



BERKELEY CENTER ON COMPARATIVE EQUALITY & ANTI-DISCRIMINATION LAW
9th ANNUAL CONFERENCE 2022

Hosted by the University of Hong Kong, Faculty of Law,
the Centre for Comparative and Public Law, the Human Rights Hub, and the Equality Rights Project

Comparative Equality Law in a Post-Pandemic World

22-24 June 2022

(This Conference will be held online via Zoom.)

Day 1: 22 June 2022 (08:00 - 14:45 HKT)

- Berkeley PDT: 21 June, 17:00-23:45
- New York EDT: 21 June, 20:00-22-June 02:45
- Buenos Aires ART: 21 June, 21:00-22 June 03:45
- London BST: 22 June, 01:00-07:45
- Cape Town SAST/ Stockholm CET: 22 June, 02:00-08:45
- New Delhi IST: 22 June, 05:30-11:15
- Hong Kong HKT: 22 June, 08:00-14:45
- Sydney AEST: 22 June, 10:00-16:45

Activity	Time
<p style="text-align: center;">Welcoming Remarks</p> <p style="text-align: center;">David Oppenheimer and Kelley Loper</p>	<p style="text-align: center;">08:00 - 08:15</p> <p style="text-align: center;">Berkeley PDT: 21 June, 17:00 New York EDT: 21 June, 20:00 Buenos Aires ART: 21 June, 21:00 London BST: 22 June, 01:00 Cape Town SAST: 22 June, 02:00 New Delhi IST: 22 June, 05:30 Hong Kong HKT: 22 June, 08:00 Sydney AEST: 22 June, 10:00</p>

Plenary Discussion I
Let's Get Equality Out of the Box!

主題討論 I
讓我們一起談談平等吧！

Puja Kapai and Naina Kapur

Raihana Ataaee, Lilla Farkas Csilla, Paola Catricura Nancuvil, and Thenmozhi Soundararajan

08:15 - 09:30

Berkeley PDT: 21 June, 17:15
New York EDT: 21 June, 20:15
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London BST: 22 June, 01:15
Cape Town SAST: 22 June, 02:15
New Delhi IST: 22 June, 05:45
Hong Kong HKT: 22 June, 08:15
Sydney AEST: 22 June, 10:15

Break

09:30 - 09:45

Parallel Workshops

A1	Moderator: Ann Noel		A2	Moderator: Stephanie Biedermann			
	Hillel Bavli Character Evidence as a Conduit for Implicit Bias			Denise Neves Abade and Mariana Baeta Neves Matsushita The Rights of People with Disabilities and the Doctrine of Non-retrogression applied to Tax Law: Analyzing the Tax System in compliance with Non-discrimination Law			
	Maria Hemília Fonseca, Olívia de Quintana Figueiredo Pasqualetto, and Catharina Lopes Scodro Agenda 2030, Discrimination and Discriminatory Practices in the World of Work: An Investigation in the Superior Labor Court in Brazil			Leena Badran, Ayelet Gur, Hira Amin, and Michael Ashley Stein “It’s Disgraceful going through All This for Being an Arab and Disabled”: Intersectional and Ecological Barriers for Arabs with Disabilities in Israel			
	Hongchun Liu Judicial Judgment of “Gender Equality” in Equal Employment Rights Disputes [in Mandarin with simultaneous interpretation in English] (平等就業權糾紛中「性別平等」的司法判定)			Shixin Huang, Jia He, and Suqiong Xu “It Takes a Genius to Succeed”: Students with Disabilities’ Experience in China’s National College Entrance Exam			
Isabel Karpin and Karen O’Connell The Challenge of Bioinequality: Addressing the Health Impact of Unequal Treatment in Law		Yi Huang Reflections on the Discriminatory Effect of Employment Quota Policy: The Lived Experience of People with Intellectual Disabilities in Mainland China		09:45 - 11:00 Berkeley PDT: 21 June, 18:45 New York EDT: 21 June, 21:45 Buenos Aires ART: 21 June, 22:45 London BST: 22 June, 02:45 Cape Town SAST: 22 June, 03:45 New Delhi IST: 22 June, 07:15 Hong Kong HKT: 22 June, 09:45 Sydney AEST: 22 June, 11:45			
A3	Moderator: Simon Rice		A4			[Book Panel] Global Systemic Racism Kristen Barnes, David Kyuman Kim, and David Oppenheimer	
	Suzanne A. Kim The Law of Care						
Alberto Coddou Mc Manus and Liliana Ronconi Discrimination on the Ground of “Family Status”: Waging Boundary Struggles in Contemporary Capitalist Societies							

	<p>Virginia Marturet, María Josefina Beaumarie, Sofia Matilde Inverga, Valentina Ailin Messina, Agustín Pérez Aledda, and Karen Denise Urrutia</p> <p>Women and Covid-19 in Argentina: Violence, Motherhood, Caring and Participation at Work</p>			
	<p>Huina Xiao and Chi Hin Peter Chan</p> <p>“A Married Out Daughter Is Like Spilt Water”: Rural Women’s Legal Mobilization of Land Rights Equality in China</p>			
Bring Your Own Drink Reception				11:00 - 11:05
<p>Virtual Cultural Event by M+</p> <p>Doryun Chong <i>Deputy Director, Curatorial, and Chief Curator</i></p> <p><i>Having opened on 12 November 2021, M+ is one of the largest museums of modern and contemporary visual culture in the world situated in the West Kowloon Cultural District of Hong Kong. It exhibits twentieth and twenty-first century visual culture encompassing visual art, design and architecture, and moving image.</i></p>				<p>11:05 - 12:05</p> <p>Berkeley PDT: 21 June, 20:05 New York EDT: 21 June, 23:05 Buenos Aires ART: 22 June, 00:05 London BST: 22 June, 04:05 Cape Town SAST: 22 June, 05:05 New Delhi IST: 22 June, 08:35 Hong Kong HKT: 22 June, 11:05 Sydney AEST: 22 June, 13:05</p>
Break				12:05 - 12:15
<p>Keynote</p> <p>New Directions for Equality in a Post Covid World</p> <p>主題演講 後新冠世界的平等新方向</p> <p>Jayna Kothari <i>Founder-Director, Centre for Law and Policy Research Bangalore, India</i></p> <p>(Chaired by Panos Kapotas)</p>				<p>12:15 - 13:15</p> <p>Berkeley PDT: 21 June, 21:15 New York EDT: 22 June, 00:15 Buenos Aires ART: 22 June, 01:15 London BST: 22 June, 05:15 Cape Town SAST: 22 June, 06:15 New Delhi IST: 22 June, 09:45 Hong Kong HKT: 22 June, 12:15 Sydney AEST: 22 June, 14:15</p>
Break				13:15 - 13:30

Parallel Workshops

Moderator: Denise Oldham		Moderator: Azan Marwah	
B1	Jiahui Duan Sexual Harassment in China	B2	Alysia Blackham and Anne Hewitt “Pragmatism or Oversight”: The Arbitrary Exclusion of Equality Protections for Non-standard Workers?
	Beth Gaze Gender Equality, Positive Duties and the Challenge of Compliance		Chi Hsun Cho A Study on the Women Night Work Regulations: A Perspective of Sociology of Law
	Peter Reading Landmark Laws: Addressing Sexual Harassment and Violence in Hong Kong		Darcy Davison-Roberts, Luke Tang, and Jaime Wong Employment Contracts with Short Duration or Working Hours: How Hong Kong’s 4-18 Rule Affects Grassroots Working Women and the Prospects for Reform
	Belinda Smith Challenging Masculinity – Rights and Regulation		Yiduo Qi Struggle and Balance between Telework and Care Work: An Employment Law Perspective
Moderator: Yukyong Choe		Moderator: Simon Ng	
B3	Sarah Knoops The Impact of the Ban on Age-related Discrimination on Occupational Pensions for Employees in the EU	B4	Wei-hua Hao 6 Square Meters: Tackling the Post-Pandemic Regulation of Migrant Workers’ Overcrowded Living Space Discrimination on Occupational Pensions for Employees in the EU
	Arpita Sarkar Making a case for Affirmative Action based on the Biased Implementation of Laws		Bashar Malkawi Applying Discrimination Laws in the COVID-19 Era
	Srishti Singh Where does the International and Indian Law Stand on Gender Pay Gap in Indian Garment Industry and Where Do We Go From Here? An Analysis		Alyssa Janel Orate Women, LGBTQ+ and Incarceration: A Look into Human Rights Issues Involving PDLs
	Alice Taylor Religious Schools and the Right to Discriminate		


13:30 - 14:45

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 New Delhi IST: 22 June, 11:00
 Hong Kong HKT: 22 June, 13:30
 Sydney AEST: 22 June, 15:30

Day 2: 23 June 2022 (15:00 - 22:15 HKT)

Berkeley PDT: 23 June, 00:00 – 07:15
 New York EDT: 23 June, 03:00-10:15
 Buenos Aires ART: 23 June, 04:00-11:15
 London BST: 23 June, 08:00-15:15
 Cape Town SAST/ Stockholm CET: 23 June, 09:00-16:15
 New Delhi IST: 23 June, 12:30-19:45
 Hong Kong HKT: 23 June, 15:00-22:15
 Sydney AEST: 23 June, 17:00-June 24, 00:15

Activity		Time	
<p>Microverse, Mezzoverse, Macroverse: Protection against Discrimination in an Artificialized World?</p> <p>Keynote</p> <p>主題演講</p> <p>微觀宇宙、夾層宇宙、宏觀宇宙：人工智能國度裡的反歧視保障？</p> <p>Vitit Muntarbhorn <i>Professor Emeritus at the Faculty of Law, Chulalongkorn University Bangkok, Thailand</i></p> <p>(Chaired by Sophie Robin-Olivier)</p>		<p>15:00 - 16:00</p> <p>Berkeley PDT: 23 June, 00:00 New York EDT: 23 June, 03:00 Buenos Aires ART: 23 June, 04:00 London BST: 23 June, 08:00 Cape Town SAST: 23 June, 09:00 New Delhi IST: 23 June, 12:30 Hong Kong HKT: 23 June, 15:00 Sydney AEST: 23 June, 17:00</p>	
Break		16:00 - 16:15	
Parallel Workshops		<p>16:15 - 17:30</p> <p>Berkeley PDT: 23 June, 01:15 New York EDT: 23 June, 04:15 Buenos Aires ART: 23 June, 05:15 London BST: 23 June, 09:15 Cape Town SAST: 23 June, 10:15 New Delhi IST: 23 June, 13:45 Hong Kong HKT: 23 June, 16:15 Sydney AEST: 23 June, 18:15</p>	
C1	<p>Moderator: Lucy-Ann Buckley</p> <p>Barbara Giovanna Bello EU Diversity Charters v. EU Anti-discrimination Law: Two Types of Persuasiveness in Promoting Equal Opportunities in the Workplace</p> <p>Angelo Capuano Post-Pandemic Workplace Design and the Plight of Employees with Invisible Disabilities: Is Australian Labour Law and Anti-Discrimination Legislation Equipped to Address New and Emerging Workplace Inequalities?</p> <p>Yun Hao Hsin Corporate Culture and Employment Discrimination - A Comparison between the U.S and Taiwan</p>		C2
	<p>Moderator: Lucia Parlato</p> <p>Rosalind Dixon Fair Market Constitutionalism: From Neo-liberal to Democratic Liberal Economic Governance</p> <p>Justin Jaftha Litigation and Advocacy Strategies for Poverty to be Recognised or Included as a Ground of Discrimination in South African Equality Law</p> <p>Karen Kong Employment Protection and Unemployment Assistance for Low-income Workers in Hong Kong during Covid-19</p>		

	Yi Jin, Jin-ze Xu, and Si-jie Huang Discussion on the Way to the Protection of the Rights of the People with Disabilities under the COVID-19	Kay McArdle, Vivian Cheung Understanding the Access to Justice Poverty Gap in Hong Kong S.A.R.	
C3	Moderator: Linda Senden		
	Cathi Albertyn Transformative Substantive Equality: Connecting Reproductive and Climate Justice		
	Beth Goldblatt and Cristy Clark Climate Change Adaptation and Discrimination Law		
	Carole Petersen Women's Right to Equality and Reproductive Autonomy: The Impact of COVID-19 on Telemedicine Abortion		
	Sophie Robin-Olivier Taking Social Justice into account in Climate Change Policies: A New Direction for Anti-discrimination Law?		
Meal Break & Exercise			17:30 - 18:15
Plenary Discussion II [Book Talk] Exponential Inequalities: Equality Law in Times of Crisis 主題討論 II [書談]急遽上升的不平等：危機時代的平等法			18:15 - 19:30 Berkeley PDT: 23 June, 03:15 New York EDT: 23 June, 06:15 Buenos Aires ART: 23 June, 07:15 London BST: 23 June, 11:15 Cape Town SAST: 23 June, 12:15 New Delhi IST: 23 June, 15:45 Hong Kong HKT: 23 June, 18:15 Sydney AEST: 23 June, 20:15
	Shreya Atrey and Sandra Fredman (eds) Kelley Loper, Colm O'Cinneide, Jessica Clarke, Beth Gaze, Alysia Blackham, and Jule Mulder		
Break			19:30 - 19:45

Parallel Workshops

Moderator: Marco Wan		Moderator: Daisy Cheung	
D1	Amy Barrow, Therese MacDermott, and Yiu-tung Suen Can Soft Law Instruments Incentivize the Implementation of Workplace Equality Obligations? Examining Hong Kong’s Code of Practice against Discrimination in Employment on the Ground of Sexual Orientation	D2	Lucy-Ann Buckley Disability Harassment at Work and the Search for Effective Legal Solutions
	Long Ren “Creating” Legitimacy in Grassroots LGBT Organizations: The case of PFLAG China		James Chan Equal Access to Justice for Persons with Disabilities: Accommodations for Persons with Deafness and Hearing Loss in Judicial Processes of Hong Kong
	Lorena P. A. Sosa and Mina Burnside Who’s Afraid of Gender (Diversity)? Gender-backsliding Tactics in Monitoring Procedures		Zijin Li Tackling Discrimination Based on Health Status in China: Law and Practice
	Ryan Thoreson Queering State Interests: Engaging Rights-Based Opposition to Sexual Rights		
D3	Moderator: Isabelle Rorive	D4	Moderator: Katarina Fast
	Geraldine Van Bueren QC Taking Class Discrimination Seriously in a Pandemic and Post-Pandemic World		Jean A. Berlie BRI and Covid-19 Epidemic, Economy and Political Aspects
	Surabhi Chopra Religious Majoritarianism, Anti-majoritarian Activism, and Intersectional Vulnerability in India		Nadiyah J. Humber A Home for Digital Equity: Algorithmic Bias in PropTech/FinTech and the Disparate Impact Rule
	Biljana Kotevska Making the case for Class Discrimination: Learning from the Past and Present of Addressing Class Discrimination in Civil Law, Post-socialist, Countries - The Case of North Macedonia		Tanya Krupiy and Jaqueline McLeod Rogers Mapping Artificial Intelligence and Human Intersections: Why We Need New Perspectives on Harm and Governance in Human Rights
	Julia Motte-Baumvol, Tarin Cristino Frota Mont’Alverne, and Gabriel Guimarães Braga Extending Social Protection for Migrants under the European Union’s Temporary Protection Directive: Lessons from the War in Ukraine		Yaroslava Kuchina Digital Equality and the Issues on Legal Regulation of Digitalization Process

19:45 - 21:00

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 New Delhi IST: 23 June, 17:15
 Hong Kong HKU: 23 June, 19:45
 Sydney AEST: 23 June, 21:45

Break

21:00 - 21:15

Plenary Discussion III
Judicial Perspectives on Transforming Equality

主題討論 III
司法視角下平等的轉化

Geoffrey Ma

Former Chief Justice of the Hong Kong Court of Final Appeal

Beverley McLachlin

Former Chief Justice of the Supreme Court of Canada

(Chaired by **Kelley Loper**)

21:15 - 22:15

Berkeley PDT: 23 June, 06:15
New York EDT: 23 June, 09:15
Buenos Aires ART: 23 June, 10:15
London BST: 23 June, 14:15
Cape Town SAST: 23 June, 15:15
New Delhi IST: 23 June, 18:45
Hong Kong HKT: 23 June, 21:15
Sydney AEST: 23 June, 23:15



Day 3: 24 June 2022 (16:00 - 22:30 HKT)

Berkeley PDT: 24 June, 01:00-07:30
 New York EDT: 24 June, 04:00-10:30
 Buenos Aires ART: 24 June, 05:00-11:30
 London BST: 24 June, 09:00-15:30
 Cape Town SAST/ Stockholm CET: 24 June, 10:00-16:30
 New Delhi IST: 24 June, 13:30-20:00
 Hong Kong HKT: 24 June, 16:00-22:30
 Sydney AEST: 24 June, 18:00-June 25, 00:30

Activity		Time
<p>Keynote</p> <p>From Disabled Justice to Disability Justice: the Practice of China</p> <p>主題演講 從殘疾正義到殘障正義：中國的實踐</p> <p>Zhang Wanhong <i>Professor of Jurisprudence, Wuhan University School of Law Wuhan, China</i></p> <p>(Chaired by Carole Petersen)</p>		<p>16:00 - 17:00</p> <p>Berkeley PDT: 24 June, 01:00 New York EDT: 24 June, 04:00 Buenos Aires ART: 24 June, 05:00 London BST: 24 June, 09:00 Cape Town SAST: 24 June, 10:00 New Delhi IST: 24 June, 13:30 Hong Kong HKT: 24 June, 16:00 Sydney AEST: 24 June, 18:00</p>
Break		17:00 - 17:15
Parallel Workshops		<p>17:15 - 18:30</p> <p>Berkeley PDT: 24 June, 02:15 New York EDT: 24 June, 05:15 Buenos Aires ART: 24 June, 06:15 London BST: 24 June, 10:15 Cape Town SAST: 24 June, 11:15 New Delhi IST: 24 June, 14:45 Hong Kong HKT: 24 June, 17:15 Sydney AEST: 24 June, 19:15</p>
E1	<p>Moderator: Nina Persak</p> <p>Rostam J. Neuwirth Cognitive Equality: Rethinking the Right to Freedom of Thought in Light of AI Systems that Deploy Subliminal Techniques</p> <p>Natalie Sheard Discrimination by Algorithm: No Contestability Without Notice, an Explanation and a Remedy</p> <p>Kyriaki Topidi Digital Hate in the Post-truth Era: European Comparative Perspectives</p>	
	<p>Moderator: Cora Chan</p> <p>Asylai Akisheva The Covert Pandemic: Domestic Violence against Women in Kyrgyzstan</p> <p>Debbie Collier ILO Convention 190 (Violence and Harassment Convention, 2019): A Case Study on Implementation in South Africa and Observations on How Not to Reinforce Structural Discrimination and Systemic Racism</p> <p>Severyna Magill The ‘epidemic within the pandemic’: How Were Migrant Women Experiencing Domestic Abuse in the UK Affected by Covid-19</p>	
	E2	


			Feifei Shen Prevention and Control of School-Related Gender-Based Violence in China	
E3	CANCELLED	E4	Moderator: Costanza Hermanin	Moderator: Barbara Havelková
			Sébastien De Rey, Michelle Schouteden, and Dominique De Meyst Private Enforcement of Anti-Discrimination Legislation: Comparative Perspectives on Evidence and Remedies	Julie Ringelheim, Olivier Struelens, and Jogchum Vrielink Tackling Discrimination Through Courts: An “Inter-Grounds” Comparative Analysis of Belgian Case-Law
			Marie Spinoy It’s the Thought that Counts? The Role of Discriminators’ Intentions in Anti-discrimination Law	Merel Vrancken Structural Discrimination and Segregation in Education: Disadvantaging the Already Disadvantaged
Meal Break & Exercise				18:30 - 19:30

Parallel Workshops

F1	Moderator: Puja Kapai	F2	Moderator: Stephanie Bornstein	<p>19:30 - 20:45</p> <p>Berkeley PDT: 24 June, 04:30 New York EDT: 24 June, 07:30 Buenos Aires ART: 24 June, 08:30 London BST: 24 June, 12:30 Cape Town SAST: 24 June, 13:30 New Delhi IST: 24 June, 17:00 Hong Kong HKT: 24 June, 19:30 Sydney AEST: 24 June, 21:30</p>
	Clarissa Valadares Chaves, Claudia Tejada Costa, and Paulo Fernando Nogueira Cunha Domestic Work in Brazil: A Reality Based on Gender and Race		Hadeel Abu Hussein Expanding the Power of Security Agencies as a Challenge for the Democratic Norms during a Pandemic	
	Vinod Kumar Caste as a Structural Discrimination and a Sub-legal Category of Race under International Law		Virginia Marturet and Josefina Rosso To what extent did the mass media impact our society during the Covid-19 Pandemic? What role did Justice play regarding the protection of Human Rights in Argentina and South America's region?	
	Marie Mercat-Brun Resistance to Critical Theories on Inequality: Critical Race Theory in the United States and Intersectionality in France		Furaha Joy Sekai Saungweme The Impact of Emergency Measures on Marginalised Communities	
F3	Moderator: Holning Lau	F4	Moderator: Marco Wan	
	Anna Bruce The Expansion of Diversity Justice in International Human Rights Law through Standards of Equality and/or Standards of Non-discrimination: Same Difference?		Annie Chan Tackling 'Upskirting' and Other Kinds of Image Based Sexual Violence in Hong Kong (應對「偷拍裙底」及其他影像性暴力的香港經驗)	
	Ariel M. Decoster Masculinity as Property		Yuan Feng Difference and Indifference: Understanding Domestic Violence under COVID-19 from Three Perspectives (從三個視角看新冠疫情和反家暴)	
	Colleen Sheppard Litigating Structural Inequality: Micro, Meso, & Macro Dynamics		Pei-ling Wang Taiwan's Efforts to End Violence Against Women and The Challenge (台灣消除對婦女暴力的努力及挑戰)	
[with simultaneous interpretation in English \leftrightarrowMandarin]				
Break				20:45 - 21:00

<p style="text-align: center;">Global Data on Anti-discrimination Laws in all 193 UN Countries: How Far Have We Come and Where are the Greatest Gaps</p> <p style="text-align: center;">Jody Heymann</p> <p style="text-align: center;">(Chaired by David Oppenheimer)</p>	<p style="text-align: center;">21:00 - 21:45</p> <p style="text-align: center;">Berkeley PDT: 24 June, 06:00 New York EDT: 24 June, 09:00 Buenos Aires ART: 24 June, 10:00 London BST: 24 June, 14:00 Cape Town SAST: 24 June, 15:00 New Delhi IST: 24 June, 18:30 Hong Kong HKT: 24 June, 21:00 Sydney AEST: 24 June, 23:00</p>
<p style="text-align: center;">State of the Center and its Future: Brainstorming Session</p>	<p style="text-align: center;">21:45 - 22:30</p> <p style="text-align: center;">Berkeley PDT: 24 June, 06:45 New York EDT: 24 June, 09:45 Buenos Aires ART: 24 June, 10:45 London BST: 24 June, 14:45 Cape Town SAST: 24 June, 15:45 New Delhi IST: 24 June, 19:15 Hong Kong HKT: 24 June, 21:45 Sydney AEST: 25 June, 23:45</p>

Note:

- [1]  There will be simultaneous interpretation in English, Mandarin, and Cantonese during most of the keynote and plenary sessions. Zoom's automated live captioning and transcription function will also be enabled.
- [2] Most plenary sessions will be recorded and made available to registered participants the following day.

Last modified: 24 June 2022