr. Muhammad Zahid Ali</i> Former student
<i>Ms. Mateo Kaye Cyril Balcita</i> Former student	

Financial Crime, Risk and the Rule of Law

23rd November 2015



This one-day conference focused on the nexus between financial crime and the rule of law, covering such topics as money-laundering, proceeds of crime, corruption, and market misconduct. Among the topics covered were Corruption and Market Misconduct, Money Laundering and Proceeds of Crime, and the Rule of Law and Judicial Independence. The keynote speech, delivered by the Honourable Justice Fok of the Court of Final Appeal of Hong Kong and chaired by Mr Justice Frank Stock, Non-permanent Judge of the Court of Final Appeal of Hong Kong was entitled, “Development of Law in Hong Kong on Anti-Corruption/Money Laundering”

Conference speakers:

<i>The Honourable Mr. Justice Joseph Fok</i> , Permanent Judge of the Hong Kong Court of Final Appeal	<i>The Right Honourable Lady Justice Hallett DBE</i> , Deputy President of the Criminal Division of the England & Wales Court of Appeal
<i>Ms. Anna Donovan</i> Lecturer in Corporate Responsibility, Faculty of Laws, University College of London	<i>Professor David Ormerod QC</i> Law Commissioner for Criminal Law and Evidence, Law Commission of England & Wales
<i>Professor Simon Young</i> Associate Dean (Research) Faculty of Law, The University of Hong Kong	<i>Mr Stefan Gannon</i> General Counsel, Hong Kong Monetary Authority
<i>Mr. Keith Yeung SC</i> Director of Public Prosecutions	<i>Mr. Michael Blanchflower SC</i> Parkside Chambers
<i>Mr. Albert Ho</i> Assistant Commissioner, Hong Kong Customs and Excise	<i>The Honourable Mr. Justice Kevin Zervos</i> Judge of the Court of First Instance, High Court of Hong Kong; formerly Director of Public Prosecutions
<i>Professor Kai Xiao</i> Director of the Financial Crimes Division, Shanghai People's Procuratorate	<i>Mr. Michael Jackson</i> Associate Professor, Faculty of Law, The University of Hong Kong
<i>Ms. Melissa Tang</i> Chief Forensic Accountant, Independent Commission Against Corruption	<i>Ms. Alexa Lam</i> Professor of Legal Practice, Faculty of Law, The University of Hong Kong

Judicial Review of Elections in Asia

3rd July 2015

Challenges to the legality of elections and the electoral processes are central issues that Courts in Asia face; at this conference, eminent scholars considered the role of the judiciary in



engaging with these important public law questions. Divided into common and civil law jurisdictions, speakers focused on Hong Kong, India, Singapore, Malaysia, Indonesia, Japan, South Korea, Taiwan, and Thailand as the questions surrounding judicial review in each of the countries were presented and discussed.

Conference speakers:

<i>Professor Simon Young</i> Professor of Law, Faculty of Law, the University of Hong Kong	<i>Dr. Po Jen Yap</i> Associate Professor, Faculty of Law, The University of Hong Kong
<i>Dr. Surya Deva</i> Associate Professor, School of Law, City University of Hong Kong	<i>Mr. Kelvin Y. L. Tan</i> Adjunct Professor, National University of Singapore
<i>Mr. Moeen Cheema</i> Lecturer, Australian National University	<i>Kareem Crayton</i> Associate Professor, University of North Carolina
<i>Dr. Stefanus Hendrianto</i> Visiting Lecturer in Law, Santa Clara University	<i>Professor Shigenori Matsui</i> Professor, University of British Columbia
<i>Professor Woo-young Rhee</i> Professor, Seoul National University	<i>Dr. Yi-Li Lee</i> Post-Doctoral Fellow, National Taiwan University
<i>Mr. Khemthong Tonsakulrungruang</i> Lecturer, Chulalongkorn University	<i>Professor Daniel Tokaji</i> Professor, Ohio State University

The Magna Carta and the Rule of Law in Hong Kong

31st October 2015

The three Hong Kong law schools presented a joint conference on Saturday, 31 October 2015 to commemorate the 800th anniversary of Magna Carta. The conference, entitled "Magna Carta and the Rule of Law in Hong Kong", was held at the Graduate Law Centre of the Chinese University of Hong Kong. The CCPL's ARO Dr Sherif A. Elgebeily represented the University of Hong Kong with his paper '*Magna Carta as Legal Scripture: The Role of Reformist Concepts in Hong Kong*'. Other speakers from all over the common law world presented on the historical importance of Magna Carta and its importance in Hong Kong today. The conference explored both the historical legacies of the Magna Carta in the common law tradition as well as its continued relevance in rule of law debates in Hong Kong. Closing marks were delivered by Justice Kemal Bokhary.

Conference speakers:

<i>Mr Philip Dykes</i> Senior Counsel	<i>Professor David Seipp</i> Professor of Law, Boston University
<i>Professor Christopher F Forsyth</i> Sir David Williams Professor of Public Law, Faculty of Law, University of Cambridge	<i>Professor Catharine MacMillan</i> Professor of Law, University of Reading
<i>Dr. Surya Deva</i>	<i>Dr. Jojo Mo</i>

Associate Professor, School of Law, City University of Hong Kong	Assistant Professor, School of Law, City University of Hong Kong
<i>Dr. Sherif A. Elgebeily</i> Assistant Research Officer, CCPL, University of Hong Kong	<i>Dr. Stuart Hargreaves</i> Assistant Professor, Faculty of Law, Chinese University of Hong Kong
<i>Dr. Eric Ip</i> Assistant Professor, Faculty of Law, Chinese University of Hong Kong	

Employer's Duty of Care for Employees Working Overseas

24th May 2016



With Hong Kong's position as a major commercial hub in the Asia Pacific region and with the increasing impact of globalisation, Hong Kong-based companies are faced with an ever-increasing requirement to send their employees abroad on business-related activities. These employees may be exposed to a number of risks that fall outside of the scope of risks contemplated by health and safety management systems application to workplaces in Hong Kong.

The first part of this event consisted of a talk on the extraterritorial nature and extent of a Hong Kong-based employer's duty of care for the health and safety of its employees by reference to legal duties imposed upon an employer by Statute and common law, and broader obligations arising from principles of corporate social responsibility. In the second part, senior managers responsible for the health and safety of their organisations' employees joined a panel discussion, sharing experiences and recommendations about safeguarding the health and safety of their global workforce.

<i>Ms. Farzana Aslam</i> Principal Lecturer, The University of Hong Kong	<i>Mr David Ralph</i> PCCW Limited	<i>Mr Peter Messervy</i> CLP Holdings Ltd
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'Mind The Culture Gap': Understanding and Appreciating the Role of Culture in Developing Effective Strategies to Respond to Domestic Violence

24th October 2015

This seminar, hosted by the Centre for Comparative and Public Law at the University of Hong Kong, was the sixth and final event in the Economic and Social Research Council Seminar Series, and would focus on cross-cultural strategies and approaches to understanding and addressing Intimate Partner Violence. The effectiveness of the frameworks and institutional capacities for protection against domestic violence were predominantly dependent on individual user capacities

and their internal cultural response systems, which either drove or discouraged certain courses of action. Findings from multiple studies now confirmed that women of colour, immigrant women, and those categorised in other minority status groups such as persons with disabilities tended to be most vulnerable to becoming entrenched in situations of violence. The conference brought together experts to examine approaches to cultural mapping in the context of developing effective responses to intimate partner violence to assist victims and perpetrators by locating knowledge and strategies in the lived realities of ethnically and culturally diverse victims and perpetrators of violence.



Conference speakers:

<p><i>Professor Elizabeth Gilchrist</i> Professor of Forensic Psychology, School of Health and Life Sciences, Glasgow Caledonian University</p>	<p><i>CCPL Director Puja Kapai</i> Associate Professor and CCPL Director, Faculty of Law, The University of Hong Kong</p>
<p><i>Dr. Edward Chan Ko-Ling</i> Associate Professor, Department of Social Work and Social Administration, University of Hong Kong</p>	<p><i>Dr. Polly Radcliffe</i> Post-doctoral Research Worker, National Addiction Centre, Institute of Psychiatry, Psychology & Neuroscience (IoPPN), King's College London</p>
<p><i>Dr. Anna Choi Wai Man</i> Assistant Professor, Department of Social Work, University of Hong Kong</p>	

Workshops

Engendering a Culture of Prevention on Campuses: the Bystander Intervention Model

1st March 2016



As part of HKU's *HeForShe* initiative and to mark International Women's Day, the CCPL, Women's Research Studies Centre, and The Women Foundation were proud to welcome Dr Jackson Katz to run a workshop on his work of building a culture of prevention of harassment and violence on university campuses.

Following opening remarks by CCPL Director Puja Kapai, TWF CEO Su-Mei Thompson, and Professor Peter Mathieson, clips from the film *The Hunting Ground* were shown leading to Dr Katz's discussion of violence as a problem on US campuses. An interactive session saw Dr Katz draw on the campus programs he runs in the US, sharing examples and experiences from the US and challenging the audience to confront sexist abuse and explore what it takes to become an 'empowered bystander': someone who witnesses potentially harmful behaviour and takes action that has the potential to lead to a positive outcome. Dr Katz concluded the discussions with a presentation on prospects for a Bystander Intervention Model for the University of Hong Kong before an Audience Pledge was undertaken within the framework of a Vision for Change.

Puja Kapai, <i>Director, CCPL & Co-Convenor, WSRC, HKU</i>	Su-Mei Thompson, <i>CEO, The Women's Foundation</i>
Professor Peter Mathieson <i>Vice Chancellor and Chair, Equal Opportunities Commission, HKU</i>	Dr. Jackson Katz <i>Educator, author, filmmaker</i>
Wendy Lin <i>Equal Opportunity Officer, Equal Opportunity Unit, HKU</i>	

Leadership, Advocacy, and Civic Participation for Ethnic Minorities: A Workshop for Community Advocates

2-3rd June

This two-day workshop, held on 2nd and 3rd of June 2016, gathered advocates and defenders of ethnic minority rights to build capacity in local communities for raising awareness of the challenges facing minority groups in Hong Kong in areas such as education, language, racial discrimination, health care, poverty, and domestic violence. The workshop built on the research and findings of *The Status of Ethnic Minorities in Hong Kong 1997-2014*, the first report of its kind published in Hong Kong in 2015, which documented these challenges and the alarming statistical trends pertaining to ethnic minorities in Hong Kong.

The workshop additionally aimed at empowering Hong Kong's ethnic minority community advocates through training in leadership, advocacy, and civic participation. The workshop activities – which included a variety of plenary sessions, presentations, and small group discussion – were designed specifically to help engage participants in a collective trust-building exercise to facilitate brainstorming, power mapping and political strategies and prioritization for the advancement of the rights of ethnic minorities in Hong Kong. The workshop covered a range of topics, including comparative examples of work on minority civic participation and advocacy from different jurisdictions and applied analysis the context of live issues in Hong Kong, as well as capacity building through tactical advocacy mapping, coalition building, and persuasive communication.



<p><i>Puja Kapai</i> Associate Professor and Director, Centre for Comparative and Public Law, Faculty of Law</p>	<p><i>Professor Jane Junn</i> Professor of Political Science, University of Southern California Dornsife</p>
<p><i>Dr. Corinne Lennox</i> Senior Lecturer in Human Rights; Associate Director of the Human Rights Consortium; Institute of Commonwealth Studies, School of Advanced Studies, University of London</p>	

CCPL-WSRC Spring Workshop:

Twenty Years After the Beijing Platform: The Hong Kong Journey and the Road Ahead

16th April 2016



This half-day workshop, held on 16th April 2016 aimed to present reflections of activist voices of those engaged in advocating gender equality at the frontlines with a view to mapping out the journey so far and the future direction of advocacy in this field. Beginning with opening remarks by CCPL Director Puja Kapai, the day continued with remarks by panellists, who reflected on the Hong Kong journey since the Beijing Platform.

The second half of the event consisted of a screening of *Makers*, a documentary about the struggles to advance women's rights in the USA, followed by a discussion moderated by Professor Gina Marchetti, Professor of Comparative Literature, Faculty of Arts at the University of Hong Kong, and Dr Staci Ford, Honorary Associate Professor, Department of History, Faculty of Arts at The University of Hong Kong. Most importantly, this year's annual Spring Workshop – as every year – gathered a community of women's advocates and academics at The University of Hong Kong, receiving a full house.



Moderator: *Puja Kapai*, Associate Professor, Director, CCPL, Convenor, WSRC, University of Hong Kong

<i>The Honourable Emily Lau</i> HKSAR Legislative Councillor	<i>The Honourable Anna Wu</i> HKSAR non-official member of the Executive Council
<i>Ms. Linda Wong</i> Executive Director, Association Concerning Sexual Violence Against Women	<i>Professor Carole Petersen</i> Professor & Director of the Spark M. Matsunaga Institute for Peace and Conflict Resolution, University of Hawaii at Manoa
<i>Dr. Staci Ford</i> Honorary Associate Professor, Department of History, The University of Hong Kong	<i>Dr. Gina Marchetti</i> Associate Professor, Department of Comparative Literature, School of Humanities, Faculty of Arts, The University of Hong Kong

Hong Kong Equality Forums

Rights of Sexual Minorities in Hong Kong: The Road Ahead

28th July 2015

In the first of two moderated discussions on legal inequalities and issues faced by sexual minorities in Hong Kong and the role of public interest litigation, speakers were invited to discuss ongoing efforts and strategies for aligning future efforts to promote effective legal redress. Audience members – composed of community activists, academic colleagues working on transgender issues and representatives of relevant professional networks and advocacy groups – will then be invited to participate in a moderated open discussion on how we can offer assistance, share knowledge and strategies going forward to realise the goals of mapping out parallel processes and courses of action.

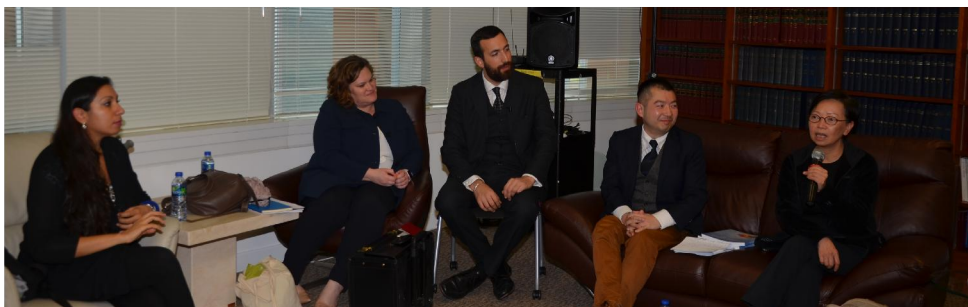


Puja Kapai
Director, CCPL

Azan Marwah
Barrister, Gilt Chambers

Recent Developments in LGBT Equality Law

8th March 2016



The Honourable Cyd Ho,
HKSAR Legislative Councillor

Azan Marwah
Barrister, Gilt Chambers

Darcy Davidson-Roberts
Solicitor, Tanner De Witt Solicitors

Dr Yiu-Tung Suen
Assistant Professor Department of Sociology, CUHK

This second moderated discussion focused on the recently released *Study on Legislation against Discrimination on the Grounds of Sexual Orientation, Gender Identity and Intersex Status* report issued by the Equal Opportunities Commission and relevant legislation, with the aim of developing

a public discussion on the key issues. Speakers were invited to share their thought on what steps could be taken to encourage the Hong Kong Government to draft the recommended bill, and what was likely to happen in LegCo if and when a draft bill was produced by the Government. Speakers and audience members were both invited to share their thoughts on the areas of protection concerning the rights of sexual minorities in Hong Kong that need urgent development, as well as the role of public interest litigation and ongoing efforts in securing effective change.

Seminars and other Academic Events

Seminars and panel discussions offer the opportunity for leading academics and practitioners to share their recent research on a wide range of themes and topics with the University of Hong Kong's faculty and students, as well as the wider Hong Kong community. Audience members Similar to CCPL conferences, workshops and roundtables, these CCPL events are generally open to the public and free of charge. During the course of the reporting year the CCPL hosted fifty-one Seminars, Panel Discussions, Workshops and other Academic Events. A variety of these were under the auspices of a range of initiatives organised and led by the CCPL or Faculty of Law colleagues.

JUDICIAL STUDIES PROGRAMME

The JSP organises capacity-building workshops, seminars and other forums where judges can discuss problems facing Judiciaries today – especially in the Asia Pacific – and exchange views on how those problems might best be resolved in a cost-effective and timely manner and in the interests of justice. Over the reporting period, the CCPL hosted nine JSP-themed events, exclusive of its *Young Scholars Seminar Series*, hosting eminent leaders of judiciaries around the world, including Chief Justice McLachlin of the Supreme Court of Canada, Associate Justice Scalia of the Supreme Court of the United States of America, and Diana Bryant, Chief Justice of the Family Court of Australia.



Gender Inclusivity on the Bench: Implications for the Rule of Law

28th April 2016

The Honorable Judge Allyson K. Duncan

Judge for the United States Court of Appeals for the Fourth Circuit

The Heart of Legal Education Today: Experiential Learning and the U.S. Journey28th April 2016*The Honorable Judge Allyson K. Duncan*

Judge for the United States Court of Appeals for the Fourth Circuit

**The Art of Being a Judge**23rd March 2016*The Honourable Madam Justice Constance Hunt*

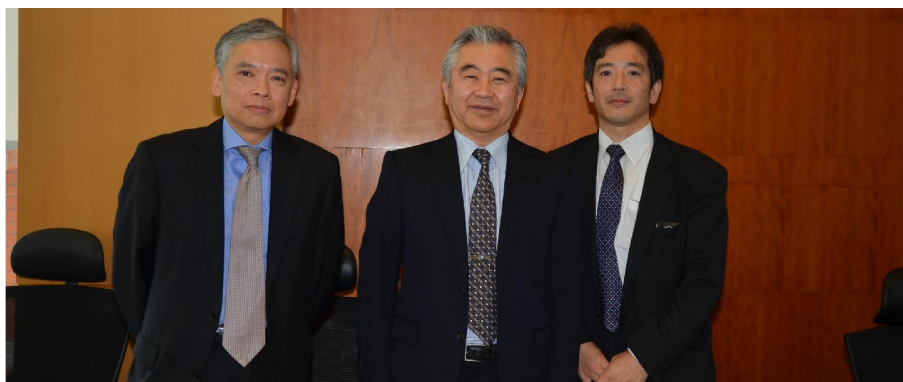
Retired Judge of the Courts of Appeal of Alberta, Nunavut and the Northwest Territories, Canada

Equality and the Law: A Canadian Journey14th March 2016*The Right Honourable Chief Justice of Canada Beverley McLachlin, P.C.*

Chief Justice of Canada

**The 2015 Japanese Security Legislation and Its Implications**8th March 2016*Mr. Masotoshi Takeuchi*

Adjunct Lecturer, Chuo University (Tokyo)

The Use of Principled Negotiation in the Settlement of Disputes1st March 2016**What is Principled Negotiation?***Professor Yoshiaki Nomura*

Osaka School of International Public Policy

Techniques for Better Negotiation: Findings from the Japan Negotiation Competition*Professor Tetsuo Morishita*

Sophia University

Reading Law: Justice Antonin Scalia and Professor Bryan A Garner discuss their co-authored book, *Reading Law: The Interpretation of Legal Texts*2nd February 2016

The Honourable Antonin Scalia
Associate Justice, Supreme Court of the
United States

Professor Bryan A. Garner
Distinguished Research Professor of Law,
SMU Dedman School of Law

**Money Laundering and its Combat: Art, Football and Churches**29th September 2016*Judge Fausto Martin De Sanctis*

Federal Appellate Judge, Brazilian Federal Court

THE HOCHELAGA LECTURES

The Hochelaga Lectures commemorate the life and interests of the anonymous donor's father. Previous Hochelaga Lecturers have included Chief Justice Beverley McLachlin PC CStJ; Professor Gareth Jones QC; Professor Andrew Burrows QC; Professor Lawrence Lessig; Professor Martha Nussbaum; Professor K. Anthony Appiah; Professor Raul Pangalangan; Professor Madhavi Sunder; Professor Mindy Chen-Wishart; Professor Bruno Zeller; and the Hon. Mr. Justice Peter Roth of the English High Court.

The Hochelaga Lectures 2015 comprised of a series of three lectures on *The Judiciary's Role in Safeguarding the Well-Being of the Child*. As part of this series, Justice Victoria Bennett spoke about parental responsibility disputes in the Australian Family Court; Judge Huang Yong-Wei spoke about Legislation and Adjudication of Juvenile crimes in Mainland China; and Chief Justice Diana Bryant AO of the Family Court of Australia discussed the challenges of safeguarding the welfare of the child across international borders. The latter two of these three lectures were held during the reporting period, and were jointly presented under the JSP. All three lectures have been

collated for publication and are co-edited by CCPL Director Pujja Kapai and ARO, Dr Sherif A. Elgebeily.

Lord Pannick commenced the 2016 Hochelaga Lectures with his public lecture on the freedom of expression in the face of extremist and dissident speech.

Hochelaga Lecture Series 2016

Freedom of Expression for those Who Wish to Destroy Freedoms for Others

12th April, 2016

Lord David Pannick QC

Barrister-at-law, Fellow of All Souls College, Honorary Fellow of Hertford College, University of Oxford



In a July 2015 speech, the British Prime Minister David Cameron suggested that there was a clear trend for individuals to move from non-violent to violent extremism, arguing also that it was consequently important for Governments to confront non-violent extremism and foster a greater sense of national identity. In this connection, the UK Government proposed the introduction of legislation to impose restrictions on the espousal of extremist views. In his Hochelaga Lecture, Lord Pannick examined how democratic societies should respond to non-violent extremism, and explored the difficulties that arise in balancing the right to freedom of expression against the imperatives of national security.

Hochelaga Lecture Series 2015

The Judiciary's Role in Safeguarding the Well-being of the Child

12th November 2015

The Honourable Diana Bryant AO

Chief Justice of the Family Court of Australia

In this lecture, Chief Justice Bryant contemplated the rise and development of international family law over the past 40 years, looking specifically at The Hague Conventions on child abduction, child protection, adoption and child support, from inception to the present day. CJ Bryant also broached the issue of international relocation against the backdrop of the unprecedented levels of cross-border migration the globalised world is currently experiencing. The lecture considered the history of key jurisprudential developments in international family law, with a particular focus upon the

decline in the influence of common law jurisdictions in this context and the rise of the European Union.



The question of cross-border commercial surrogacy, one of the biggest challenges facing the international family law community at this time, was also discussed during the lecture, as was intersection of international family law and international refugee law within the current climate of the global refugee crisis.

The Legislative and Adjudication of Juvenile Crimes in Mainland China

30th October 2015

Judge Huang Yong-wei,

President of National Judges' College of PRC



In this lecture, Judge Huang reviewed the evolution of the law and courts relating to juvenile offenders in Mainland China over the past 30 years, anticipating its necessary developments in the near future. Charting China's course from a time when no specialized juvenile provisions existed to the proliferation today of various rights protection

mechanisms, Judge Huang explored how both duplicating other countries' modes of juvenile trial and inventing its own to reflect the cultural uniqueness of Chinese policy has enabled China to develop a series of effective principles and rules related to juvenile law, which has in turn influenced other areas of criminal law. However, he also demonstrated that, despite these advances, there remain gaps in the law, including the lack of a comprehensive system dealing with expunged criminal records, concerns surrounding the principle of non-recidivism for minors, and the lack of a comprehensive composite juvenile court system.

CCPL DIALOGUE SERIES ON HONG KONG'S CONSTITUTIONAL FUTURE

In January 2016, CCPL launched a three-part dialogue series on *Hong Kong's Constitutional Future*.

A Dialogue on the Future of Hong Kong's Democracy

12th January 2016

The first event symbolised three generations of protagonists devoted to the pursuit of democracy in Hong Kong, and over the course of the event the panellists explored the challenges that each have faced and how they saw the development of democracy in Hong Kong against the backdrop of recent events.



<i>Benny Y. T. Tai</i> Associate Professor, Faculty of Law, University of Hong Kong	<i>Martin C. M. Lee</i> Barrister-at-Law Democratic Party Founding Chairman (1994 – 2002) Legislative Councillor (1985-2008)	<i>Joshua Wong</i> Founder of Scholarism & Demosisto
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A Dialogue on the Future of Hong Kong's Rule of Law

26th February 2016

The second dialogue focused on the future of the rule of law in Hong Kong. Panellists debated the concept of the rule of law in Hong Kong, remarking that there appears to be a lack of education on the fundamentals of the rule of law in contrast to other aspects of the law. Comparing the system in Hong Kong to foreign jurisdictions where a more robust system of rule of law can be observed, the three panellists debated how to enhance the rule of law in Hong Kong with particular mention of the 'Fishball revolution' that had taken place only days before the event.



<i>Professor Johannes Chan</i> Professor, Faculty of Law, University of Hong Kong	<i>Benny Y. T. Tai</i> Associate Professor, Faculty of Law, University of Hong Kong	<i>Kevin K. F. Yam</i> Solicitor, Convenor, Progressive Lawyers Group
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A Dialogue on the Future of One Country Two Systems

14th April 2016

The third and final event in the series took place on 14th April and was entitled “*A Dialogue on the Future of ‘One Country, Two Systems’*”. Professor Albert Chen, Cheng Chan Lan Yue Professor in Constitutional Law, and Mr Brian Fong, Associate Director of the Academy of Hong Kong Studies, joined Dr Benny Tai to explore how a better balance might be struck on ‘One Country, Two Systems’ in light of tensions manifesting with respect to the implementation of the principle in Hong Kong in the past 18 years.



<i>Albert H. Y. Chen</i> Professor, Faculty of Law, University of Hong Kong Member of the Committee of the Basic Law	<i>Benny Y. T. Tai</i> Associate Professor, Faculty of Law, University of Hong Kong	<i>Brian C. H. Fong</i> Associate Director, The Academy of Hong Kong Studies, The Hong Kong Institute of Education
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CCPL POLITICAL REFORM SERIES

21st March 2016 **The Promise of a 'Negative Voting' System for Hong Kong elections**
Mr. Sam Chang
President, Negative Vote Association



18th February 2016 **A Transition Foretold: Why a regime change in China could happen before 2030**
Professor Minxin Pei
Professor of Government, Claremont McKenna College

EVENTS CO-HOSTED WITH WOMEN'S STUDIES RESEARCH CENTRE

30th May 2016

A Dialogue on A Theory of Discrimination



Dr Tarunabh Khaitan

Associate Professor and Hackney
Fellow in Law at Wadham College,
The University of Oxford

Dr Cora Chan

Associate Professor, Faculty of Law,
The University of Hong Kong

18th May 2016

Transparency, the sine qua non of institutional accountability

Dr. Peter Jordan

Assistant Professor (Drama and Literature), City University of Hong Kong

19th April 2016

University Governance, Academic Freedom, and the Need for Negotiated Reforms

Professor Carole Petersen

William S. Richardson School of
Law, Director of the Matsunaga
Institute for Peace and Conflict
Resolution, University of Hawaii

Professor Joseph Chan

Department of Politics and Public
Administration, University of Hong
Kong

18th April 2016

**Gender Equality in Higher Education:
An Elusive Goal?**

Professor Carole Petersen

William S. Richardson School of Law,
Director of the Mastunage Institute for
Peace and Conflict Resolution,
University of Hawaii



15th January 2016



**Do we need a new United Nations treaty on
violence against women?**

Professor Andrew Byrnes

Australian Human Rights Centre, University of
New South Wales

YOUNG SCHOLARS SEMINAR SERIES

The *Young Scholars Seminar Series* provide a platform for young scholars to promote their research and engage with topics relating to the work of judges and legal practitioners. The first lectures under the Series were delivered in March 2015 and the initiative has included 4 speakers over this reporting period.

Enforcing Political Accountability for Decisional Independence on Appointed Judges

23th May 2016

Leah Angela Robis

Ph.D. researcher, Faculty of Law,
The University of Hong Kong



Status Quo Post Bellum and the Legal Resolution of the Territorial Dispute between China and Japan over the Diaoyu/Senkaku Islands

8th April 2016

Melissa Loja

PhD (Law) student, The University of Hong Kong



Access to Justice in Small States: Reflections on Japan's Official Development Assistance (ODA) for Legal Empowerment

9th March 2016

Mana Takehashi

PhD Candidate, Graduate School of Law,
Nagoya University



Indirect Grounds of Jurisdiction: A Comparison between Hong Kong and Japanese Law

29th October 2015

Nobumichi Teramura

PhD Candidate, Faculty of Law, University of New
South Wales



CCPL VISITING FELLOW SEMINARS

CCPL Visiting Fellows presented on a variety of themes during their time at CCPL, reflecting the broad range of expertise that the centre both attracts and nurtures as part of its activities.

**Public Health Promotion as a Challenge to Personal Autonomy**

22nd March 2016

Mr. Maximilian Kressner

PhD Candidate, Max Planck Institute for Social Law and Social Policy, Munich, Germany

**Climate change and the principle of state sovereignty: from international law to managerial governance**

4th February 2016

Dr Benoit Mayer

Associate Professor, Institute of International Law and Institute of Environmental Law, Wuhan University

**Lessons from Gay and Lesbian Activism in Asia: The Importance of Context, Pivotal Incidents and Connection to a Larger Vision**

10th December 2015

Dr. Ben Capell

Chair, Future of Work, ESADE Business School

**Understanding and Effective Responses to Explosive Growth of US Extraterritorial Enforcement**

25th September

Mr. Paul Backer

Visiting Fellow, CCPL

Member of the New York State Bar

CCPL SEMINARS

2016

8th June

The UK Referendum on EU Membership: Legal and Political Perspectives

Ms. Christine Lee

Founder and Chairman of Christine Lee & Co
Solicitors



5th May

Briefing to the Legal Community on Justice Centre Report on Forced Labour and Human Trafficking



Victoria Wisniewski Otero
Advocacy and Campaigns Manager,
Justice Centre Hong Kong

Jade Anderson
Justice Centre Hong Kong

4th May

A Critique of Ancient Indigenous Human Remains in International Law

Dr. Fiona Batt

Former Acting Dean, Faculty of Law, University of the Gambia

26th April

African Constitutions: State, Society and Economy



Professor Yash Ghai
Professor Emeritus, Faculty of Law,
The University of Hong Kong

Ms. Jill Cottrell
Former Senior Lecturer, Faculty of
Law, The University of Hong Kong

29th March

Multiple Doctrines of Legitimate Expectations

Dr. Rebecca Williams

Associate Professor of Law, University of Oxford



17th March



The Politicization of Human Rights

Professor Angel Oquendo

George J. and Helen M. England Law Professor,
University of Connecticut

3rd March

Outward Signs and Inward Graces: Women and Popular Belief in the Age of Empire

Dr Sarah Williams

Research Professor in History of Christianity, Regent College

26th February

The Global Regulatory Challenge to Foreign Funding of NGOs: Asphyxia or Opportunity?

Professor Edwin Rekosh

Lecturer in Law, Columbia University; Founder, PILnet

24th February

Journey of a Pro Bono Lawyer

Ms. Fiona McLeay

CEO, Justice Connect

3rd February

Appointment ad personam, confidentiality and secret operation of statutory bodies – the Antiquities Advisory Board as example?

Mr. William Meacham

Contract Archaeologist

2015

8th December



Constitutional Archetypes

Professor David Law

Professor of Law & Professor of Political
Science, School of Law, Washington University

18th November

A United Nations Convention on the Rights of older Persons: Do We Really Need One and What Could it Achieve?

Professor Andrew Byrnes

Professor of Law, Australian Human Rights Centre, Faculty of Law, University of New South Wales, Australia



9th November

The Right to Vote and Restrictions on Eligibility: A Critical Assessment of the Jurisprudence of the ECtHR

Dr. Ruvi Ziegler

Lecturer in Law, School of Law, University of Reading

6th November

Previewing the Legal Issues in the Paris Climate Change Conference

Professor Daniel Bodansky

Foundation Professor,
Sandra Day O'Connor College of Law,
Arizona State University



2nd November



"Yoking Pantagruel": Imposing a Rule of Law Framework for the UN Security Council

Dr. Sherif A. Elgebeily

Assistant Research Officer, CCPL
Part-time lecturer, University of Hong Kong

27th October

The Recent Reform of the Application for Judicial Review in England: Lessons for Hong Kong?

Professor Christopher Forsyth

Sir David Williams Professor of Public Law,
Faculty of Law, University of Cambridge



26th October

How much consensus is enough? Same-sex marriage in the European Court of Human Rights and the Supreme Court of the United States

Professor Robert Wintemute

Professor of Human Rights Law, King's College London

14th October



What the Rejection of Anwar Ibrahim's Petition for Pardon Tells Us About Malaysia's Royal Pardons System

Dr. Daniel Pascoe, Associate Professor, School of Law, City University of Hong Kong

3rd October

Understanding the Experiences and Help-seeking Behaviours of Ethnic Minority and Immigrant Victims of Domestic Violence

Puja Kapai

Associate Professor and CCPL Director, Faculty of Law, The University of Hong Kong



Clinical Legal Education Programme (Refugee Law Stream)

Since 2010, the CCPL has been offering its credit-bearing clinical legal education scheme, in conjunction with the Hong Kong Refugee Advice Centre (now Justice Centre Hong Kong). The HKU-JCHK Clinical Legal Education Programme was offered to undergraduate and post-graduate students in the Faculty of Law in the reporting period. The course allows students the opportunity to learn both the theory and practice of domestic and international refugee law under the direct supervision of the JCHK Senior Legal Advisor. Each cohort of students attended a two-day intensive training weekend, observed and performed client registration and intake interviews, wrote client testimonies, undertook country of origin research and submitted legal briefs.

The initiative provides unique opportunities for law students to gain practical legal skills by experiencing the law in action outside the classroom. The students' work has also had significant impact. Since the introduction of the Unified Screening Mechanism in Hong Kong, the clinic has assisted asylum seekers in completing their testimony and claims for presentation to the Department of Immigration.

2015 -2016 Clinic Participants

Summer 2015

Erica Sze Wa LI	Hei Wan Natalie LEUNG	Eunice FUNG
Jasmine WEE	Jamie CHAN	Scarlett LU

September 2015

Sean Shun Ming YAU	Xingfang LI	Gesche HEIDORN
Hui Yan Kimmy CHIU	Kit Ying (Rosana) TSE	Charlotte Ann Teresa SHIEH

January 2016

Ka Wing Karen WONG	Kei Yan Rhoda KWAN	Marine ULDRY
Wai Ting May LEE	Jiachun Joanne ZHU	Henry Hum Wai SU

Summer 2016

Karen CHAU	George CHAN King Nam	Cecilia LUN Sin Sze
Noah CHUNG King Hei	Michael AMERINE	James LEE Ka Chun

Knowledge Exchange with the Community***Hong Kong's Hidden Stories: I am Hong Kong Too***

<https://www.youtube.com/channel/UCXW-w2dCP5nuvcJ8nVgoDrQ>

Hong Kong's Hidden Stories, funded by the US government and run by CCPL Director Puja Kapai, dedicated to building a collective narrative of Hong Kong's ethnic minorities. The project consisted of a collection of video interviews with ethnic minority individuals from a variety of vocations and environments, and aimed to initiate a new form of dialogue by allowing the viewer to experience through the ethnic minority communities' own storytelling their compelling narrative and belonging to Hong Kong as well as to help them better understand them as a group. By listening to first-hand accounts, viewers of the videos are encouraged to debunk common stereotypes and appreciate the realities of these communities, their uniqueness and their diversity.

The videos capture the energy of the generations that preceded them but also, of ethnic minority youth around them in today's Hong Kong. Most importantly, the project brought Hong Kong people of all backgrounds closer together in their understanding of, appreciation for and desire to contribute to Hong Kong by developing a respectful and harmonious society that is premised on respecting and protecting equal rights for all people. The project therefore shares positive and inspirational stories and seeks to promote intercultural understanding in Hong Kong through the medium of first-hand experiential video interviews on a range of themes: speaking Cantonese, discrimination, and self-identity all form part of the thread of the video content.

The launch of the project took place in the evening of 22nd March, coinciding with the International Day Against Racial Discrimination, which fell on 21st March, and raising awareness of Hong Kong's obligations under International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). Following the introductory comments by CCPL Director and Principal Investigator, Puja Kapai, and Deputy Consul-General of the United States to Hong Kong and Macau, Tom Cooney, the audience were shown excerpts of the videos from *Hong Kong Hidden Stories* and a keynote speech was delivered by the Honourable Justice Kemal Bokhary, non-Permanent Justice of the Court of Final Appeal. Justice Bokhary kindly shared both his own experiences of growing up in Hong Kong as an ethnic minority and some anecdotes with the audience in inspiration to young members of the ethnic minority community. Panelist presentations from selected individuals featured in the videos and the subsequent open floor discussion allowed for engagement with the audience on an interactive level.

'Receptivity and Responsibility: Are Mainstream Schools Prepared for Hong Kong's Ethnic Minority Students?'

Presented with simultaneous translation facilities for English to Chinese and vice-versa, this one-day conference on 14th December 2016 provided a platform for the promotion of a constructive and open dialogue between different stakeholders to discuss (a) the legal obligation to provide an inclusive and equitable education to ethnic minority children; (b) creating an inclusive learning environment that supports ethnic diversity in the mainstream setting; and (c) the effective use of the Chinese Language Curriculum Second Language Learning Framework (and other measures). A core aim of the conference was to strengthen communication, collaboration and coordination amongst the key actors and open new channels for sharing information between the stakeholders,

the success of which was reflected in the feedback received and the desire for participants to engage further in projects related to the theme and content of the event.

The content of the conference focused on the teaching of Chinese as a second language in Hong Kong and the effects that this has upon equality and diversity in schools. It examined the social and legal implications of the *de facto* segregation in schools and the lack of a 2nd language policy for non-Chinese learners. Opportunities for engagement by the community were also presented, with a showcase of teaching materials, methods, and support services being offered. The keynote speech – delivered by the Honourable Ip Kin Yuen, Legislative Councillor, Education Functional Constituency – focused on the next steps for non-Chinese students' language learning. The panels also included experiential sharing for former students, teachers, and tertiary educators.

The Virtual Learning and Teaching Centre (VLTC)

<http://www.law.hku.hk/ccpl/research/VirtualLearningCentre.html>

Emerging from the *Receptivity and Responsibility* conference above, supported by the *Stanley Ho Alumni Challenge*, and funded by the *HKU Class of '84 Social Inclusion Fund Social Inclusion Activities Grant*, this project establishes an online discussion platform as a teaching and learning centre for the sharing of international, regional and local best practices on pedagogical approaches to enhancing inclusive education. The platform is open to academic institutions, school principals, administrators and teachers, as well as ethnic minority parents and students, to discuss curriculum and teaching approaches, strategies, policies and even to share curriculum models for effective teaching and learning for EMS. The project runs from January 2016 – July 2017 and in the first phase invited 10 schools to participate, with 30 teachers recruited to upload and share material and feedback, comment on the forum regularly, and participate in monthly meetings to facilitate collaboration. Benefits for those wishing to get involved include opportunities to share material and research, good practice models, ideas about pedagogy, and ideas for a diverse 21st century classroom. The findings will be released in the second half of 2016.

CCPL Spring Workshop: Twenty Years After the Beijing Platform: the Hong Kong Journey and the Road Ahead

This half-day workshop, held on 16th April 2016 aimed to present reflections of activist voices of those engaged in advocating gender equality at the frontlines with a view to mapping out the journey so far and the future direction of advocacy in this field. Beginning with opening remarks by CCPL Director Puja Kapai, the day continued with remarks by panellists, who reflected on the Hong Kong journey since the Beijing Platform. Speakers included The Honourable Anna Wu, HKSAR non-official member of the Executive Council; The Honourable Emily Lau, HKSAR Legislative Councillor; Professor Carole Petersen, Professor & Director of the Spark M. Matsunaga Institute for Peace and Conflict Resolution at the William S. Richardson School of Law, University of Hawaii at Manoa; and Ms. Linda Wong, Executive Director of Association Concerning Sexual Violence Against Women.

The second half of the event consisted of a screening of *Makers*, a documentary about the struggles to advance women's rights in the USA, followed by a discussion moderated by Professor Gina

Marchetti, Professor of Comparative Literature at the University of Hong Kong, and Dr Staci Ford, Honorary Associate Professor of History at The University of Hong Kong.

Most importantly, this year's annual Spring Workshop – as every year – served to gather a community of women's advocates and academics at The University of Hong Kong.

Sports For All 2016

On 7th May 2016, the CCPL was one of the central organisers of *Sports Day for All 2016*, the first community initiated inclusive sports day in Hong Kong for children with special educational needs. Officiated by Chief Secretary of the HKSAR, Ms. Carrie Lam, and Legislative Councillor Dr Fernando Cheung, the event signified the importance of an inclusive sports day for all children and generated knowledge and sharing of suitable adaptations of sports activities for children of varying abilities in a manner that would facilitate everyone's participation and celebration of a healthy lifestyle. Through this important event, the CCPL was able to raise awareness and advocate that "All Children Have the Right to Play."

More than a dozen public, Direct Subsidy Scheme and private international mainstream schools, special schools and sports institutions sent not only their students but also their PE teachers, coaches and volunteers to run a round-robin of sporting activities. The event therefore gave the opportunity for these volunteers to carry out their civic duties in engaging with local communities and further their community spirit.

'Leadership, Advocacy, and Civic Participation for Ethnic Minorities: A Workshop for Community Advocates'

This two-day workshop, held on 2nd and 3rd of June 2016, gathered advocates and defenders of ethnic minority rights to build capacity in local communities for raising awareness of the challenges facing minority groups in Hong Kong in areas such as education, language, racial discrimination, health care, poverty, and domestic violence. The workshop built on the research and findings of *The Status of Ethnic Minorities in Hong Kong 1997-2014*, the first report of its kind published in Hong Kong in 2015, which documented these challenges and the alarming statistical trends pertaining to ethnic minorities in Hong Kong.

The workshop additionally aimed at empowering Hong Kong's ethnic minority community advocates through training in leadership, advocacy, and civic participation. The workshop activities – which included a variety of plenary sessions, presentations, and small group discussion – were designed specifically to help engage participants in a collective trust-building exercise to facilitate brainstorming, power mapping and political strategies and prioritization for the advancement of the rights of ethnic minorities in Hong Kong. The workshop covered a range of topics, including comparative examples of work on minority civic participation and advocacy from different jurisdictions and applied analysis the context of live issues in Hong Kong, as well as capacity building through tactical advocacy mapping, coalition building, and persuasive communication.

She Objects: A Film Screening

<http://sheobjects.org/>

This community screening – held on 23rd June 2016 – brought together 300 leaders and change-makers from the NGO, social service and education sectors, as well as garnering support for the *She Objects* campaign which aims to mobilise traditional and social media, students, teachers, parents and the broader community to pledge to safeguard the positive portrayal of women while rejecting stereotypes and celebrating diversity in the media. The film was directed by rising young talent Nicola Fan, and is the first local documentary of its kind to explore how traditional and new forms of media create and promote gender stereotypes. This event aimed at sparking important conversations within the Hong Kong media industry as well as society at large. The screening was followed by a discussion and Q&A on the role of education in promoting critical thinking on media creation and consumption.

Opening remarks were delivered by President and Vice-Chancellor of the University of Hong Kong, Peter Mathieson, CCPL Director Puja Kapai, and Su-Mei Thompson, CEO of The Women's Foundation. The panel, moderated by Deputy CEO of The Women's Foundation, Rita Ching, included Professor Stephen Chiu, Co-Director of the Hong Kong Institute of Asia-Pacific Studies at The Chinese University of Hong Kong, George Chen, Head of Public Policy for Facebook in Hong Kong & Taiwan, Kylie Lui, Student of the The University of Hong Kong, and James Mok, Director of the Hong Kong Federation of Youth Groups Media 21. Closing remarks were given by Dr Stacilee Ford, Honorary Associate Professor at the University of Hong Kong's Faculty of Arts and Women's Studies Research Centre.

Student Scholarship Blog

www.scholarshipblog.law.hku.hk

The Student Scholarship Blog is an online platform to showcase legal knowledge and develop a searchable index of selected outstanding research papers of HKU students on issues of law, politics, social sciences, medical ethics and other interdisciplinary scholarship. The blog showcases excellence in student scholarship and encourages the dissemination of their knowledge, research and ideas to the wider community through this online publishing platform. It aims to increase the knowledge impact of academic subject matters upon the broader Hong Kong and international communities, with the goal of enabling these communities to keep abreast of cutting edge scholarship on the legal and other current issues. In this way, the substantive knowledge of HKU students can help inform and educate others. The website went live in June 2016, and to date has published 7 papers online.

Launch of The Status of Ethnic Minorities in Hong Kong: 1997 – 2014

This report was commissioned by the Zubin Foundation and authored by CCPL Director, Puja Kapai. The Report was launched on 23 September 2015 at the Foreign Correspondents' Club. The research findings revealed that ethnic minorities in Hong Kong were lagging behind in access to various services, which impacted their quality of living, equal access to opportunities and social mobility. As a result, ethnic minorities tended to be less likely to progress to tertiary education and more likely to drop out of high school, they were represented overwhelmingly in elementary occupations, had lower income levels and were much more likely to be living in poverty. Noting that many of these issues were linked, the report called for the Hong Kong SAR Government to set

up a high-level committee to look at ethnic minorities and consider more ethnic minority representation on government bodies and to develop evidenced policy-making approaches, among various chapter specific recommendations across thematic topics including Equality and Non-Discrimination, Education, Employment, Poverty and Social Welfare, Health and Family and Key Recommendations covering the macro-level approach to managing diverse populations.

The report was also presented to the Chief Secretary Carrie Lam, the Commission on Poverty Special Needs Groups Task Force, Hong Kong Council on Social Services, and at a meeting among various Consul-General representatives from various missions to Hong Kong, hosted by the British Consul-General to Hong Kong and Macau, Ms. Caroline Wilson. The launch of the report was also widely publicized in the South China Morning Post (<http://bit.ly/2bmXCP8>); RTHK (<http://bit.ly/2b1ROcO>); and DBC (<http://bit.ly/2bmkyRE>).

Further details on the content of the report can be found in the *Publications Section* below.

Launch of the ‘Enhancing Legal and Policy Measures to Combat Domestic Violence Against Immigrant and Ethnic Minority Women in Hong Kong SAR’ Report

The findings of this report were officially launched on 3rd October 2015, and formed the basis for a submission to the Legislative Council *Social Welfare Panel’s Subcommittee on Strategy and Measures to Combat Domestic and Sexual Violence* on 2nd October 2015. The report was also presented before the Equal Opportunities Commission and Hong Kong Council of Social Services. The results of the study bear out the importance and indispensability of accounting for factors that impact help-seeking behavior of ethnic minority and immigrant women, including internal factors such as race, culture and religion, language barrier, and external factors such as financial dependence on their partners, immigration status, their perceptions of the legal system and frontline responders to domestic violence, and lack of relevant legal and practical knowledge. The study’s findings further identified perceptions of discrimination and the lack of culturally appropriate strategies and forms of assistance as indicators of the institutional incompetence of frontline responders on multiple levels, which often deters ethnic minority victims from seeking help from existing resources when they face domestic violence.

Further details on the content of the report can be found in the *Publications Section* below.

Human Rights Film Festival

Organised in conjunction with *Minor Acts for the Greater Good* and the HKU LL.M in Human Rights, the Human Rights Documentary Film Festival 2016 screened both international and local documentaries exploring a number of important and sometimes under-discussed human rights issues. Themes of the films shown over the three-day festival included race and disability discrimination against Albinos in East Africa (*In the Shadow of the Sun*), the tension between urban development and the right to livelihood of farmers in Hong Kong (*Open Road After Harvest*), as well as labour rights and environmental issues behind the fashion industry (*The True Cost*). Through screenings and panel discussions, guest speakers and participants together reflected on the issues raised in the films, their implications and possible actions.

Publications**Enhancing Legal and Policy Measures to Combat Domestic Violence Against Immigrant and Ethnic Minority Women in Hong Kong SAR'**

Puja Kapai, The University of Hong Kong

<http://www.law.hku.hk/ccpl/pub/BringingIntersectionalityHome.pdf>

Funded by The University of Hong Kong's Seed Funding Programme for Basic Research, this project critically examined the assumptions underlying existing laws and policies governing protection against domestic violence. Through an intersectional impact assessment and analysis of the responses of 100 participants who took part in the study across Hong Kong, the United Kingdom and Australia, the study examined how culture, race, ethnicity, religion, gender, immigration status, financial dependence and language barriers intersect to undermine the likelihood that the victims would seek help and even when they did seek help, the frontline responders' treatment of and competencies in handling their cases effectively rendered them vulnerable to risks of future violence and resigned to a lifetime with the abuser.

Nine key recommendations emerged from the study, taking a two-pronged approach to developing models which are intersectional in impact assessment and service provision to protect and prevent violence. Under the aegis of enhancing laws, frontline agencies, and service provider capacities, recommendations focused on a rights based approach to service provision; building capacities to enhance cultural sensitivity and awareness, ethics and professionalism for frontline responders, enhance knowledge of laws, rights, protections and services, and build a model to convene multi-disciplinary expertise to inform intersectional assessment of the prospects for serious risk of escalation and develop a safety plan. The second prong centred around enhancing victims' capacities to seek help through empowerment and rights awareness and the law, engendering a cultural shift in the attitudes towards domestic violence; and raising awareness of existing services.

The Status of Ethnic Minorities in Hong Kong: 1997 – 2014

Puja Kapai, The University of Hong Kong and Zubin Foundation

<http://www.law.hku.hk/ccpl/pub/EMreport.html>

Commissioned by The Zubin Foundation and authored by CCPL Director Puja Kapai, this seminal Report is the first comprehensive piece of research on ethnic minorities across all areas of life, from employment and education to crime, policing, poverty and health. Acclaim for the report has come from a variety of sources, including the United Kingdom Foreign and Commonwealth Office's *Six-Monthly report on Hong Kong (1 July to 31 December 2015)*, the Chief Secretary Carrie Lam, and a variety of Consuls-General to Hong Kong and Macau and international diplomatic representatives.

The Report consolidated all existing research pertaining to ethnic minorities in Hong Kong from after the handover until 2014 and compiled, interpreted and analysed the research with a view to developing a broad picture of the situation of ethnic minorities in Hong Kong in key areas of life. The report seeks to understand the background, opportunities for development, enrichment, education and employment and social, health and family life provisions in relation to the ethnic minorities in Hong Kong and to ascertain links between law, policy, service and its impact on ethnic minorities. The Report has been regularly cited in the Legislative Council in deputations and is referenced extensively by NGOs and civil society representatives in meetings with government

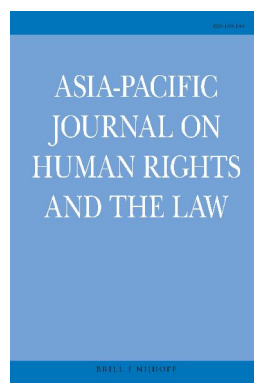
officials, policy makers and at academic conferences on racial equality and ethnic minority issues in Hong Kong.

Children's Rights Education: Hong Kong's Obligations Under the Convention on the Rights of the Child

Puja Kapai, John Bacon-Shone, Annelotte Walsh, Fay Wong The University of Hong Kong
<http://www.law.hku.hk/ccpl/research/UNICEFPolicyBrief.pdf>

As a signatory to the United Nations Convention on the Rights of the Child (UNCRC), Hong Kong's obligation under Article 42 "to make the principles and provisions of the Convention widely known by appropriate and active means, to adults and children alike" should have directly influenced both education policy and training and practice of educators. However, to date, Children's Rights Education (CRE) is seldom incorporated as an element of teacher training, is not a significant part of the school curriculum and is not entirely part of the school ethos across most Hong Kong schools and educational institutions.

In the only comprehensive study of its kind in Hong Kong, a multidisciplinary team of scholars from the University of Hong Kong examined the extent to which the HKSAR Government has met its Article 42 obligations. In particular, the study explored the current state of CRE implementation in Hong Kong schools and compared the pedagogy, policy and practices in Hong Kong against international best practices identified through an extensive literature review and qualitative surveys. Drawing on the findings, the research team proposes recommendations for structural and substantive improvements to Hong Kong's policies in relation to fulfilling its Article 42 obligations pertaining to CRE under the UNCRC.



Asia-Pacific Journal on Human Rights and the Law (Vols. 16 and 17)

<http://booksandjournals.brillonline.com/content/15718158>

The *Asia-Pacific Journal on Human Rights and the Law* is an international law journal published by Brill for more than a decade. In 2013, Professors Simon Young and Kelley Loper took over the editorship of the journal, which is now housed in CCPL. This is the second international law journal (next to the *Hong Kong Law Journal*) managed and published out of the HKU Faculty of Law.

Volume 16 (Issue 1-2)

In 2015, the Asia Pacific Journal on Human Rights and the Law published an issue focusing on the human rights situation in Lao People's Democratic Republic (Lao PDR). This filled a gap in scholarship written in English. Especially three articles address Lao PDR, each centring on another field. Of importance for the wider region is the impact of the intellectual property regime on cultural rights, which is discussed in an article by Johanna Aleria P. Lorenzo. Champathong Phochanthilath takes this issue and looks at it from a gender perspective in a second contribution. In addition, Bounmy Lasamyxay wrote an interesting piece on the right to access a lawyer in Laotian criminal law.

Contents:

- *Rhona K. M. Smith*, 'Introduction'
- *Champhong Phochanthilath*, 'Women's Rights in Intellectual Property and Traditional Knowledge Protection in Lao PDR'
- *Khonsavanh Vongvannasay; Khamphang Vongphachanh and Vilay Langkavong*, 'The Right of Children in Accessing Primary Education: Vientiane Province Case Study'
- *Bounmy Ladsamyxay*, 'The Right to Access a Lawyer in Laotian Criminal Law'
- *Johanna Aleria P. Lorenzo*, 'Investment Promotion as Progressive Realization of Economic and Social Rights'
- *Deepika Udagama*, 'The Politics of Domestic Implementation of International Human Rights Law'
- *Jack Tsen-Ta Lee*, 'Equality and Singapore's First Constitutional Challenges to the Criminalization of Male Homosexual Conduct'

Volume 17 (Issue 1)

The first issue in 2016 focused on another country in the region, namely Viet Nam and various human rights issues therein. While the first two articles by Minh Khoi Do and Van Nghia Hoang address the more overarching topics of rule of law and constitutional rights, Thi Thanh Hai Nguyen delves into the field of business and human rights. Various articles address human rights in the criminal justice system, for example on rights of victims, child witnesses and the suspect's right to silence.

Contents:

- *Rhona K. M. Smith*, 'Introduction'
- *Minh Khoi Do*, 'The Impact of the Rule of Law on Protection of Human Rights in Viet Nam'
- *Van Nghia Hoang Hoang*, 'Enhancing Mechanism for Protection of Constitutional Rights in Viet Nam Today'
- *Thi Thanh Hai Nguyen*, 'Business and Human Rights in Viet Nam'
- *Tien Dung Lam*, 'The Suspect's Right to Silence in Viet Nam'
- *Thi Mai Dinh*, 'The Rights of Victims in Viet Nam'
- *Thi Nga Le*, 'Rights of Child Victims and Child Witnesses in Criminal Justice in Viet Nam'
- *Thi Kim Ngan Nguyen*, 'The Process of Viet Nam's Preparation of the National Report under the United Nations Human Rights Council's Universal Periodic Review'
- *Sharyn Graham Davies and Jazz Robson*, 'Juvenile (In)justice: Children in Conflict with the Law in Indonesia Authors:'
- *Bonny Ling*, 'Human Trafficking and China: Challenges of Domestic Criminalisation and Interpretation'

Publications of CCPL Fellows, Faculty Members and Project Outputs

A number of publications and outputs have resulted from the projects housed in CCPL. **Appendix 1** to this report lists these and other projects of Faculty members in the fields of international, comparative and public law.

LLM in Human Rights
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Master of Laws in Human Rights

Mode of Attendance
Full-time: 1 Year
Part-time: 2 Years



Programme Director
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Email: lawpgs@hku.hk



Tuition Fees
Full-time:
\$42,100 per annum (local students)
\$146,000 per annum (non-local students)
Part-time:
\$21,050 per annum



Application Deadline
29 February 2016
Extended deadline: 31 March 2016



The degree of Master of Laws in Human Rights is offered by the Faculty of Law in response to the increasing interest in and relevance of human rights standards in Asia and elsewhere. The programme focuses on problems and perspectives which are of particular concern to the Asia-Pacific region, while at the same time ensuring that participants engage with universal human rights issues and the perspectives of other regional systems.

CCPL continues to work closely with the Faculty of Law's LLM in Human Rights Programme by partnering on course offerings and activities which can involve students and enhance exposure to human rights in action. Students are encouraged to participate in CCPL events and many regularly attend CCPL conferences and public lectures. Human Rights Talks, which are especially targeted at the human rights students, provide opportunities to discuss current human rights issues and to meet experts and practitioners in the field. The human rights students and alumni are encouraged to deliver a Rights Talk on their research or previous work in the field to foster a sense of community and a strong network among students and alumni to document developments and emerging trends in Asian perspectives on human rights in particular.

Media Presence and Website

Scholars associated with the Centre were widely cited in local and regional media outlets in the 2015-16 period. Samples of these interviews and coverage include:

Newsprint

- Professor Simon Young, 'Upholding rule of law: abuse of defendants no longer 'part of the job'', *South China Morning Post*, 22 September 2015
- Professor Simon Young, 'Lee Bo's case highlights grey areas in Hong Kong's Basic Law on cross-border criminal investigations', *South China Morning Post*, 20 January 2016
- Professor Simon Young, 'Landmark UK ruling is not a 'get out of jail' card for Hong Kong felons', *South China Morning Post*, 12 April 2016
- Professor Simon Young, 'Is cooperation possible between Hong Kong's legislature and executive?', *South China Morning Post*, 6 October 2015

- Professor Simon Young, 'Confusion surrounds police records of criminal convictions', *South China Morning Post*, 15 December 2016
- Professor Richard Cullen, 'Vancouver should look to Hong Kong for lessons in cooling property prices', *South China Morning Post*, 1 June 2016
- Professor Michael Davis, 'The rule of law needs more than lip service to survive in Hong Kong', *South China Morning Post*, 17 March 2016
- Professor Michael Davis, 'Separation of powers is already a fact of life in Hong Kong', *South China Morning Post*, 19 September 2015
- Professor Hualing Fu, '中國新國安法的泛國家安全觀風險 (The Danger of an Overreaching National Security Concept in China's National Security Law)' in *Financial Times (Chinese Edition)*, 20 July 2015
- Professor Albert Chen, '特首非凌駕三權之上——從張曉明講話談起', *Orange News*, 17 September 2015
- Ms. Farzana Aslam, 'Women's quest for equality will remain out of reach until we begin to respect the value of domestic work', *South China Morning Post*, 8 March 2016
- Ms. Farzana Aslam, 'Up to domestic helpers themselves to decide how to spend their day off in Hong Kong', *South China Morning Post*, 21 November 2015
- Ms. Farzana Aslam, 'Three Strikes: A Tipping Point for Hong Kong?', *The Diplomat*, 24 March 2016
- Mr. Haochen Sun, 'Why Hong Kong people are the biggest losers in the Gucci paper handbag row', *South China Morning Post*, 12 May 2016
- Dr. Sherif A. Elgebeily, 'A Legal Analysis of UN Security Council resolution 2249', *Cambridge Journal of International Law Blog*, 27 February 2016
- Dr. Sherif A. Elgebeily, 'Why the UN isn't winning its battle against sexual abuse by peacekeepers', *The Conversation*, 13 January 2016.
- Dr. Sherif A. Elgebeily, '2047 on our minds', *South China Morning Post*, 7 May 2016
- Dr. Sherif A. Elgebeily, 'UN condemnation of North Korea's nuclear test smacks of double standards', *South China Morning Post*, 8 January 2016
- Dr. Sherif A. Elgebeily, 'When apologies for hospital air strikes are not enough', *South China Morning Post*, 30 October 2015
- Dr. Sherif A. Elgebeily, 'Western coalition risks going head to head with Russia in Syrian conflict' *South Chi-na Morning Post*, 8 October 2015
- Dr. Sherif A. Elgebeily, 'To stem the flood of refugees, UN must work harder at ending Wars and conflict' *South China Morning Post*, 15 September 2015
- Dr. Sherif A. Elgebeily, 'A "Royal Rumble" in Syria means yet more chaos for civilians' *South China Morning Post*, 15 October 2015

Radio

- Ms. Kelley Loper, 'Government's reactions to asylum seekers and refugees', RTHK Radio 3, 9 May 2016
- Professor Michael Davis, 'Beijing's reactions on HK Independence', RTHK Radio 3, 12 April 2016

- Professor Simon Young, 'Discussion of Hong Kong's independence do not violate the Basic Law', RTHK, 31 March 2016
- Professor Simon Young, 'UN Convention Against Torture and Asylum Seekers', RTHK Radio 3, 16 March 2016
- CCPL Director Puja Kapai, 'Revamp of anti-discrimination laws should cover more contentious issues', RTHK, 29 March 2016
- CCPL Director Puja Kapai, 'More help needed for ethnic minorities facing domestic violence', RTHK, 7 October 2015
- CCPL Director Puja Kapai, 'Integration of minority students ineffective', RTHK, 11 December 2015

Television

- CCPL Director Puja Kapai, 'The Nepalese', TVB, 28 March 2016

Talks

- CCPL Director Puja Kapai spoke at the Consul General Roundtable on status of Hong Kong's ethnic minorities, 18 January 2016
- CCPL Director Puja Kapai spoke at the International United Nations Conference (HK) on children's rights, 1 July 2015.
- Professor Michael Davis spoke at the International Conference on "Law and Liberty" on constitutionalism in emerging states and the challenges faced by emerging democracies, 18-19 September 2015
- Dr. Po Jen Yap spoke at the Criminal Justice Conference 2015: Criminal Justice and the Singapore Constitution addressing Punishment/Sentencing and the Singapore Constitution, 15 August 2015
- Professor Johannes Chan spoke at the East Asian Law and Society Conference 2015, 'Human Rights, the Rule of Law and Democracy: Recent Experience of Hong Kong and China', 4-6 August 2015

Profiles and interviews

- Dr James Fry was interviewed for 'Former Malaysian official asks Hong Kong police to investigate 1MDB scandal' in South China Morning Post, 3 September 2015
- Dr Sherif A. Elgebeily was interviewed for RTHK's 'The Works' programme on the importance of Magna Carta to the rule of law in Hong Kong.
- Mr. Eric Cheung was interviewed for 'Talk of independence could hasten passage of Article 23 security law, HKU law prof warns' in Hong Kong Free Press, 31 March 2016
- Mr. Haochen Sun was interviewed for 'Rest in Peace ... Just Not in Gucci Loafers' in International New York Times, 4 May 2016
- Mr. Michael Jackson was interviewed for '"Dramatic" ruling by UK Supreme Court could see hundreds of Hong Kong cases quashed, say experts' in South China Morning Post, 24 February 2016
- Ms. Amanda Whitfort was interviewed for 'Animal Law in China with Amanda Whitfort' in Knowing Animals, 6 June 2016

- Ms. Amanda Whitfort was interviewed for ‘Changes in laws, and attitudes, are needed to curb animal cruelty in Hong Kong, says NGOs’ in Hong Kong Free Press, 26 December 2015
- Ms. Amanda Whitfort was interviewed for ‘Hong Kong's cruel ‘puppy mills’: breeding dogs like factory must end, calls activists’ in South China Morning Post, 19 July 2015
- Ms. Amanda Whitfort was interviewed for ‘Smugglers' paradise: A look at the city's incense trees nearing extinction’ in TimeOut Hong Kong, 16 January 2016
- Ms. Farzana Aslam was interviewed for ‘Employees working overseas must be properly cared for’ in China Daily, 31 May 2016
- Ms. Kelley Loper was interviewed for ‘HK needs to rethink policy on asylum seekers’ in Hong Kong Economic Journal, 12 May 2016
- Ms. Kelley Loper was interviewed for ‘Why domestic workers should be allowed to live out’ in Hong Kong Economic Journal, 12 May 2016
- Ms. Kelley Loper was interviewed for No consensus shows LGBT prejudice, says academic’ in RTHK, 11 January 2016
- CCPL Director Puja Kapai and Dr. Marco Wan were interviewed for ‘Ladies' nights: a woman's right to cheap drinks or reflection of deep-rooted discrimination and commodification of women’ in South China Morning Post, 24 April 2016
- CCPL Director Puja Kapai and Ms. Kelley Loper were interviewed for ‘Rights groups alarmed by Hong Kong chief executive's remarks on pulling out of UN torture treaty’ in South China Morning Post, 15 January 2016
- CCPL Director Puja Kapai was featured for ‘Hong Kong minorities 'marginalised' in school’ in BBC, 7 October 2015
- CCPL Director Puja Kapai was interviewed for ‘Age discrimination: 70pc of survey respondents back legislation; one in three have experienced prejudice’ in South China Morning Post, 8 January 2016
- CCPL Director Puja Kapai was interviewed for ‘Hong Kong does not need laws against human trafficking, says government: victims are routinely criminalised, says Bar Association’ in South China Morning Post, 12 June 2016
- CCPL Director Puja Kapai was interviewed for ‘Hong Kong's refugee claim system leaves many tough questions’ in South China Morning Post, 28 February 2016
- CCPL Director Puja Kapai was interviewed for ‘Lack of Hong Kong ID card means isolation and education limbo’ in South China Morning Post, 12 July 2015
- CCPL Director Puja Kapai was interviewed for ‘Repulse Bay parents plead guilty’ in RTHK, 25 September 2015
- CCPL Director Puja Kapai was interviewed for ‘Sexual harassment at Hong Kong's universities - rarely reported, but not rare’ in Hong Kong Free Press, 3 January 2016
- CCPL Director Puja Kapai was interviewed for ‘Should morning-after pills be made available over the counter in Hong Kong?’ in South China Morning Post, 8 March 2016
- CCPL Director Puja Kapai was interviewed for ‘Advisory committee chaired by top official needed to address issues facing ethnic minorities in Hong Kong, think tank says’ in South China Morning Post, 24 September 2015

- CCPL Director Puja Kapai was interviewed for ‘57 per cent of Hong Kong's ethnic minority children with special needs stop attending school’ in South China Morning Post, 24 September 2015
- CCPL Director Puja Kapai was interviewed for ‘The Zubin Foundation launches 'The Status of Ethnic Minorities in Hong Kong 1997- 2014'’ in DBC, 23 September 2015
- CCPL Director Puja Kapai was interviewed for ‘Success of translation service for ethnic minorities speaks for itself’ in The Standard, 7 October 2015
- CCPL Director Puja Kapai was interviewed for ‘前線人員態度支援不足 礙家暴受害者求助’ in Oriental Daily, 3 October 2015
- CCPL Director Puja Kapai was interviewed for ‘少數族裔憂泄私隱家暴怕求助’ in Oriental Daily, 4 October 2015
- CCPL Director Puja Kapai was interviewed for ‘前線人員唔識少數族裔文化 家暴受害人求助無門’ in Inmediahk, 6 October 2015
- CCPL Director Puja Kapai was interviewed for ‘Discrimination against pregnant women and new mothers in Hong Kong ‘worse than figures show’ in South China Morning Post, 8 May 2016
- CCPL Director Puja Kapai was interviewed for ‘A toothless tiger? Advocates of domestic helpers' rights in Hong Kong say new draft code of practice lacks enforcement mechanisms’ in South China Morning Post, 11 May 2016
- CCPL Director Puja Kapai was interviewed for ‘印裔資優童控警種族歧視敗訴 融樂會指現條例不清 難保障少數族’ in HK01, 30 May 2016
- CCPL Director Puja Kapai was interviewed for ‘Indian teenager loses discrimination case’ in RTHK, 30 May 2016
- CCPL Director Puja Kapai was interviewed for ‘與婦碰撞扣查5 小時 印度童控警歧視敗訴’ in Mingpao, 30 May 2016
- CCPL Director Puja Kapai was interviewed for ‘「就連法官都話我『我好肥』！」——婦團拍紀錄片倡反對物化女性’ in VJMedia, 30 May 2016
- Professor Albert Chen and Professor Simon Young were interviewed for ‘Taiwan hopes for more formal crime-fighting measures with Hong Kong but city's legal scholars see hurdles’ in the South China Morning Post, 16 April 2016
- Professor Albert Chen was interviewed for ‘Laws needed for co-location: Albert Chen’ in China Daily, 18 March 2016
- Professor Albert Chen was interviewed for ‘Subversion law bid wanted in 2 years’ in The Standard, 11 May 2016
- Professor Albert Chen, Professor Johannes Chan and Mr. Eric Cheung were interviewed for ‘Young Hong Kong National Party radicals test limits of legal freedoms’ in South China Morning Post, 1 April 2016
- Professor Hualing Fu was interviewed for ‘China Corruption Fight Extends to Top Officials in Beijing and Shanghai’ in International New York Times, 11 November 2015
- Professor Hualing Fu was interviewed for ‘China Resists Harshly Punishing Those Responsible for Wrongful Convictions’ in International New York Times, 3 February 2016

- Professor Hualing Fu was interviewed for ‘Experts sceptical at Gui Minhai’s ‘illogical’ surrender’ in South China Morning Post, 19 January 2016
- Professor Hualing Fu was interviewed for ‘Human rights lawyers, staffers detained in widespread crackdown across China’ in LA Times, 11 July 2015
- Professor Johannes Chan was interviewed for ‘Expiration Date on China's Promises Stokes Unease in Hong Kong Housing’ in International New York Times, 16 June 2016
- Professor Johannes Chan was interviewed for ‘Independence stone dead in water’ in The Standard, 1 April 2016
- Professor Johannes Chan was interviewed for ‘Leung Kwok Hung (Longhair)’s contribution to public law’ in Reflections on Maverick Legislator Longhair (The Hon Mr Leung Kwok Hung), June 2016
- Professor Johannes Chan was interviewed for ‘Many in Hong Kong Fear Beijing's Reach After Editor and Colleagues Disappear’ in International New York Times 7 January 2016
- Professor Michael Davis was interviewed for ‘For Hong Kong democrats, a deeper resonance in Taiwan's orderly election’ in The Christian Science Monitor, 21 January 2016
- Professor Michael Davis was interviewed for ‘Hong Kong's Missing Booksellers Expose Publishing Underbelly’ in Bloomberg, 20 January 2016
- Professor Michael Davis was interviewed for ‘Scores injured as Hong Kong police clash with protesters’ in Financial Times, 9 February 2016
- Professor Michael Davis was interviewed for ‘The Case of the Missing Booksellers Has Left Many in Hong Kong Fearing for Freedom’ in Time, 7 January 2016
- Professor Michael Davis was interviewed for ‘Tight Security Foils Hong Kong Protesters on Last Day of Top Chinese Official's Visit’ in Time, 19 May 2016
- Professor Michael Davis was interviewed for ‘Two Hong Kong Booksellers Return Under Dubious Circumstances’ in Time, 7 March 2016
- Professor Michael Davis, CCPL Director Puja Kapai and Ms. Kelley Loper were interviewed for ‘Hong Kong could quit torture convention, says CY’ in South China Morning Post, 14 January 2016
- Professor Richard Cullen was interviewed for ‘Firm friends’ in Ashurst Alumni Newsletter, December 2015
- Professor Simon Young was interviewed for ‘Beijing has 'legal right' to demand Kenya deport Taiwanese fraud suspects’ in the South China Morning Post, 15 April 2016
- Professor Simon Young was interviewed for ‘Confusion surrounds police records of criminal convictions’ in South China Morning Post, 17 October 2015
- Professor Simon Young was interviewed for ‘Disappearance of 5 Tied to Publisher Prompts Broader Worries in Hong Kong’ in South China Morning Post, 5 January 2016
- Professor Simon Young was interviewed for ‘In quirky Hong Kong voting system, fishermen play key role’ in Associated Press, 23 July 2015
- Professor Simon Young was interviewed for ‘Social Activism Through the Courts: The Case of Leung Kwok Hung’ in Reflections on Maverick Legislator Longhair (The Hon Mr Leung Kwok Hung), June 2016

Blogs

- Professor Simon Young ‘Cross-border Implications of Chinese Police Brutality’ on *HKU Legal Scholarship Blog*, 22 September 2015

The Centre’s social media profile continued to grow in the reporting year. The CCPL Facebook page has 619 ‘Likes’.

APPENDIX 1*Selected Publications*

(by Fellows & Others in the Faculty of Law on Public and Comparative Law Issues)

Dr. Shahla Ali

- *Governing Disasters: Engaging Local Populations in Humanitarian Relief* (Cambridge University Press, 2016)
- 'Mass-Claims Mediation in China' (2016) X(2) *Journal of Comparative Law* 142
- Tom Kabau and Shahla Ali, 'A Human Rights-Based Approach to the Global Regulation of Humanitarian Relief: The Emerging Obligation to Incorporate Local Participation' (2015) 40(3) *Brooklyn Journal of International Law* 791
- 'Prospects of Utilizing Investor-State Mediation and UNCITRAL Rules on Transparency for Polycentric Environmental Disaster-Related Disputes: The Case of Vattenfall v Germany' (2015) XIX *Comparative Law Journal of the Pacific* 133

Ms. Farzana Aslam

- 'White Paper on Employer's Duty of Care for Employees Working Overseas' Centre for Comparative and Public Law, May 2016
- 'Submission for Public Consultation on the Review of the Environmental, Social and Governance Guide' Centre for Comparative and Public Law, September 2015

Professor Johannes Chan

- 'Legal Education in the Global Context: The Case of Hong Kong', in Christopher Gane and Robin Hui Huang (eds), *Legal Education in the Global Context: Opportunities and Challenges* (Ashgate 2015)
- 'Human Rights, the Rule of Law and Democracy: Recent Experience of Hong Kong and China' (2015) 5(8) *SSRN Legal Studies Research Paper Series* (HKU), ch 8

Professor Albert Chen

- 'The Law and Politics of the Struggle for Universal Suffrage in Hong Kong' (2016) 3(1) *Asian Journal of Law and Society* 189
- 'China's Long March towards Rule of Law or China's Turn against Law?' (2016) 4(1) *Chinese Journal of Comparative Law* 1

Professor Richard Cullen

- 'Real Estate Price Inflation: Lessons from Hong Kong' *TLRP Tax Comments*, No 3 June 2016

Professor Michael C. Davis

- 'Promises to keep: the Basic Law, the 'Umbrella Movement,' and Democratic Reform in Hong Kong' in M Monshipouri (ed), *Information Politics, Protests, and Human Rights in the Digital Age* (Cambridge University Press, 2016)
- 'The Basic Law, Universal Suffrage and the Rule of Law in Hong Kong' (2015) 5(7) *SSRN Legal Studies Research Paper Series* (HKU), ch 1

- ‘China Tightens its Two-Systems Approach for Hong Kong’ YaleGlobal, 4 August 2015

Dr James Fry

- Odysseas G Repousis and James Fry, ‘Armed Conflict and State Succession in Investor-State Arbitration’ (2016) 22(3) Columbia Journal of European Law 421
- James D Fry and Inna Amesheva, ‘Oil Pollution, and the Dynamic Relationship between International Environmental Law and the Law of the Sea’ (2016) 47(3) Georgetown Journal of International Law 1001
- ‘Privacy, Predictability and Internet Surveillance in the U.S. and China: Better the Devil You Know?’ (2015) 37(3) University of Pennsylvania Journal of International Law 41

Professor Hualing Fu

- ‘China's Striking Anti-Corruption Adventure: A Political Journey Towards the Rule of Law?’ (2016) 6(1) SSRN Legal Studies Research Paper Series (HKU), ch 1
- ‘Building Judicial Integrity in China’ (2016) 29(1) Hastings International and Comparative Law Review 167
- ‘Away from Grass-roots? The Irony of the Chinese Rural Legal Service’ (2015) 60(3-4) Diogenes 116
- ‘Building Judicial Integrity in China’ (2015) 5(10) SSRN Legal Studies Research Paper Series (HKU), ch 4
- ‘Wielding the Sword: President Xi's New Anti-Corruption Campaign’, in S Rose-Ackerman & P Felipe Lagunes (eds), *Greed, Corruption, and the Modern State* (Edward Elgar, 2015)
- ‘What Does Wukan Offer? Land-Taking, Law, and Dispute Resolution’ (2015) 5(6) SSRN Legal Studies Research Paper Series (HKU), ch 2

Professor Rick Glofcheski

- ‘Rethinking Teaching, Learning and Assessment in the Twenty-First Century Law Curriculum’ in Christopher Gane and Robin Hui Huang (eds), *Legal Education in the Global Context: Opportunities and Challenges* (Ashgate 2015)

Mr. Michael Jackson

- ‘Anti-corruption Law and Enforcement in Hong Kong: Keeping it clean’ in Jiaxiang Hu, Matthias Vanhullebusch and Andrew Harding (eds.), *Finance, Rule of Law and Development in Asia: Perspectives from Singapore, Hong Kong and Mainland China* (Brill 2016)

CCPL Director Puja Kapai

- Liz Jackson, Puja Kapai, Shiru Wang, Ching Yin Leung, Youth Civic Engagement in Hong Kong: A Glimpse into Two Systems Under One China, in Catherine Broom (ed.), *Youth Civic Engagement in a Globalized World: Citizenship Education in Comparative Perspective*. Palgrave Macmillan, 2016, 59-86

- “Bringing Intersectionality Home: Delivering Contextualised Justice in Gender Based Violence,” In Amy Barrow and Joy Chia (eds.), *Gender, Violence and the State in Asia*, (Routledge: 2016), 148-166
- ‘Submission to the Legislative Council Social Welfare Panel's Subcommittee on Strategy and Measures to Combat Domestic and Sexual Violence’ Centre for Comparative and Public Law, 2 October 2015
- ‘Delivering on the Promise of Equal Protection under the Law: Understanding the Experiences and Help-seeking Behaviours of Ethnic Minority and Immigrant Victims of Domestic Violence’ Centre for Comparative and Public Law, October 2015
- ‘The Status of Ethnic Minorities in Hong Kong, 1997 to 2014’ The Zubin Foundation's Shalini Mahtani and Centre for Comparative and Public Law, 23 September 2015

Ms. Karen Kong

- ‘An Uphill Battle for Sustainable Development: Can Public Interest Litigation Protect the Natural Environment of Hong Kong?’ (November 2015) *Hong Kong Lawyer* 32

Ms. Jolene Lin

- Low, K., and Lin, J., ‘Carbon Credits As EU Like It: Property, Immunity, TragiCO2medy?’ (2015) 27 JEL 1; (2015) 5(6) SSRN Legal Studies Research Paper Series (HKU), ch 4

Mr. Haochen Sun

- ‘The Ethical Responsibility of Luxury Companies and Consumers’ in Haochen Sun, Barton Beebe and Madhavi Sunder (eds.), *The Luxury Economy and Intellectual Property: Critical Reflections* (Oxford 2015)

Dr. Marcelo Thompson

- ‘Beyond Gatekeeping: The Normative Responsibility of Internet Intermediaries’ (2015) 5(10) SSRN Legal Studies Research Paper Series (HKU), ch 1

Dr Po Jen Yap

- ‘Courts and Elections in Asia’ in Po Jen Yap (ed.), *Judicial Review of Elections in Asia* (Routledge 2016)
- ‘Judicial review of the electoral process in Singapore after Vellama’ in Po Jen Yap (ed.), *Judicial Review of Elections in Asia* (Routledge 2016)
- Simon Young and Po Jen Yap (eds.), *Hong Kong Basic Law Bibliography, 2nd Edition* (Hong Kong Law Journal Ltd 2016)
- *Constitutional Dialogue in Common Law Asia* (Oxford University Press 2015)

Professor Simon Young

- ‘Role of the Criminal Law in Maintaining Hong Kong as an International Financial Centre’ in Jiaxiang Hu, Matthias Vanhullebusch and Andrew Harding (eds.), *Finance, Rule of Law and Development in Asia: Perspectives from Singapore, Hong Kong and Mainland China* (Brill 2016); (2015) 5(8) SSRN Legal Studies Research Paper Series (HKU), ch 1

- ‘Judicial review of elections in Hong Kong: Resolving a contradiction’ in Po Jen Yap (ed.), *Judicial Review of Elections in Asia* (Routledge 2016)
- Simon Young and Po Jen Yap (eds.), *Hong Kong Basic Law Bibliography, 2nd Edition* (Hong Kong Law Journal Ltd 2016)
- ‘Rethinking the Process of Political Reform in Hong Kong’(2015) 25(2) Hong Kong Law Journal 381

APPENDIX 2
CCPL Fellows (as at 30 June 2016)

Shahla Ali
Assistant Professor, HKU Law

Janice Brabyn
Assistant Professor, HKU Law

Cora Chan
Associate Professor, HKU Law

Joseph Chan
Professor, Department of Politics & Public
Administration, HKU

Albert Chen
Cheng Chan Lan Yue Professor in Constitutional
Law

Richard Cullen
Professor, HKU Law

James Fry
Assistant Professor, HKU Law

Fu Hualing
Professor and former Head, HKU Law

Amanda Whitfort
Associate Professor, HKU Law

Michael Jackson
Associate Professor, HKU Law

Karen Kong
Assistant Professor, HKU Law

Rick Glofcheski
Professor, HKU Law

Jolene Lin
Associate Professor, HKU Law

Haochen Sun
Assistant Professor, HKU Law

Marcelo Thompson
Research Assistant Professor, HKU Law

Doreen Weisenhaus
Journalism & Media Studies Centre, HKU

APPENDIX 3
Projects housed within CCPL
(as at 30 July 2016)

Title of Project / Investigators	Researchers
Proposal to Establish a Virtual Teaching and Learning Centre for Diversity and Inclusion to Share Best Practices on Pedagogy, Curriculum Development and Classroom and School-Based Management Strategies for Diverse Learning Environments PI: Puja Kapai	Butt Asma Al
Proportionality in Criminal Punishment PI: Peter Chau	
Judicial Deference in Constitutional Rights Adjudication: Constructing an Approach for Post-Handover Hong Kong PI: Cora Chan	Joshua Chan Wong Kai Yeung, Edward
Constitutional Dialogue in Common Law Asia PI: Yap Po Jen	Sophie Amy Mayatt-Simmons
Street Law - Human Rights Community Education Investigator: Lindsay Ernst	
14-36b Winter Institute on Media Law and Policy PI: Simon Young	Robert Chan
A Comparative Study of Civil Sanctions Against Money Laundering PI: Simon Young	Florence Sit Theresa Law
Constitutional Development in Hong Kong and Rule of Law Education PI: Benny Tai	Byron Chiu
15-227 Winter School Institute on Media Law and Policy (2 nd Contract) PI: Simon Young	Robert Chan
An Employer's Duty of Care for its Employees while Travelling Overseas PI: Farzana Aslam	Dicky Chow
Asia-Pacific Journal on Human Rights and the Law Editors: Simon Young and Kelley Loper	Byron Chiu Dora Cheung Kelly Shum Ka-ching Gordon Chan
Disability Rights Portal PI: Kelley Loper	Cheng Yulin Tong Yuet Wan, Bonnie Ni Zhen

Title of Project / Investigators	Researchers
The Status of Ethnic Minorities in Hong Kong 1997-2014 Investigator: Puja Kapai	Au Sze Ting, Astina Lan Cheuk Kei, Kevin Yuen Mei, Sharon
Video Interview for Developing a Narrative of Different Ethnic Minory communities in Hong Kong Investigator: Puja Kapai	Rachel Li Eugene Cannis Ng