

CCPL Newsletter
Spring 2020

Happy New Year from the Centre for Comparative and Public Law (CCPL)!

We are pleased to share with you highlights from the events we held last semester as well as information on upcoming events for Spring 2020.

Past Events (September – December 2019)**18th September 2019****Panel Discussion and Book Launch:
Proportionality in Constitutional
Adjudication****The Normative Necessity of
Proportionality**

Justice Carlos Bernal Pulido
Colombian Constitutional Court

This presentation offered a normative justification for the migration of proportionality to any jurisdiction. According to Justice Bernal, the migration of proportionality to new contexts is justified because proportionality is normatively necessary for the adjudication of constitutional rights.

**Proportionality Balancing &
Constitutional Governance**

Professor Alec Stone Sweet
National University of Singapore

After introducing the basic features of modern constitutions, with an emphasis on rights and judicial review, Professor Stone Sweet presented a theory of proportionality that explains why constitutional judges around the globe have embraced the theory.



19th September 2019

50th Anniversary Distinguished Lecture Series - Is Transformative Constitutionalism an Illusion?Justice Carlos Bernal Pulido
Colombian Constitutional Court

This lecture undertook a critical analysis of four puzzles of transformative constitutionalism. Justice Bernal suggested, first, that transformative constitutionalism is, to a remarkable extent, an illusion; and second, that it is largely a restatement of essential tenets. The lecture advanced an alternative model of “collaborative constitutionalism”, highlighting the functions of the legislature and the executive and their respective contributions to the transformation of private and international powers.



26 September 2019

Hong Kong Protests and Corporations: Navigating through Profit, Principles and PressureAssociate Professor Surya Deva
School of Law, City University of Hong Kong

Corporations have come under pressure from Chinese authorities to adopt a hard line against both protests and protesters. Against this backdrop, this seminar explored several strategies that corporations could adopt to not only make a profit while maintaining certain principles but also guard against unreasonable pressure exerted by the Chinese authorities.



3 October 2019

International Climate Change Law: Views from the Global South

Professor Ruth Gordon
Villanova University

This lecture considered climate change from the perspective of the Global South, including the outsized impact climate change will have on unindustrialized countries; the Paris Agreement, which is the international communities' latest attempt to address the problem; the potential role of technology in mitigation and adaptation; and the potential for South-South cooperation.



30 October 2019

Human Rights Seminar Series – The UN Human Rights System: Current Challenges and Debates

Sharon Hom
Adjunct Professor of Law
School of Law, New York University

Visiting Professor Sharon Hom examined key current normative and structural debates, with a focus on the UN treaty body system and its special procedures, such as independent experts and working groups.



31 October 2019

Who will Save the Redheads? Towards a Bully Theory of Judicial Review and the Protection of Democracy

Dr Yaniv Roznai
Harry Radzyner Law School, Interdisciplinary Center (IDC) Herzliya

At this lunchtime seminar, Dr Roznai asked a simple question: Can courts protect democracy? Explaining the false dichotomy of those who argue that courts cannot prevent a democratic failure, Dr Roznai considered what courts should do when they are under political pressure.



4th November 2019

Freedom of Assembly and Protest Policing

Dr Michael Hamilton
*Senior Lecturer in Public Protest Law
University of East Anglia*

Drawing on international standards and illustrative examples from around the world, this talk addressed several problems with existing legal framework for the regulation and policing of protests in Hong Kong. Dr Hamilton also highlighted the important work undertaken by legal observers and assembly monitors.



6th November 2019

Getting it right on Commissions of Inquiry into Police Behaviour

Brian Dooley
Senior Advisor
Human Rights First

Brian Dooley from Human Rights First used examples from recent history to discuss conflicts within social movements and how previous commissions of inquiry into police behaviour have succeeded or failed in achieving their goals.



Upcoming Events (Jan – May 2020)

21 January	Civil Unrest in Hong Kong Conference
6 February	Judicial Studies Programme – Foreign Judges on Local Courts: Pacific Experiences and Comparative Reflections for Hong Kong
13 February	Fraudulent Sex Criminalization in Australia: Disparity, Disarray and the Unresolved Question of Punishing Relationship Lies
20 February	Peter Allan Memorial Lecture: LGBT Human Rights in Europe, Taiwan, and Hong Kong
February (Date TBC)	Is Reform of Hong Kong’s Riot Law Overdue? – A Preliminary View
15 – 17 April	Girls in Conflict with the Law Symposium
25 – 26 May	In celebration of the 20th Anniversary of the LLM (Human Rights) Programme - Two-day Academic Conference

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