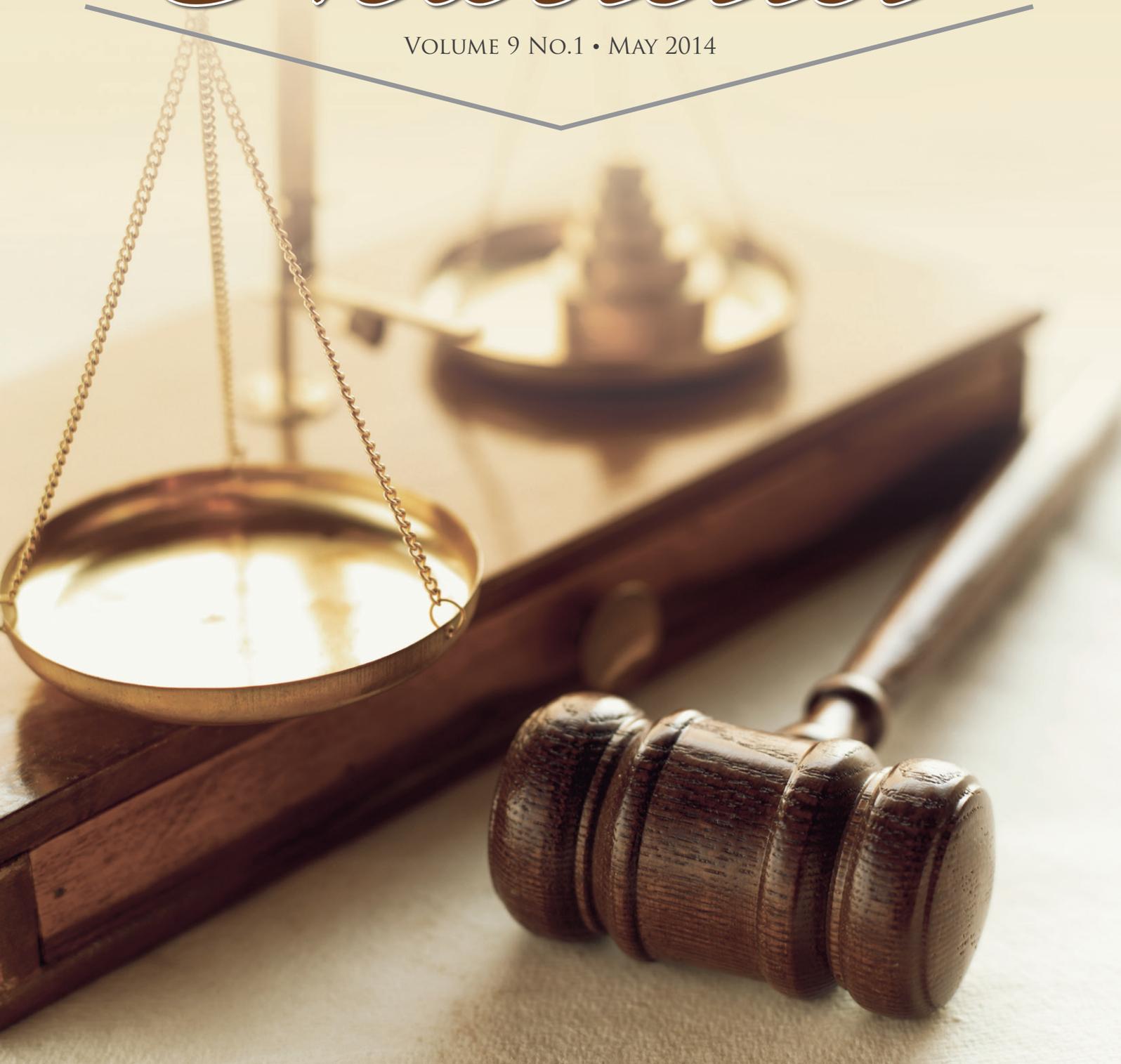


SCHOOL OF LAW

Newsletter

VOLUME 9 No.1 • MAY 2014



香港城市大學
City University of Hong Kong
30th Anniversary



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MESSAGE FROM ACTING DEAN

Without good material, it is extremely difficult, if not impossible, to make good products. Quality of students is absolutely essential. I am glad to share with you that among all DSE students admitted to City University this year, our LLB students have achieved the highest average DSE scores, taking into account the results of 4 core subjects and 2 electives. They also have the highest average English score among all newly admitted students. This is an example proving that our new students are some of the finest.



There is an old Chinese saying, "Only with good masters will you have good pupils." Quality of faculty is equally, if not more, important. Starting from Semester B of 2013–14 academic year, we have brought in one of the best Chinese law practice experts to teach the China-related legal practice course, and the best criminal law practitioners to teach the relevant courses in the LLB, JD and PCLL programmes. We will also create a new IP law stream in our LLM programme from next academic year.

With the combination of the above two factors, our graduates are well received by both international and local law firms. In addition, in the past two academic years, around 10 of our LLB and PCLL graduates have earned the chance to further their studies in prestigious universities overseas including Oxford, Cambridge, and the London School of Economics and Political Science. This is solid proof of our students' abilities and potential.

I would also like to share with you the joy of reaping the fruit of our colleagues and students' efforts. Mooting is now one of the brand names of CityU's Law School. Our team won the Hong Kong regional round of the Philip C. Jessup International Law Moot Court Competition in March, grabbing the championship two years in a row. Last year, our mooting teams also had remarkable achievements in various international mooting competitions. In Spring 2013, they were honoured with the Championship in the Twentieth Annual Willem C. Vis International Commercial Arbitration Moot. Back in 2012, the CityU team also bagged the Championship in the 9th Annual Willem C. Vis (East) International Commercial Arbitration Moot, a sister competition held in Hong Kong. CityU has now become the first and only institution in the world to consecutively win these honours. With the hard work and dedication of our colleagues and students, CityU is now known as a top-tier institution for educating future lawyers via mooting.

Our School is also the pioneer in providing legal education in Hong Kong for the mainland judges. We have established close collaborations with National Judges College of the Supreme People's Court of China for educating Chinese judges. Five batches of Chinese judges have already graduated from our Master of Laws (LLM) programme with the 6th batch admitted in January 2014. We also offer the Doctor of Juridical Science (JSD) Programme for Chinese senior judges, which is now in its 3rd cohort. In addition to the LLM and JSD for Chinese judges, we also organize a highly specialized advanced programme for Chinese senior judges twice a year. The total number of Chinese judges who joined these programmes is now over 400. The presence of the mainland judges in our School has offered an exceptional and unique opportunity for our students, staff and local practitioners to understand the Chinese legal system and its development. In order to give more prominence to various judges' training programmes, CityU established the Centre for Judicial Education and Research in September 2013. I am sure that it will develop from strength to strength.

These are just some of the highlights of our recent efforts and accomplishments. Much more is going on at the Law School that takes the heart and diligence of students and staff.

Thank you for taking a moment to catch up on all the good work the School of Law is doing. I hope that you are inspired by our commitment to sustaining our unique community of outstanding faculty, students, alumni, and staff.

Professor Lin Feng
Acting Dean

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ACTING DEAN, SCHOLAR AND TEACHER— INTERVIEW WITH PROFESSOR LIN FENG

In August 2013, Professor Lin Feng became Acting Dean of the School of Law. Professor Lin has been a faculty member of the School of Law for more than 20 years. He also leads the Centre for Chinese and Comparative Law of the School of Law.

The appointment as Acting Dean has brought some changes to Professor Lin's daily routines. In the past, a normal day for him was to teach and conduct research, with some administrative duties. Now, as Acting Dean, he needs to spend much more time on administration. While the acting deanship is a demanding job, Professor Lin insists on finding time to do research and staying in touch with the international academic community by attending conferences.

Attracting good students

Looking back at the development in 2013, Professor Lin thinks the School has done reasonably well. To begin with, the average DSE (Hong Kong Diploma of Secondary Education) score for 2013 students accepted for the LLB programme was the highest in the university. Their average English score was also the highest among all the first year students admitted to CityU.

The School is now offering entrance scholarships to outstanding students from all programmes. According to Professor Lin, "We are thinking of providing more scholarships for students, because scholarships can attract the very best students to join CityU's Law School."

To provide all-rounded training to students and further stretch their potential, the School continued to support moot training. In 2013, the CityU team achieved remarkable results in international competitions.

Our exchange programmes

The School has made some progress in promoting exchange programmes with other academic institutions around the world. The School signed the collaborative agreements with the University of Vienna on 30 November 2011 and University Paris 1, Panthéon-Sorbonne on 28 May 2013. In March 2014, 14 students studied at the University of Vienna as a requirement for the LLM degree. One of them was given a scholarship from Lansky, Ganzger & Partner, a leading international law firm, with tuition fees fully covered.

The School has also been exploring the idea of launching dual programmes with law schools in other common law jurisdictions. The idea of dual JD degree programmes is being considered.

By studying in a reasonably good law school overseas for 50% of the course time, students can obtain two JD degrees from their home and the host institutions. As a result, students would become qualified in two jurisdictions without the need to take conversion courses. "It truly saves time. Students who have the dual JD degrees can apply for the PCLL and practice law in another common law jurisdiction."

The School has also been working very hard to organize quality exchange programmes for our students. Currently the School sends students to three overseas law schools through G-LEAP (Global Legal Education and Awareness Project). "G-LEAP is beneficial in the sense that students can get exposure to other legal cultures. Unfortunately, they don't have much chance to mingle with local students." Professor Lin said. Therefore, to encourage students to immerse in the local culture of those overseas law schools, the School is trying to establish more regular exchange programmes of one semester or up to one year with different law schools.

Seeking talented new faculty

To further enhance the quality of the faculty, Professor Lin said the School is in the process of recruiting more talented new faculty.

"The School has brought in one new faculty member from Oxford recently (See New Faculty) and two more from South Africa and the US will assume office soon. Hopefully by the beginning of next academic year we can bring in 6 to 8 new faculty members. We are also trying to bring in a number of GTAs (Graduate Teaching Assistants), which is funded jointly by the University and the hosting academic unit. I want to make full use of that, adding 5 to 6 GTAs to our School. The successful applicants come from prestigious schools such as Oxford, King's College London, and the University of Nottingham." Professor Lin said.

Professor Lin is trying to bring in more world-class scholars in common law subjects in the hope of strengthening the School's common law research and teaching. The School has also brought in top practitioners and senior counsel to teach the LLB



INTERVIEW WITH ACTING DEAN

(e.g. administrative law) and the JD (e.g. evidence) courses. For the PCLL, 11 practitioners from Cheng Huan QC-SC Chambers taught Criminal Litigation Practice. Mr Winston Zhao, partner of McDermott Will & Emery LLP, a leading lawyer in the area of China Law practice, was invited to conduct an elective course in Foundations in Mainland Related Legal Transactions.

Chinese Judge Training

The School currently runs programmes for Chinese judges in collaboration with the National Judges College of the Supreme People's Court of China, including the JSD for Chinese Judges, the LLM for Chinese Judges, and the Advanced Programme for Chinese Senior Judges. In 2013, 24 students were admitted to the JSD (Chinese Judges) programme and 28 students were admitted to the LLM (Chinese Judges) programme. The 7th and the 8th Advanced Programme for Chinese Senior Judges were organized in May 2013 and January 2014 respectively. These programmes are designed to furnish Chinese judges with advanced legal education and thus enhance their international exposure with an aim to helping elevate the standard of judicial services in Mainland China to a new level.

Contributing to the local legal scholarship

"Ideally I hope to see the School having a mixture and balance of both theoretical and applied legal research. As a local law school, CityU's School of Law should contribute to the local legal scholarship, as well as the development of Hong Kong's legal system." Professor Lin remarked.

As Director of the Centre for Chinese and Comparative Law, Professor Lin said:

"Since the setting-up of this centre, Chinese and comparative law has been recognized as an area of excellence at this law school. The external research grants the School received, with the exception of one, are all given to sponsor research in this field. All these grants, with the exception of one, are all obtained by the core members of the Centre."

Appointment as a member of the Law Reform Commission of Hong Kong

Professor Lin has recently been appointed as a member of the Law Reform Commission of Hong Kong. He thanked the Chief Executive, the Secretary for Justice, the Chief Justice, and other members of the Commission for their trust. He said it is a privilege for him and, more importantly, for the School of Law.

"For many years a representative from CityU has been missing from the Law Reform Commission of Hong Kong." Professor Lin hopes that he can make some contribution to the Commission, particularly in the areas of his expertise.

The Law Reform Commission of Hong Kong was established in January 1980. The Commission considers reform for those aspects of the laws of Hong Kong which are referred to it by the Secretary for Justice or the Chief Justice.

Words to students

When asked to say a few words to students, Professor Lin said that, given the keen competition within the legal field nowadays, students must strive to learn as much as they can and be well equipped for the challenges ahead.

"Students, if they aspire to be lawyers, have to work very hard as the competition for entry into the PCLL is intense."

Professor Lin advises students to have the courage to face the challenges. It is important for them to take the subjects they are really interested in, rather than just taking the easier subjects.

Professor Lin said, "Students should grasp every opportunity which comes their way. The School is a small law school so students are provided with ample opportunities such as G-LEAP overseas experience, mooted competitions, and internships."



LLB Information Seminar and Mooting Training Workshop

The LLB Information Seminar and Mooting Training Workshop were organized on 19 October 2013 under CityU's Information Day. Both events received an overwhelming response from over 200 secondary school students and parents.



Students at the LLB information seminar

The LLB Information Seminar highlighted the special features and admission process of the LLB programme, including the overseas learning opportunities and career prospects of law graduates. Associate Programme Leader, Ms Alisa Kwan, shared tips on how to prepare for interviews and the admission criteria of the programme. Three LLB student ambassadors also shared their learning experiences at CityU's Law School, including their experiences in G-LEAP and mooting competitions.



Dr Rajesh Sharma demonstrated mooting.

The secondary school students also had the opportunity to participate in a trial moot. Dr Rajesh Sharma, Director of Mooting of the School of Law, along with the mooters of International ADR (Alternative Dispute Resolution) Mooting Competition 2013, conducted mooting demonstrations for the secondary school students. The workshop was organized to promote legal education, introduce knowledge of the Hong Kong legal system and enhance students' skills in debating, public speaking and writing. Afterwards, the secondary school students took part in a trial moot. Professor Gu Minkang, Associate Dean, presented the awards to the winners of the trial moot.

– Associate Professor Rebecca Ong

JD: Davis Polk Prize

With a generous donation from a leading law firm, Davis Polk & Wardwell, the School has established the annual Davis Polk Prize for JD students. The Prize, which has been offered every year since 2011–12, carries a cash award of HK\$10,000 and a paid summer or winter internship with Davis Polk & Wardwell. The Prize is awarded to a full-time JD student recommended by the Selection Committee comprising staff of both Davis Polk & Wardwell and the School. When assessing applicants for the Prize, the Committee



Connie Ng got the 2013 Davis Polk Prize.

considers a number of factors including the academic results (both the undergraduate degree and the JD programmes) and the performance during an oral presentation as well as a personal interview.



Connie as the 5th one in the 2nd row (from left to right)

Miss Connie Ng, who won the 2013 Davis Polk & Wardwell Prize, said, "Winning the Davis Polk Prize has granted me the privilege to spend a month interning at the firm. It was a rewarding experience to work alongside some of the brightest minds in the legal profession as well as exploring my career aspirations. I enjoyed applying my legal knowledge and researching to solve commercial problems. Moreover, I was fully immersed in the firm's culture through networking and social events, making the internship a vivid life experience. I would urge anyone interested in seeing how a prominent international firm operates in action to seize this opportunity."

– Associate Professor Surya Deva

LLMArbDR: Highlights and Recent Developments

The LLMArbDR (Master of Laws in Arbitration and Dispute Resolution) programme is focused on both theoretical and skills-based training in dispute resolution. Courses are taught by internationally respected academics, practitioner-academics and local experienced practitioners. The programme offers a unique blend of academic and practical training in a broad range of dispute resolution methods, including but not limited to, negotiation, mediation, domestic and international arbitration, as well as foundations of legal concepts and proof and procedures related to dispute resolution. Finally, a dissertation component allows students to master research methods and engage in research planning and creative analysis in order to produce a well-articulated dissertation that demonstrates the application of dispute resolution skills to solving complex problems, thereby making a contribution to society and advancing the field of dispute resolution.

Recent Developments

During the past year, the LLMArbDR programme has continued to cultivate professional relationships with local and international



DRS-CIArb

dispute resolution institutions. Through these partnerships, LLMArbDR students are eligible to apply for professional accreditations offered by these institutions, on condition of filling certain requirements. These partnerships include, for example, membership of the Chartered Institute of Arbitrators (MCI Arb), fellowship of the Chartered Institute of Arbitrators (FCI Arb), fellowship of the Hong Kong Institute of Arbitrators (FHKI Arb), an accredited mediator through Hong Kong Mediation Accreditation Association Limited (HKMAAL) and CPD points awarded by the Law Society of Hong Kong.

Since 2011, the LLMArbDR programme, in partnership with the Chartered Institute of Arbitrators, has been the first and only programme in Hong Kong to offer the CIArb's Module 4 (Award Writing) course. This course (LW6409B) is taught by a team of experienced arbitrators and provides students with a unique gateway towards obtaining Fellowship status with the Chartered Institute of Arbitrators (FCI Arb).

As of September 2013, the LLMArbDR programme offers students the opportunity to be exempt from core courses and, instead, take electives which can further their professional development in the field of dispute resolution. In particular, students holding a law degree from a university in Hong Kong, a law degree from another common law jurisdiction, the Postgraduate Certificate in Hong Kong Law (PGCHKL) from City University of Hong Kong, or any equivalent,

are automatically exempt from taking LW5303 (Commercial Contracts) and LW5400 (Legal Concepts). Instead, exempt students may take advantage of a rich variety of electives offered by the LLMArbDR and LLM programmes.

Since 2011, students in the LLMArbDR programme have had the opportunity to participate in the exchange programme with the University of Vienna. In late January 2014, the LLMArbDR programme marked the beginning of strong cooperation agreements with recognised and respected institutions designed to increase the internationalization of the programme. Through a collaborative programme with the University of Vienna, Austria, LLMArbDR students have the opportunity to concurrently earn an LLM. in European and Asian Legal Studies, and the degree from CityU. In the future, LLMArbDR students will have the opportunity to concurrently obtain a Master 2 degree certificate through a joint master's degree programme agreement with University of Paris 1 Panthéon-Sorbonne, France.

In February 2014, students in the LLMArbDR programme are invited to serve as Student Ambassadors during the week of 1–5 April 2014 for the 2014 Willem C. Vis (East) International Commercial Arbitration Moot held at City University of Hong Kong and supported by the School of Law. Through these and other upcoming initiatives, the LLMArbDR programme strives to provide students with an opportunity to fully engage with the dispute resolution community, build strong skills in dispute resolution, and excel in professional qualifications.

Student Achievements and Opportunities

Students in the LLMArbDR programme are, in general, working professionals from a variety of industries, such as construction, finance, technology, education, investment, and banking sectors. Their diverse backgrounds enrich the learning experience and allow them to discover ways in which dispute resolution skills can contribute to resolving the complex problems within their industries. By examining and analyzing theories as well as applying their dispute resolution knowledge through interactive, skills-based assessments, students have an opportunity to enhance their professional skills and earn qualifications which will, undoubtedly, lead to professional advancement in their chosen fields.

LLMArbDR students can also benefit from active engagement in a variety of activities, including but not limited to, participation in the annual Willem C. Vis International Commercial Arbitration Moot held in Vienna, the Willem C. Vis (East) International Commercial Arbitration Moot held at CityU of Hong Kong, and the flagship mediation/arbitration moot, the International Alternative Dispute Resolution Moot, also hosted by CityU of Hong Kong.

—Assistant Professor Avnita Lakhani

LLM : new “Intellectual Property and Technology Law” stream

The Master of Laws (LLM) programme aims to provide an intensive study of issues and practices related to Chinese and Comparative Law, International Economic Law, Common Law, Maritime and Transportation Law and Intellectual Property and Technology Law. Students may also choose to follow a general course of study. Students will be provided with an opportunity to enhance their professional competence, specialist knowledge and career focus.



The LLM programme has recently introduced a new stream named “Intellectual Property and Technology Law”. The stream explores the cutting-edge issues relating to copyright, patent, trademark, design, trade secret and cyberspace. It further investigates the possible boundaries in intellectual property between commerce, industry, technology innovation, governance, education, and the relationship of law to each. Courses, covering both local and international law, are taught by leading experts or practitioners in their fields. The introduction of this new stream will enable students to acquire further knowledge in this field.

—Assistant Professor Chen Lei

Highlights of PCLL

Our PCLL teaching comprises very practical and relevant skill-based courses. Demonstration/guest lectures by esteemed members of the judiciary and legal practitioners, High Court Trials, role playing as a client by guest practitioners, supervised court visits, examination-in-chief and cross-examination of an expert witness, and teaching by simulation are a few of the unique features of the programme.

A number of guest practitioners were invited to give lectures or demonstrations in different courses, such as Bar Course, Corporate and Commercial Practice, Criminal Litigation Practice, Family Law Practice, Financial Regulatory Practice, Interlocutory Advocacy and Interviewing, and Trial Advocacy. Role-plays were emphasized in the Mediation and Negotiation, Interlocutory Advocacy and Interviewing, and Professional Conduct and Practice courses.



Guest speakers from Citibank's legal department.

In addition, in the Wills and Probate Practice course, practitioners participated in small groups as clients. Many members of the judiciary and practitioners acted as judges in mock trials held in the Trial Advocacy course and in Advocacy assessments in the Interlocutory Advocacy and Interviewing course. Several of the participants commented very approvingly on the quality of the performances by the CityU PCLL students.

—Senior Teaching Fellow Sushma Sharma

Exploring the Historical Origins of International Criminal Law— International seminar co-hosted by the School of Law

The International seminar “The Historical Origins of International Criminal Law” was held in City University of Hong Kong on 1 and 2 March 2014. It is the 2014 Li Haopei Lecture and Seminar initiated by the Forum for International Criminal and Humanitarian Law (FICHL), a department under the Centre for International Law Research and Policy (CILRAP). The seminar was organized by CILRAP in cooperation with Peking University’s International Law Institute, CityU’s School of Law, and European University Institute’s Department of Law. CILRAP seeks to contribute to academic activities in international law and to practitioners and policy makers in international law, and the Forum aims to identify, frame and host discourses on key issues in international criminal and humanitarian law, transitional justice and in law more widely.

The School of Law was represented by **Assistant Professor Mark D. Kielsgard** who co-organized the conference and oversaw the logistic arrangement as Conference Coordinator. He also made introductory remarks and observations and chaired the first

panel session. Additionally, Acting Dean and Professor Lin Feng made introductory remarks and observations. Assistant Professor Fozia Nazir Lone, as well as Associate Professor Surya Deva, each chaired one panel session of the conference.

Dr Mark D. Kielsgard highlighted the importance of history in the study of international criminal law, “The history of international criminal law is a very important subject because criminal law itself is always backward-looking. Perhaps that is why I am personally drawn to it. I always try to incorporate history into my human rights and international criminal law classes when I teach.”

“As a law school, CityU’s School of Law prides itself on internationalization and the competitive research. It is fitting that



Assistant Professor Mark D. Kielsgard, Conference Coordinator



Professor Lin Feng gave an opening remark.



International criminal law experts assembled at the seminar on “The Historical Origins of International Criminal Law”.

we should co-host a conference that deals with such an important and timely topic in international law. International criminal law has played an exceedingly important role in international law lately, and a new consensus on how the international community deals with the international crimes has been produced. This conference has amassed some of the most important scholars and professionals in the field of international criminal law and promised to produce great insights.” Professor Lin Feng said in his opening remark.

Over 50 academics at universities and institutions from all over the world presented their papers in the two-day seminar, including China (and Hong Kong), the United States, Germany, Australia, Singapore, the Netherlands, Canada, Kenya, Italy, England, New Zealand, India, Denmark, Finland, Poland, Czech Republic and Hungary. The scope of the presentations was broad, covering topics from historic prosecutions of Kings and war criminals to the interplay between domestic and international trials for international crimes to Chinese Confucianism, with the theme of the international criminal law running through the discourse, and the discussion was both enlightening and in-depth.

This research project is coordinated by **Professor Morten Bergsmo** (Peking University Law School), **Assistant Professor Cheah Wui Ling** (National University of Singapore), and **Assistant Professor Yi Ping** (Peking University Law School).

There were a total of 10 sessions in the 2-day seminar. The first session was “Introducing the Seminar and Its Subject-Matter”, followed by session 2: “Investigating Origins: Going Beyond Conventional Historical Narratives of International Criminal Law”. Session 3 is “A Critical Examination of Investigatory and Prosecutorial Efforts after World War I”, followed by Session 4: “The Inter-World War Period and Before Nuremberg and Tokyo”.



The seminar was organized by CILRAP in cooperation with Peking University International Law Institute, CityU's School of Law and European University Institute's Department of Law.

The first day ended with Session 5: “A Broader Interdisciplinary Analysis of Nuremberg’s Record and Legacy”.

The second day began with Session 6: “Examining and Situating Post-World War II Prosecutions in Japan”. Session 7 is “Beyond Nuremberg and Tokyo: Post-World War II Prosecutions in China and Southeast Asia”. After lunch, the conference resumed with Session 8 and 9: “Beyond Nuremberg and Tokyo: Post-World War II Prosecutions in Europe”. The 2-day conference ended with “Discussion and Concluding Remarks”.

There will be a second, follow-up seminar in New Delhi on 29 and 30 November 2014. Papers presented at these seminars (and some additional papers) will be published in two comprehensive volumes.

Impact of Law: Professor Lawrence M. Friedman from Stanford Law School gives a public lecture in CityU

“The ignoring of impact is a defective side of legal education,” said Professor Lawrence M. Friedman in a lecture held in City University of Hong Kong. “The impact of any law, rule, decision, regulation can never be assumed simply by studying the text—it is always an empirical question; the side-effect, impact of the law for the most part is completely ignored in our legal education.”



Professor Lawrence M. Friedman from Stanford Law School

The School of Law had the pleasure to invite Professor Lawrence M. Friedman from Stanford Law School to give a one-hour lecture titled “The Impact of Law” on 14 Feb 2014. An internationally renowned, prize-winning legal historian, Lawrence

M. Friedman has for a generation been the leading expositor of the history of American law to a global audience of lawyers and lay people alike—and a leading figure in the law and society movement. He is particularly well known for treating legal history as a branch of general social history. From his award-winning *History of American Law*, first published in 1973, to his *American Law in the 20th Century*, published in 2003, his canonical works have become classic textbooks in legal and undergraduate education. Professor Friedman is a prolific author on crime and punishment, and his numerous books have been translated into multiple languages. He is the recipient of six honorary law degrees and is a fellow in the American Academy of Arts and Sciences.

According to Professor Friedman, there are two macro-questions which dominate research and theory on law and society. One is about the sources of law; the other is about the impact of law. Many studies are implicitly studies of impact, but there are surprisingly few studies that are explicitly about the way particular kinds of law impact society.

Any study of impact must consider how legal messages are communicated to their audience; how the audience understands or misunderstands the message; and what factors determine how the subjects of the message respond. There are three major clusters of factors: rewards and punishments; peer pressure; and moral factors, including the vexed notion of legitimacy. Professor Friedman regards how they work in harmony and what happens when they conflict a fascinating and difficult subject.

Chinese Law Reform Seminar

On 16 January 2014, the Chinese Law Reform seminar was held by the Law Society of Hong Kong and City University of Hong Kong. It was chaired by Professor Wang Guiguo, Chair Professor of Chinese and Comparative Law, and Director of the Centre for Judicial Education and Research, as well as Mr James Wong, Vice Chairman of the Greater China Legal Affairs Committee of the Law Society of Hong Kong.

Professor Wang first introduced the guest speakers who were participants in the 8th Chinese Senior Judges Programme. They were Lu Yanfeng, Vice-President of the Higher People’s Court of Jilin Province, Luo Pengxian, Political Officer of the Higher People’s Court of Qinghai Province, and Luo Dengliang, Research Officer of the Higher People’s Court of Sichuan Province. Professor Wang said that they not only possess ample experience in legal practice, but also extensive knowledge in Chinese legal problems. It is a rare opportunity to have these three senior Chinese judges discussing legal problems with Hong Kong lawyers together.



Seminar featuring the 8th Chinese Senior Judges Programme students

The first speaker Lu Yanfeng’s topic is “Some Thoughts on Enhancing Legal Credibility”. He pointed out that the crux of legal trial is the judges: it is important for the judges to have the ability to judge fairly. The second speaker Luo Pengxian shared his experience at the Higher People’s Court of Qinghai Province, and explained the significance of protecting independence of law in national development. The third speaker Luo Dengliang delineated the historical development of the people’s jury system since the beginning of the last century in China, and urged that the country’s judicial reform should enhance the practical function of the public jury, and at the same time strengthen the professionalism of the judges in their legal practice.

JSD students met with Secretary for Security

"Law could not reach perfection by the written word alone; therefore, the court and judges are important elements to achieve full justice", according to **Mr Lai Tung-kwok**, Secretary for Security of Hong Kong SAR. Mr Lai shared his experience with 24 students of the Doctor of Judicial Science (JSD) programme and the Faculty on 13 November 2013.



Mr Lai Tung-kwok, Secretary for Security, met the JSD students.

Having worked in the Security Bureau for 4 years, Mr Lai has a deep understanding of the Bureau's structure. He briefed the students on the responsibilities of the different departments in the Security Bureau, pointing out that some of the structures between the HKSAR and the mainland are similar.

"All countries and cities have their different policies in law which should be revised from time to time to catch up with the city's development." Mr Lai believes that there are new challenges to meet every day. In particular, he mentioned a controversial case in Hong Kong named the "W case". It has to do with human rights and raised the issue of whether a transsexual person has the right to get married. He believes the evolving discussion on these policies will continue to thrive.

Mr Lai also discussed with students about the recent problems arising from the new rule concerning the export of milk powder. That then led to discussions about the conflicts between Hong Kong people and the mainlanders. He mentioned that while 75% of the visitors to HK are the mainlanders and the percentage is still on the rise, the Customs and Excise Department under the Security Bureau will try their best to streamline the customs procedures.

Korean Consulate received Chinese Judge students

On 6 November 2013, the 3rd cohort of JSD Chinese Judges and the 5th batch of LLM Chinese Judges attended exchange activities organized by Korean Consulate.

The exchange kick-started when **Consul Oh Joong-keun** first introduced to the judges the present Korea and her relations with China.

After the seminar, the Chinese judge students, the attending faculty and officers from Korean Consulate proceeded to a Korean restaurant for dinner. **Consul General Cho Yong-chun** expressed gratitude to CityU's Law School for their constant support to Korean Consulate.

Professor Gu Minkang thanked the warm reception of **Cho Yong-chun**, Korean Consulate General, and expressed that he was able to gain an understanding of the growing friendship between China and Korea. In fact, the Chinese judge programmes have been arranging legal exchange activities with Korea for several years, where the Chinese judge students were able to visit Korea University, the judicial organizations and law firms in Korea, widening their horizons and understanding the legal culture there. He believed such experience can help the judges become more well-rounded and be better able to uphold justice.



The Chinese judge students listened to Korean Consul Oh Joong-keun.

Mr Xu Qingyu, a JSD Chinese judge from the Jiangsu province, said that he experienced the passion of the Korean nation through this exchange. He felt that the prosperity of the Korean society must be based on a very strong legal culture and hoped that he will be able to facilitate the exchange between the nationals of China and Korea and gain a deeper understanding of Korea's legal culture in the future.

Ms Hao Hui, an LLM Chinese judge from Beijing, on the other hand, shared her experience when they visited Korea in July 2013. The Chinese judge students were able to witness Korean judges striking a delicate balance between promoting societal change, conserving the tradition, and maintaining societal stability. They also appreciated the wisdom and courage of the Korean judges, legal scholars and reformers. Last but not least, she wished that the friendship between China and Korea will last forever.

CIETAC delegation visits School of Law

On 24 October 2013, a delegation from the China International Economic and Trade Arbitration Commission (CIETAC), Beijing, visited the School of Law pursuant to the CIETAC conference of Arbitration in Mainland China titled "Law and Practice" held in Hong Kong on 22 October 2013.

The delegation was headed by **Mr Yu Jianlong**, Vice Chairman and Secretary-General of CIETAC, and **Justice Luo Dongchuan**, Chief Judge and President of the Fourth Civil Division (Foreign-related Commercial and Maritime Trial Court) of the Supreme People's Court of China.

Commending the success of the 2013 ADR Moot, a unique competition combining the processes of arbitration and mediation as well as a collaborative effort between the School of Law, CIETAC and other institutions, Mr Yu Jianlong hoped that CIETAC and CityU can further deepen their collaboration in the future.

Justice Luo Dongchuan pointed out that there is a growing need in China for the training of judges with an international perspective, and arbitration is an increasingly important area to be developed in the mainland. The delegation said that CIETAC may share their

resources with the LLMArbDR programme, such as the provision of video-linked monthly seminars.

Assistant Professor Rajesh Sharma updated the delegation on the latest developments of the ADR Moot to be held in 2014. He also expressed thanks to **Professor Tang Houzhi**, Senior Adviser of CIETAC, for his great support in judging the teams and drafting the moot rules. Mr Yu indicated that CIETAC can offer assistance in promoting the ADR Moot across the Asia-Pacific Region as an effort to step up the diversity of the competing teams.

Ms Wang Wenying, Secretary-General of the CIETAC Hong Kong Arbitration Center, said that the center had begun its operation since March 2013 and focuses on promotion and exchange of ideas among arbitrators at this stage. CIETAC sets up the center in Hong Kong as the city has an advantage with her internationalized mode of operation and is a window to the rest of the world. According to statistics, over 20,000 cases have been resolved with Hong Kong as the place of arbitration. At present, there are 105 arbitral awards which are being applied for execution in Hong Kong. She thanked the School for the support it had given to the center in the previous months and looked forward to more opportunities of collaboration.



A delegation from the China International Economic and Trade Arbitration Commission and our staff

The 5th New Haven Conference



The New Haven Conference is held annually.

The 5th International Conference jointly organized by the School of Law and Yale Law School on “New Haven and other Jurisprudential Perspectives on Conflict Resolution and Current Legal Problems” was successfully held on 17 and 18 September 2013.

The 5th New Haven Conference provided a platform for international experts to share their views and experience on jurisprudential foundations of dispute settlement process. The conference attracted over 20 international scholars and academics from around the world, such as North America, Europe, Mainland China and Asia. The two-day conference not only applied the New Haven approach in interpreting legal issues, but also welcomed other jurisprudential approaches.

The New Haven School is an innovative approach founded in the 20th century, serving as an interdisciplinary framework to analyze and resolve societal problems. Founded at the Yale Law School in the 20th century by Professor Myres S. McDougal, Professor Harold D. Lasswell, and Professor W. Michael Reisman, the New Haven School aims to achieve human dignity in different societies.

Professor Wang Guiguo, Chair Professor of Chinese & Comparative Law, was glad to see the conference bringing scholars together from diverse jurisprudential backgrounds. According to him, the New Haven Approach has recently been introduced to the Chinese community and well received. He presented to Professor Reisman the first copy of the Chinese translation of Professors Lasswell and McDougal’s *Jurisprudence for a Free Society: Studies in Law, Science and Policy*.



Professor Wang Guiguo



Chinese edition of *Jurisprudence for a Free Society: Studies in Law, Science and Policy*

Michael Reisman, Myres S. McDougal Professor of International Law at Yale Law School, said that the translation of the magnum opus into Chinese is a tremendous achievement.



Professor Michael Reisman from Yale Law School

Referring to the old saying, “Let the welfare of the people be the supreme law”, Justice Jiang Bixin, Vice President of the Supreme People’s Court of PRC, hoped that the New Haven approach would be used as an effective means of international dispute resolution.

Mr Rimsky Yuen, Secretary for Justice, acknowledged that the past New Haven conferences have enriched the legal thinking of Hong Kong, and provided an excellent platform for discussion. He pointed out that “no jurisdiction is an island” and international legal studies are very important.



Mr Rimsky Yuen, Secretary for Justice

At the end of the conference, Professor Wang, on behalf of the School of Law, presented a collection of essays *The Rule of Law: A Comparative Perspective* (coedited by Assistant Professor Yang Fan and Professor Wang Guiguo), a Festschrift for Professor Anton Cooray in recognition of his immeasurable support to the series of conferences and the School of Law in general for 23 years.

CityU's team advanced to Washington to compete for the international rounds of Jessup

CityU School of Law students won the Hong Kong regional round of the Philip C. Jessup International Law Moot Court Competition on 8th Mar 2014 and advanced to the international rounds held in Washington D.C. in April, representing Hong Kong.



From left to right: Ms Liu Wing Sum Michelle (year 2 LLB), Mr Fan Siu Leung Joshua (year 2 LLB), Mr Tam Hey Juan Julian (year 2 LLB), Mr Leung Min Yin Henry (year 4 LLB), Mr Chan Sai Ho, Kevin (year 4 LLB)

The team also won the awards for Best Respondent Memorandum, Best Applicant Memorandum, and Mr Chan Sai Ho, Kevin was adjudged the third best speaker.

The CityU team consists of Mr Chan Sai Ho, Kevin (year 4 LLB), Mr Leung Min Yin Henry (year 4 LLB), Mr Fan Siu Leung Joshua (year 2 LLB), Ms Liu Wing Sum Michelle (year 2 LLB), and Mr Tam Hey Juan Julian (year 2 LLB). The team is coached by Mr Mohammed Talib.

"The CityU team worked hard and with great dedication in the run up to the competition to prepare themselves for the Jessup. Especially at an early stage, they focused from September onward on preparing their written submissions with an exceptional degree of focus and commitment. For this they were rewarded at the Hong Kong round of the Jessup competition. The competition this year was of an extremely high standard with the highest standard of competing students and judges and came down to the narrowest of margins. The CityU team's early commitment and hard work gave them the advantage during the competition. This is reflected in their winning the best memorial prize for both applicant and respondent sides as well as the overall championship," Mr Talib said.



Best Applicant Memorandum



Best Respondent Memorandum

The Jessup is the world's largest moot court competition, with participants from over 550 law schools in more than 80 countries. The competition is a simulation of a fictional dispute between countries before the International Court of Justice, the judicial organ of the United Nations. Teams prepare oral and written pleadings arguing both applicant and respondent positions of the case.



Best Speaker-Third Place

Thousands of law students from around the world have been working all year long on this year's Jessup Problem, which concerns the conflict between maritime development and conservation, criminal jurisdiction and maritime salvage rights. Most students must first compete in their regional round to earn the right to advance to the White & Case International Rounds in the United States.

Kevin, who took part in the competition and won Third Best Speaker Prize for the second time, said he joined the moot again this year as he had believed he should perform better than last year. Henry, another year-4 student who has mooted in Annual Willem C. Vis International Commercial Arbitration Moot, is also an experienced mooter. Joshua, Julian and Michelle were new to moot courts.

The rivalry was fierce. The mooters won most of the matches convincingly against HKU and CU. The team attributed their success to their hard research work, with the advice from the alumni and past Jessup competitors, CityU's faculty including Assistant Professor Mark Kielsgard and Assistant Professor Xing Lijuan, support from Assistant Professor Rajesh Sharma, the School's Director of Mooting, and most importantly the coaching from Mr Mohammed Talib who was tough during preparation and caring while giving his feedback.

"It is the first time in the history of the School of Law that our team won this competition back to back. In early days, we used to win after the gap to ten years. But in the last four years our team has won this competition three times. It shows the self-motivation and the burning desire among our students to win the moot competition. Now our students are formidable and competitive," said Dr. Sharma.



CityU represented Hong Kong in the international rounds.

Becoming a Good Mooter – Interview with the Alumni Moot Coaches

Au Lut Chi (LC) (LLB 2011, PCLL 2012) and Lam Ho Yan (Mike) (LLB 2010, PCLL 2011), currently barristers who mainly do civil litigation work, have been serving as alumni coaches at CityU's Law School for some time. LC and Mike are glad to share their experience and views on mooting with us.



Alumni moot coaches, Au Lut Chi (LC) (left) and Lam Ho Yan (Mike)

What makes a good mooter?

In fact, LC and Mike have worked in partnership for a long time. They were teammates back in the 2008-09 Vis (East) moot, and then the 2009-10 Manfred Lachs Space Law Moot. After they graduated, LC and Mike coached the 2012-13 Lachs Moot together, and are now taking independent charge of the 2014 Lachs Moot team.

LC thinks the two most important qualities treasured in a mooter are diligence and communication skills; no one can make the mooters work hard unless they have the right attitude. Mike adds that while they can pass on subject knowledge to students within a short time, the skills of verbal expression, and hence of communication, need to be nurtured over a longer period of time. In view of the limited time for training, it would be much more desirable if the mooters are already in possession of good communication skills when they are selected into the team.

When interviewing mooters for the Lachs Moot, LC and Mike would gauge applicants in terms of their attitude — whether they are serious about becoming a mooter; their communication skills; and their academic performance. They would also ask unexpected questions to test candidates' common sense and knowledge of international news, among other things. To LC and Mike, these may be the best criteria for choosing the right team members under the inevitable, practical restrictions of the assessment.

On the training

LC and Mike's plan for training the CityU team can be roughly put into three stages. The entire training lasts for 6 to 9 months. In the first two to three months, they will explain the subject of space law to the students. Then, students will need to dig into the subject themselves by conscientious research and writing the memoranda on both sides. Finally they would come to the oral stage when mooters from overseas universities are invited to debate with students in the format of video-conferencing. While the goal of the training is, of course, to win the moot with their best efforts, LC and Mike also want to help the mooters develop a fuller understanding of actual court procedure, and acquire the analytical skills and abilities that law students should possess. This will be beneficial to the students in a permanent sense. Students would also be able to explore their future career through mooting.

"Mooters will get a clear picture as to whether they would like to enter the field of litigation, or to work in other areas of law in the future," LC shares.

Also, as the training is very time-consuming, team members will need to learn how to allocate their time, to juggle between their assignments, study schedule and the moot training. Another valuable lesson mooters will gradually learn from the training is that they will know how a good piece of legal writing should look, and become quick to spot important issues to be elaborated on. The originality in mooting does not lie in the novelty of the arguments, but in the manner mooters present them to persuade others, and which always have to be backed up by ample research.

All team members would need to try everything as an advocate and a researcher in the training. According to LC and Mike, the underlying principle is to constantly push the limit of the mooters, to stretch their potential in different areas, and to give them the chance to try taking up different roles in the team. Only a few weeks before the actual moot will they decide on the strategies to deploy the mooters in the various rounds.



Mike and LC in Sydney during Lachs Moot in 2010

On mooting culture, and ways to sustain it

The compulsory mooting course in the LLB curriculum, which has been introduced in recent years, is good groundwork to prepare the mooters; LC and Mike can feel the difference in the students compared to mooters of their time. Of course, these students would need to be further trained to become truly internationally competitive.

As to the strategic development of the mooting culture at CityU 's Law School, both LC and Mike agree that the School should keep bringing back the alumni as coaches so that they may pass on their experience in mooting to their younger successors. The School may also involve more academics from overseas to train the mooters, as different coaches would bring in different perspectives and enrich the training methodologies.

As circumstances allow, LC says the School may participate in even more moots in different areas of law, to give more chances for students to develop as mooters. Mike says the School should keep up the tradition of intra-moots for students to practice their mooting skills.

Words for fellow students

"The only way to succeed in any field is sheer hard work. There is no shortcut to this goal, and no matter you win the moot or not, you would have already tried your very best."

— LC, Au Lut Chi

"You need to have passion in what you're doing as a mooter. And later on, when you enter your career, you've got to have boundaries in order to uphold your moral principles as a legal professional."

— Mike, Lam Ho Yan

Students' Achievements in Mooting Competitions 2012–13

During the academic year 2012–13, the School participated in various international mooting competitions and reaped a bumper harvest in the competitions. Other than the Susan J. Ferrell Intercultural Human Rights Moot Court Competition 2012–2013, the 2013 Philip C. Jessup International Law Moot Court Competition and the 20th Willem C. Vis International Commercial Arbitration Moot that were reported in last Newsletter, other mooting competitions and the achievements include:

The Annual Willem C. Vis (East) International Commercial Arbitration Moot



Hong Kong, 11–17 March 2013

Achievements: Quarter Finalist in the Competition for Best Oral Team, Honourable Mention For Best Oral Advocate (Yung Ron / Ho Timothy Lok Tim), Honourable Mention For Best Memorandum on Behalf of Respondent

Team members: Chau Cleo Haye-teng (LLB 2011), Fung Yik Chung Alwin (JD 2012), Ho Timothy Lok Tim (LLB 2009), Kaur Kamaljeet (LLB 2011), Leung Yui Chi Gigi (LLMArbDR 2012), Liang Fang (JD 2011), Mahtani Sharina Nanik (LLB 2011), Ng Jacquelyn Ga Hei (PCLL 2012), Xiao Huiting (JD 2012), Yung Ron (LLB 2010)

The 6th Frankfurt Investment Arbitration Moot Court Competition



Frankfurt, Germany, 18–22 March 2013

Achievement: Fifth position

Team members: Cheung Nicholas Man Kit (PCLL 2012), Chow Carol Yan Lin (LLB 2009), Se Hon Kei (PCLL 2012), Wang Ying (LLM 2012), Zhang Yilun Allen (PCLL 2012)

The Manfred Lachs Space Law Moot Court Competition (Asia Pacific Regional Round)



Tokyo, Japan, 1–2 June 2013

Achievements: Third position, Second position at the end of the General Round

Team members: Au Wing Chi Michelle (LLB 2009), Mok Sin Lun (LLB 2009), Sin Long (LLB 2010), Tang Vivian (LLB 2011)

The 14th International Maritime Law Arbitration Moot



Southampton, UK, 8–12 July 2013

Achievement: Semi-finalist

Team members: Chung Wing Yee (LLB 2009), Cheung Chin Kiu (LLB 2011), Hui Man Nok (LLB 2010), Yip Chun Ho (LLM 2012)

The International ADR Mooting Competition



Hong Kong, 28 July–3 August 2013

Achievements: Semi-finalist, Highest ranked team in the general rounds

Team members: Chu Joshua Allen Kiu Wah (JD 2011), Cheung Clarence Leonard (LLMArbDR 2012), Jay Ka Yan Anita (LLB 2009), Tong Joshua Yingho (LLB 2012), Mok Cheuk Yuen (LLB 2012), Wang Yi (JD 2012)

The Centre for Chinese and Comparative Law **The 4th Annual Conference of CityU & Renmin University of China: State Capacity and Human Rights Developments in China**

On 17th and 18th of January 2014, the Centre for Chinese and Comparative Law held the Fourth Annual Conference of the School of Law, City University of Hong Kong (CityU) and the School of Law, Renmin University of China (RUC). This joint conference, which the two law schools take turns to hold in Hong Kong and Beijing, has been an important annual event for both law schools since 2009.

Having considered that 2013 is the 15th anniversary of China's signing of the International Covenant on Civil and Political Rights and the 16th and 12th anniversaries of its signing and ratification of the International Covenant on Economic, Social and Cultural Rights respectively, we decided to set the theme of this year's conference as "State Capacity and Human Rights Developments in China".



The Annual Conference of CityU and Renmin University of China.

About 50 people participated in this one and a half day conference, including over 20 scholars from both law schools of CityU and RUC, as well as experts and legal scholars from East China University of Political Science and Law, South China University of Technology, and other law schools in Hong Kong.

The presentations of the speakers were both informative and thought-provoking, and the topics covered a wide range of areas, including the relationship between human rights and democracy; graft-fighting; judicial protection of human rights; human rights protection in criminal cases; the relationship between constitution and the rule of law, etc. Participants of the conference also actively engaged in the discussions and exchanged views with each other.

To conclude, this year's CityU-RUC Law Schools joint conference was a great success. It not only provided a platform for all participants to discuss various issues relating to human rights in China, but also facilitated academic exchange and opportunities for enhanced academic collaboration between Hong Kong and mainland scholars/institutions.

Convergence of Comparative Views: The International Conference on "The Rule of Law with Chinese Characteristics"

The International Conference on "The Rule of Law with Chinese Characteristics", co-organized by the Centre for Chinese and Comparative Law (RCCL), CityU's School of Law, and *Chinese Journal of Law*, the Institute of Law, Chinese Academy of Social Sciences, was successfully held from 5 to 7 June 2013 at City University of Hong Kong. More than 30 distinguished scholars from Hong Kong, Macau, Mainland China and abroad presented at the conference and exchanged comparative views on this controversial topic.

Several years ago, the Central People's Government of the PRC has officially announced the introduction of a legal system with the socialist Chinese characteristics. It is against this background that the conference was organized, which aimed to facilitate the dialogue among scholars on the theme of the rule of law as per the "China model", to offer comparative perspectives on its features, and to bridge the communication between China and other countries in relation to this topic. Professor Lin Feng, Director of the Centre for Chinese and Comparative Law, Professor Wang Guiguo, the then Dean of the School of Law, and Professor Li Lin, Director of the Institute of Law, Chinese Academy of Social Sciences, gave their inaugural addresses at the Opening Ceremony of the conference on 5 June 2013.

Professor Lin welcomed all participants who gathered at the conference to explore whether there exist any special characteristics in the legal system in transitional China at the present time, achieved through meaningful and daring exchange of views among the mainland scholars devoted to Chinese law research, scholars outside China who specialize in Chinese law research, and scholars who are not researchers on Chinese law but are able to look at China's legal development with comparative perspectives.

Professor Wang pointed out that the topic in question is stimulating on several grounds. Many scholars working in international economic law are aware that the implementation of international norms, and the standards and tests for such implementation, are gradually moving into the national systems, including the law enforcement system. In the globalized environment, no national law can stand alone without being affected by the international norms of other systems. In fact, it would be

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extremely difficult for any judiciary to maintain complete independence from international norms. Therefore, it would be very interesting to investigate whether the characteristics of the Chinese rule of law are being influenced by China's integration into the rest of the world.



The international conference discussed the rule of law with Chinese characteristics.

Professor Li shared that it took the effort of 20 years for the Chinese judiciary to transform from a legal system to the rule of law. In particular, while Chinese private law and economic law are more connected to the rest of the world, "Chinese characteristics" are perhaps more prominent in the areas of Chinese public law and constitutional law. He believed that the experience and knowledge shared by scholars with diverse cultural and legal backgrounds at the conference would be beneficial to the overall legal development in China.

On 7 June 2013, as the conference drew to a close, **Professor He Xin**, Associate Director of the Centre, recapitulated on the remarkable propositions discussed at the conference. As China is becoming more and more important both economically and politically, it is equally important to understand China's legal development and its impact on the world at large. Participants have tried to identify the characteristics of Chinese rule of law, debated on the meaning of "Rule of Law" and "Rule by Law", discussed whether the reality of China fits in with these concepts, and also explored the legal and institutional changes that underpin the trajectory of Chinese rule of law. The conference succeeded in deepening participants' understanding of the topic.



Both teaching and research are of importance— Centre Director talks about mission of the HKCMT

On 10th Jan 2014, we interviewed **Professor Gu Minkang**, Director, the Hong Kong Centre for Maritime and Transportation Law (the "Centre"). He shared with us the mission of the HKCMT and the plans ahead. (Q: Editor A: Professor Gu)

Q: The mission of the HKCMT is, according to the website, to "meet critical requirements of the industry, the practicing Bar and the region while advancing the frontiers of maritime and transportation law practice and scholarship from a local and comparative perspective." How will you evaluate the performance of the Centre so far in this regard?

A: I think the performance of the Centre so far is satisfactory, in the sense that we are doing what was expected. For example, we have run the LLM programme in Maritime and Transportation Law stream very well, organized various seminars, and established ties of operation with different organizations in the local community. I have undertaken this job for a short period of time, but my colleagues and I have been making plans for the Centre, hoping that some concrete progress will be made this year. A series of lunch seminars, for example, are organized on a regular basis to present the latest research and development of maritime and transportation law. We are also planning to publish an e-newsletter to disseminate updated information on the Centre, the industry, and the legal aspects of maritime law.

Q: What is the relationship between the Centre and the LLM programme in Maritime and Transportation Law stream? What is the focus of the Centre in terms of teaching and research?

A: One of the objectives of the Centre is to work closely with the Maritime Law stream of the LLM programme. Our staff are maritime law experts and they are now playing an important role in the running of the programme, teaching of the courses, and supervision of the research. Certainly the



Professor Gu Minkang is Director of Hong Kong Centre for Maritime and Transportation Law.

desirable outcome of teaching is to produce qualified students who are able to do well in both practice and research. It goes without saying that another aim of the Centre is to engage in research activities. That is why we have been inviting leading experts from other jurisdictions as well as eminent scholars in the mainland to provide seminars to our students. Moreover, it is essential for a research centre to launch a journal, either by its own or by cooperation, which serves as a platform to showcase some of its research outcomes. I am happy to report that *China Ocean Law Review*, a popular journal in Maritime Studies, has invited us to cooperate with them. In a nutshell, both teaching and research are of importance to the Centre.

Q: In earlier meetings of the School of Law it has been mentioned that 'a 2-day international conference titled the "Hong Kong Maritime Law Forum" will be held in 2014'. Can you comment on the objective and the progress of the conference?

A: The conference is scheduled in November this year and we are now contacting the local institutions and organizations to seek further financial support so that we are able to find more experts and scholars related to maritime and transportation law

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to participate in the conference. The conference is aimed to raise the awareness of the local community towards Hong Kong maritime and transportation law. Hong Kong has one of the busiest ports of the world but as far as maritime law is concerned, the discussion is not very mature. To this end we have been inviting legal practitioners and scholars in the field of maritime law to participate in the forum. Through this



event I hope more people will be concerned about the Hong Kong maritime situation and bring suggestions to the future development of maritime law.

Q: Besides holding conferences, what other initiatives will the Centre take to boost the research element?

A: We have also forged ties with the overseas maritime law institutions. So far we have initiated cooperation with Swansea Law School, and International Shipping Law School of East China University of Political Science and Law. We have also established connections with Korea University and will participate in the East-Asia Maritime Law Forum.

Q: The HKCMT is going to organize short-term shipping law courses to cater for the needs of maritime practitioners, isn't it?

A: Yes. In order to address the need for producing more maritime practitioners, from the academic year 2014–15 on, we are going to organize one or two short-term courses every year. The total training in one course will be 12 hours divided into four 3-hour lectures with an intake of around 20–30 students. They will be taught by the full-time staff of the HKCMT or part-time practitioners. Topics such as carriage of goods by sea law will be covered.

Q: Regarding the Maritime Law Scholarship, what are the most important criteria in awarding the candidates the Scholarship?

A: The criteria consist of four aspects. The candidates should have the capability and commitment to serve the Hong Kong maritime industry, knowledge of maritime law and the industry, excellent communication and presentation skills, and outstanding academic achievements. Candidates who are working in the maritime industry will also be seriously considered for the scholarship. All potential candidates will be interviewed.

Q: How many LLM students are expected to be admitted to the Maritime and Transportation Law stream in the academic year 2014–15? What is the trend of the candidates' profile over the past few years, and how will you see the future development of the programme?

A: We don't have the number for this year yet, but last year we admitted more than 20 students. If more students are admitted, the Maritime Law and Transportation Law stream may be independently managed by the Centre. The Maritime law students are not exactly the same as the other LLM students, and working experience in the maritime industry may be more crucial than a law degree when it comes to the maritime law study.

Q: How do you see the strategic development of the Centre into an "innovative, multi-disciplinary Centre"? How will the Centre achieve its goals in the near future?

A: I think the Centre should develop into a prestigious maritime law centre in the region, attracting quality students and scholars, and be able to obtain more research funding. To render our scope truly multi-disciplinary, we also need to establish more ties with the insurance industry and financial corporations, for instance.

Q: The Hong Kong port is facing competition from other regions, like the ports in Guangdong province. Do you think if the Centre can put forward recommendations to the Hong Kong government to boost the status of the Hong Kong port by strengthening maritime law?

A: We have been considering measures to enhance the Hong Kong maritime industry which is facing fierce competition, for example, from Singapore. Hong Kong, Macau, and Guangdong have a close tie in the maritime industry. Particularly I think the Hong Kong government can have more participation in the development of Qianhai, the special economic zone in the west of Shenzhen. It is said that Hong Kong is not prepared for it. In my opinion, the government should take action as fast as possible, and the Centre hopes to be able to be involved in it and make some contributions.



Guangzhou Maritime Court visits the School of Law

A 21-person delegation from the Guangzhou Maritime Court visited the School of Law on 19 December 2013.



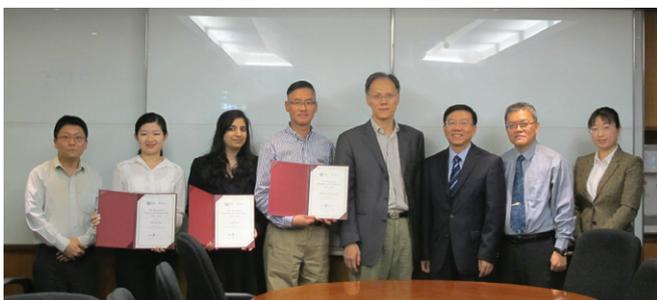
A delegation from the Guangzhou Maritime Court

Established on 1 June 1984, the Guangzhou Maritime Court is a maritime court with a long history in China and has jurisdiction over the sea area and the seaward inland river within Guangdong Province. The headquarters of the Guangzhou Maritime Court is located in Guangzhou, whereas the detached tribunals are located in Shenzhen, Shantou, Zhanjiang and Jiangmen.

Ms Zhan Simin, Vice President of the Court, thanked the School of Law for organizing this meaningful visit on behalf of the delegation. She reported that the Court handles more than 2,000 cases every year and has a team of maritime judges with a master's degree or above. She hoped that there will be opportunities of cooperation between the Court and the School of Law in the future.

Certificate Presentation of the Hong Kong Maritime Law Scholarship 2013–14

The Hong Kong Centre for Maritime and Transportation Law presented certificates to recipients of the Hong Kong Maritime Law Scholarship 2013–14 on 18 November 2013.



The LLM in maritime and transportation law students were awarded the scholarship.

In recognition of the significant academic and non-academic achievements of the first-year LLM students in the Maritime and Transportation Law stream, the Hong Kong Maritime Law

Scholarship Scheme was established in 2011. A full scholarship of HKD108,960 was awarded to each scholarship recipient.

The five outstanding awardees were Chan Man, Chan Tsz Kin Richard, Wei Shuchen, Sham Ka Ki Crystal and Nari Pinky.

Chan Tsz Kin Richard remarked that he was very fortunate to receive the scholarship. He would make every endeavor to contribute to society.

"I am honored to receive the award and will engage in maritime-related fields in the future," said Nari Pinky.

Wei Shuchen expressed that the Scholarship is a strong motivation for keeping her nose to the grindstone.

English Law, European Law and Beyond: Cross Border Commercial Shipping Litigation — Challenges For Shipping Lawyers

On 6 June 2013, the Hong Kong Centre for Maritime and Transportation Law was privileged to have Professor Jason Chuah from the City Law School, City University London to deliver a public seminar titled "Cross Border Commercial Shipping Litigation—Challenges For Shipping Lawyers" at CityU.

Professor Jason Chuah is Head of Academic Law and Professor of Commercial and Maritime Law at City University London. He is a graduate of Cambridge University and also has a Certificate in Export (Distinction) from the UK Institute of Export. He is a prolific writer and has published over 200 journal articles. His works have been cited by tribunals and institutions in England, the US and the EU.



Professor Jason Chuah from City University London

The global nature of shipping and trade means that in the event of a dispute, conflict of laws issues both in terms of locating the appropriate jurisdiction and ascertaining the applicable law of the dispute will arise. Hence, cross border commercial shipping litigation, often involving large sums of money, is a significantly important subject in English private international law. In the seminar, Professor Chuah explained why jurisdictional issues are so pertinent to cross border commercial litigation, and the relevance of the EU Brussels system to non-EU litigants.

The seminar attracted over 40 attendees including scholars and practitioners in the field, who engaged in thought-provoking interactions with the speaker throughout the seminar.

Collaborative agreements and joint programme with international distinguished universities

The School of Law maintains close links with its counterparts in Mainland China, Europe, North America and across the Asia-Pacific region. Our School has student exchange programmes with a number of overseas universities in Australia, China, Europe, and the United States. These programmes provide our students with opportunities for legal study in diverse academic communities in different jurisdictions.



Recently, the School of the Law has signed collaborative agreements with the University of Vienna in Austria and University Paris 1, Panthéon-Sorbonne. Selected students can study for one semester at these partner universities and the other semesters at CityU.

Upon satisfactory completion of 30 ECTS (including Dissertation) in the University of Vienna or Paris 1, students will be given credit transfer of 12 CityU credit units. Students who have successfully satisfied the academic and programme requirements of the partner university and City University of Hong Kong will obtain a degree from CityU as well as a degree from the partner university.

In 2012, CityU's School of Law signed an agreement with the University of Vienna on LLM/MLS Legal Theory. As students' interests go far beyond the legal theory programme, the School signed a replacement agreement with the University of Vienna on the LLM European and Asian Legal Studies (EALS) in 2013. For details, please refer to "LLM student Sha Xiaoyu received scholarship from Lansky, Ganzger & Partner".

Below is feedback from the students who have studied LLM/MLS Legal Theory in the University of Vienna:



"This programme between CityU and Vienna U can provide us with the opportunity to broaden our knowledge which is priceless. And more importantly, it is in such a short and intensive term for us to get an LLM degree in a prestigious university. Therefore, to be honest, it is of great privilege that only our law students could enjoy this opportunity and thus, the exchange programme should definitely be encouraged and promoted."

—Zhao Sining (JSD)

"In my experience, everything in Vienna is so diverse and wonderful. We had knowledgeable lecturers from different parts of the world, and we had students with different cultural backgrounds. I will never forget such an excellent experience in my life."

—Ji Houshi (JD)

"I find that learning common law in CityU and studying Legal Theory in Vienna is an excellent combination and fantastic experience. In CityU, you mainly focus on the aspects of "what the law is" and "how to apply those rules"; However, in Vienna, you will have a taste on "why we need law" from a broader social context. In addition, I think Europe is one of the most memorable places to travel."

—Charlie Chen (JD)

On the other hand, CityU LLM students, final year JD students, and LLMArbDR/MAArbDR students who have a law degree can apply for the joint master's programme with University Paris 1. In University Paris 1, the CityU students will choose five courses from WTO law, International Investment Law, International Commercial Litigation, International Arbitration, International Contracts, International Economic Law (Breaking Issues) and Introduction to French Law. They will also take the compulsory course Dissertation. University Paris 1 will recognize the courses taken in CityU and award Master 2 degree in International Economic Law to the CityU students.



LLM student Sha Xiaoyu received a scholarship from Lansky, Ganzger & Partner

On 13th Feb, 2014, a scholarship presentation ceremony was held in the School of Law. The scholarship was given to LLM student Sha Xiaoyu, who would study in the University of Vienna in March for three months with the other 13 students under the agreement between CityU and the University of Vienna. The agreement allows students to concurrently gain an LLM European and Asian Legal Studies (EALS) degree as well as a degree from CityU upon their successful fulfillment of the academic requirements of both institutions. The scholarship will cover the tuition fee of the EALS programme in the University of Vienna (EUR 5,500), and the recipient is offered a one-month internship at Lansky, Ganzger & Partner.



LLM student Sha Xiaoyu received the scholarship from Dr Lansky.

Dr Gabriel Lansky, Senior Partner of Lansky, Ganzger & Partner and the donor of Scholarship said, "The LLM programme 'European and Asian Legal Studies' provides a good opportunity for students to pursue knowledge and gain experience that help them to serve clients with different cultures."

Professor Heinz Mayer, Dean of the Faculty of Law of the University of Vienna, also thanked Dr Lansky for his offer of the scholarship. He remarked that Dr Lansky, who studied law and became a lecturer in the University



Professor Bea Verschraegen from the University of Vienna

of Vienna years ago, understands that academic theory and practical experience are both essential to a law student's success, and this collaborative programme put emphasis on both.

Professor Bea Verschraegen, Director of the LLM programme EALS in the University of Vienna, also gave a review of the history of the cooperation between CityU and the University of Vienna. She said the cooperation could date back to a few years ago when an agreement was signed between the two universities. Since then discussions about the collaborative course began and the theme of "shaping and steering of cross-border transactions" emerged and defined the LLM programme.

Sha Xiaoyu said it was a pleasant surprise to receive the scholarship as she thought there are many equally strong if not stronger applicants. However, the pressure to live up to the expectation will motivate her to excel in the studies in Vienna. Coming from Shanghai, Xiaoyu addressed the establishment of the Free Trade Zone in her hometown and the issues such as interest rate liberalization. She looked forward to the EALS in Vienna in hope of gaining necessary knowledge and insights into the changes that will take place in China.

"The cooperative programme exemplifies the close partnership between China and Europe." Dr Claudia Reinprecht spoke on behalf of Austrian Consulate. Austrian Consul General told the students that Vienna is a cultural place and she is sure that the European city and the prestigious university will bring wonderful memories to them.

Dr Lansky also gave a lecture on "Lobbying and Public Affairs in the European Union" in the afternoon. According to him, European and US interests are sufficiently represented in the EU through lobbying groups. Asian countries, China in particular, are still underrepresented in relation to their economic and political standing. The lecture provided an overview of the internal workings of the decision-making process in the EU and ways to influence policy making within the current legal framework.



Austrian Consul General, along with Deputy Consul General, Mr Roland Rudorfer, and Consular Officer, Mr Merty Wong, visited the School of Law again on 17th Feb 2014 to give the students who would study in University of Vienna an overview of Austria. They introduced the many famous things of Austria, including the magnificent landscape and the variety of cultural activities in Vienna, underlining the long-standing relation Hong Kong has developed with Austria, and helped students to apply for the visa. Finally Dr Reinprecht wished the students all the best in Vienna and asked the students not to hesitate to contact them if they have any problems.

Summer Legal Placement 2013

The School of Law of City University of Hong Kong is the first law school in Hong Kong to incorporate a credit-bearing legal placement course into the curriculum of the LLB programme. Introduced in June 2007, the course provides students with an opportunity to have legal placement in China or Hong Kong during the summer term.

Under the six-week China legal placement programme, our students attend classes at Renmin University of China during the summer to study the Chinese legal system. They also have the privilege of visiting many legal and judicial institutions, and even gain the uncommon experience of working at the People's Court in various provinces of China. Apart from the mainland legal placement opportunities, our students can opt for legal placements in local international law firms for a period of up to four weeks.



“Completing this mainland internship benefits me in a number of ways. Firstly, earning new lifelong friendships. These have been formed not only with people from school and fellow exchange students, but also with my coordinator and judges from the Shanghai No. 2 Intermediate People's Court. The Mainland judges are so down-to-earth and have a logical and straightforward approach to problems. They serve people wholeheartedly, which impressed me the most.

The second is my personal growth. Having the opportunity to travel and learn in Mainland China has given me greater awareness of my own national identity. It has also allowed me to widen my perspective and become self-sufficient. During the internship, I had the opportunity to join the moot competition with my fellow exchange students. This experience helped build my interpersonal and presentation skills. I am much more confident than when I left Hong Kong.

Last but not least, this program helped picture my career goals. After the sharing sessions from the legal professionals and intense legal training, I am much more aware of what I want to achieve in my future career path. I am grateful to my coordinator, my advisors and all the units for organizing this meaningful program. I strongly recommend this program to my fellow schoolmates.”

—Fong Yan Nok Emmanuel (LLB)

“Beijing is the capital of my country, and Shanghai is one of the prosperous cities that developed very quickly economically. This exchange trip to Beijing and Shanghai that lasted one month benefitted me a lot. The chance of the legal placement in Shanghai Maritime Court for one month is particularly valuable. We hope that there are more opportunities for exchange and learning in the future.”

—Phoenix Sung (LLB)

“The summer trip to Beijing and Shanghai has been perfectly completed. This trip left me with a deep impression. The kind students, the humorous and knowledgeable judges and the teachers made this trip very interesting and professional. Thanks to CityU which provides this opportunity and I will go ahead on my legal way with the blessings of the judges and teachers. Thanks a million.”

—Dong Yun Wen (JD)



Chinese Judges Huanan Alumni Association and Dongbei Alumni Association established

All Chinese Judges who completed the LLM (Chinese Judges) programme, the JSD (Chinese Judges) programme and the Advanced Programme for Chinese Senior Judges would become lifelong members of the Chinese Judges Alumni Association of City University of Hong Kong School of Law. The School has been in close contact with the Chinese judges alumni to facilitate the inception of their regional alumni association.

The Alumni Association is recognized by the School as highly significant to the exchange and connections among our Chinese judges alumni. In the spring of 2013, **Professor Wang Guiguo**, along with **Assistant Professor Chen Lei** and **Assistant Professor Guan Wenwei**, met with the representatives from various provinces to discuss the founding of the Alumni Associations. Considering the number and geographical distribution of the alumni, the School had appointed some judges as the core members of the tentative regional Alumni Associations. Through the joint effort of faculty and alumni, the Huanan (South China) Alumni Association was instituted in Zhuhai on 6th July in the same year, and the inauguration ceremony of the Dongbei (Northeast China) Alumni Association was also held on 10th October in Shenyang.

The Chinese Judges Alumni Association will organize alumni gatherings and annual meetings in Hong Kong and Mainland China. It also aims to hold Eminent Speaker Forums featuring distinguished legal experts, seminars and talks of special interest for the CityU graduates and teachers who can, through these activities, meet one another, build friendships and broaden their networks.



A group photo upon the establishment of the Chinese Judges Huanan Alumni Association

One wonders how time flies. It was as though it was yesterday that the Chinese Judges Huanan Alumni Association was formally established, yet upon my recollection, its official inauguration was already past for more than half a year. In July 2013, Zhuhai embraced the CityU faculty and alumni from the Huanan region (including Guangdong, Guangxi, Hainan and Fujian) with nice weather and passion that were so characteristic of the city in

mid-summer. A total of 32 people participated in the event. In the morning of 6 July, the inauguration ceremony was duly held at Zhuhai Intermediate People's Court, hosted by **Dr Guan Wenwei**. **Xu Suping**, student representative of the 1st Cohort of the JSD Chinese Judges programme, reported on the progress of preparation work for the Huanan Alumni Association. I am honored to be able to take up the position of Chairman of the association, and four outstanding alumni representatives also gave speeches on the occasion, thanking CityU's effort in helping us grow, and providing a valuable platform for Chinese judges' cross-border exchange. The former Dean of CityU's School of Law, **Professor Wang Guiguo** delivered a speech at the ceremony, expressing heartfelt congratulations and expectations towards the Chinese Judges Huanan Alumni Association.

A forum was arranged right after the inauguration ceremony, where Professor Wang and **Professor He Xin** gave lectures on "Globalization and Judges" and "The Internal Conflicts of Judicial Mediation" respectively. They also discussed various issues

with the attending judges alumni, who again had the chance to gain intellectual insights from their beloved teachers as in the past. Then, the group proceeded to Doumen, Zhuhai to experience the Huanan culture, enjoy the magnificent views of nature, and share on the friendships among fellow judges and teachers.

After the formal establishment of the Chinese Judges Huanan Alumni Association, our alumni members strived to follow the spirit of *Officium et Civitas* of CityU, and kept on learning and undertaking research in their professional practice. Their hard work has reaped outstanding results in various fields of applied legal studies. Among them, **Li Qin**, **Ma Xuetao**, **Huang Haofa** have published essays in a number of academic journals.

CityU has built a platform for exchange and education for Chinese judges, and made a lifelong impact to each and every judge student. The CityU Chinese judges alumni will aspire to make excellent contributions to the development of China's judicial system.

Huang Zhijian

*Chairman, the Huanan Alumni Association
Vice-President, the Guangdong Zhuhai Intermediate People's Court*



(from left) Chairman Huang Zhijian, Xu Chunjian, Prof. Wang Guiguo and Xu Suping

ALUMNI ACTIVITIES

In October 2013, the Chinese Judges Dongbei alumni assembled at Shenyang to attend a function titled “*Officium et Civitas, Serving Dongbei*”. Staff of the School of Law including the former Dean Professor Wang Guiguo, Associate Dean Professor Gu Minkang, Assistant Professor Guan Wenwei and Assistant Professor Chen Lei joined the meeting.

In the meeting, Zhang Xiangying made a report on the progress in preparing for the Dongbei Alumni Association. Dr Chen announced the committee membership of the Alumni Association, recommending Chinese Judges alumni Song Jingchun, Li Wei, Lu Qiang, Cui Jun, Gu Yumin, Guo Lingchuan, Zhang Xiangying, Ren Jiqiang, Sun Weiqun to be Chairman, Vice-chairman, and Secretaries of the Association. Chairman Song Jingchun, on behalf of the Dongbei alumni, reminisced on his studies at City University and expressed great appreciation for the effort that the School of Law has made in facilitating legal exchange between Hong Kong and the mainland in line with the spirit behind the CityU motto: *Officium et Civitas*, which the Dongbei Alumni Association is determined to promote. The alumni discussed their wish to revitalize the traditional industries in the Dongbei area, by adhering to their commitment to legal undertaking in the Dongbei region. Professor Wang gave a warm speech on behalf of the School, extending his congratulations to the establishment of the Association. In recognition of the alumni’s aspiration of *Officium et Civitas* and revitalizing the Dongbei region, he expressed earnest hope that all the alumni would develop their potential and capitalize on their edge, under the strong leadership of the Party, to realize the goal of building a moderately prosperous society. In the meeting, the alumni also put forward their recommendation and comments with regard to the collaboration between CityU and the mainland in legal projects. There was also a discussion about how the alumni can conduct activities and achieve their aims.

Following the inauguration ceremony, Professor Wang and Professor Gu gave two fascinating lectures on “Research Methods and Thesis Writing” and “Policies on competition and Antitrust Law” respectively. Alumni benefitted greatly from the intelligence, inquisitiveness, prudence, and eloquence of the two CityU scholars.



(from left) Prof. Wang Guiguo and Chairman Song Jingchun

The Shenyang meeting came to an end although the participants were unwilling to part. The meeting provided a chance for the alumni and teachers to refresh their memories at CityU, enjoy the reunion, make new friends, and share on their career, experience and wisdom.

Thank you, CityU, our alma mater!

Song Jingchun

*Chairman, the Dongbei Alumni Association
President, the Liaoning Anshan Intermediate People's Court*



A group photo upon the establishment of the Chinese Judges Dongbei Alumni Association

NEW FACULTY



PASCOE, Daniel

Dr Pascoe joined the School of Law as a full-time Assistant Professor on 2 January 2014.

Research Interests

Criminal Law, Criminal Procedure and Sentencing, Law and Society in Southeast Asia, Death Penalty in Comparative Perspective, Transitional Justice

Selected Publications

'Clemency Frequency in Southeast Asian Death Penalty Cases: Explanation and Policy Recommendations', *Australian Journal of Asian Law* (forthcoming 2014)

Education

MPhil, DPhil (University of Oxford)

STAFF ACHIEVEMENTS

Paper presentation

Senior Teaching Fellow John BURKE presented "Postcards From the Edge: Proposed Changes to Practical Legal Training in Hong Kong" at the Adelaide APLEC Conference in November 2013.

Assistant Professor Fozia LONE presented "Caught in Crossfire: Women, Conflict and Kashmir" on the "International Women's Day: Protection & Promoting Women's Rights" conference on 7 March 2013, at the Palace of Nations in Geneva, Switzerland.

Assistant Professor Poomintr SOOKSRIPAISARNKIT presented "Marine Insurance Law in Hong Kong: English governing law clause, Direct actions, and Warranties" at the 6th East Asia Maritime Law Forum of Korea University, on 25–26 October 2013.

Assistant Professor XING Lijuan presented "Competition and Compromise Between the Rule of Law and Social Harmony Under China's Criminal Procedure Law of 2012" at Faculty of Law of the University of Oxford in September 2013.

Assistant Professor YANG Fan presented "Implications for the Enforcement of Arbitral Awards in China: A Perspective on Recent Amendments to the PRC Civil Procedure Law" at Generations in Arbitration Conference VII, held in Hong Kong on March 2013.

Research Grant

Senior Teaching Fellow John BURKE successfully obtained a TDG grant as a co-investigator to produce a DVD of a bail application.

Assistant Professor Poomintr SOOKSRIPAISARNKIT obtained research Grant — Strategic Research Grant totaling HK\$100,000

on the project entitled 'Striking a Right Balance? A Prospect of "Rotterdam Rules" in Hong Kong'.

Assistant Professor GUAN Wenwei successfully obtained a CityU Seed Grant as the PI in collaboration with an economist from Shanghai University of Finance and Economics on an interdisciplinary research project, "A Law-economics Study on the Antitrust Enforcement Implications of Vertical Restraints in Automobiles Franchising," with funding awarded HKD \$100,000 for a research from April 2013 to March 2014.

Membership

Assistant Professor Poomintr SOOKSRIPAISARNKIT has recently been appointed as a member of the Executive Committee of the Hong Kong Maritime Law Association (HKMLA). He is an Accredited Mediator of the Centre for Effective Dispute Resolution (CEDR) and has been accredited the General Mediator by the Hong Kong Mediation Accreditation Association Limited (HKMAAL).

Assistant Professor YANG Fan became a Fellow of the Chartered Institute of Arbitrators, a HKMAAL accredited Mediator, and a member of Arbitralwomen.

Selected Publications

DEVA, Surya and Hood, Roger (ed) *Confronting Capital Punishment in Asia: Human Rights, Politics and Public Opinion* Oxford University Press 2013

DEVA, Surya and Bilchitz, David (ed) *Human Rights Obligations of Business: Beyond the Corporate Responsibility to Respect?* Cambridge University Press 2013

STAFF ACHIEVEMENTS

DEVA, Surya "Taking Nature Seriously: Can the UN Guiding Principles Tame Corporate Profiteering?" in Voigt, Christina (ed.) *Rule of Law for Nature: New Dimensions and Ideas in Environment* Cambridge University Press, 2013

DING, Chunyan Patient Privacy Protection in China in the Age of Electronic Health Records. (2013) 43 (1) *Hong Kong Law Journal* 245-278

GU, Minkang and Srivastava, D. K. *Tort Law in China* Sweet & Maxwell 2013

GUAN, Wenwei "The Rule of Law in the WTO: The Hope and the Disappointment of WTO Decision Making," in Guiguo, WANG & Fan, YANG (eds) *The Rule of Law: A Comparative Perspective* (Festschrift for Anton MJ COORAY on the Occasion of his Sixty-fifth Birthday) City University of Hong Kong Press, 2013

GUAN, Wenwei How General Should the GATT General Exceptions Be? A Critique of the "Common Intention" Approach of Treaty Interpretation. (2014) 48 (2) *Journal of World Trade* (Forthcoming)

HE, Xin Frank and SU, Y. Do the 'Haves' Come Out Ahead in Shanghai Courts? (2013) 10 (1) *Journal of Empirical Legal Studies* 121-145

HE, Xin Frank and Ng, K. H. In the Name of Harmony: The Erasure of Domestic Violence in China's Judicial Mediation. (2013) 27 (1) *International Journal of Law, Policy and the Family* 97-115

HE, Xin Frank Judicial Innovation and Local Politics: Judicialization of Administrative Governance in East China. (2013) 69 *China Journal* 20-24

HE, Xin Frank and Ng, K. H. Pragmatic Discourse and Gender Inequality in China. (2013) 47 (2) *Law & Society Review* 279-310

LAKHANI, Avnita Required legal skills for the 21st century lawyer: legal education at a crossroads. (2013) 6 (1) *International Journal of Private Law* 38-51

LAKHANI, Avnita Social networking sites and the legal profession: Balancing benefits with navigating minefields. (2013) 29 (2) *Computer Law and Security Review* 164-174

LAKHANI, Avnita The Strategic Use of Mediation for Resolving Maritime Territorial Disputes. (2013) 19 (1) *The Journal of International Maritime Law* 60-73

LAKHANI, Avnita Towards a Consciousness of Inter-Nationality in Managing the Effects of Globalization and Enhancing Global Security. (2013) XIV (1) *Whitehead Journal of Diplomacy and International Relations* 81-95

ONG, Rebecca Internet intermediaries: The liability for defamatory postings in China and Hong Kong. (2013) 29 (3) *Computer Law and Security Review* 274-281

SHARMA, Rajesh Effectiveness of Mediation in Investor-State Dispute in the Context of India. (2013) 1 (1) *Journal of India International ADR Association* 37-40

SHARMA, Rajesh and Moens, G. A. The CEAC Hamburg Arbitration Rules: A European-Chinese Trade-Related Adaptation of the Revised UNCITRAL Arbitration Rules 2010. (2013) 79 (2) *Arbitration: The International Journal of Arbitration, Mediation and Dispute management* 137-157

SOOKSRIPAISARNKIT, Poomintr "A common law position for a choice of law in internet defamation—the case for Hong Kong" in Kierkegaard, Sylvia (ed) *Law & Practice Critical Analysis and Legal Reasoning International Association of IT Lawyers* 2013

SOOKSRIPAISARNKIT, Poomintr Fraudulent Claims Yet Again —Summers v Fairclough Homes Ltd [2012] UKSC 26. (2013) 1 *Frontiers of Legal Research* 87

SOOKSRIPAISARNKIT The Maritime Labour Convention 2006 — Time for International Community to Take Interests of Seafarers' Welfare. (2013) 2 (1) *Journal of Civil & Legal Sciences* 1-2

TAI, Sik Kwan and Ng, J. The Collision of N67 and Yiu Hai in 2008. (2013) *Journal of HK Shipping Circles Asso* 16-18

ZHU, Guobin and Price, R. Chinese Immigration Law and Policy: A Case of "Change Your Direction, or End Up Where You Are Heading? (2013) 26 (1) *Columbia Journal of Asian Law* 16-40

LONE, Fozia "Rule of Law from Tort Law Perspective" in Wang, G. and Fan, Y. (ed) *The Rule of Law: A Comparative Perspective — Festschrift for Anton MJ COORAY on the Occasion of his Sixty-fifth Birthday* Hong Kong, City University of Hong Kong Press 2013

LONE, Fozia "Extraterritorial Human Rights Violations and Irresponsible Sovereign Financing" in Bohoslavsky, Juan Pablo and Černič, Jernej Letnar (ed) *Human Rights and Sovereign Financing* Hart Publications (Forthcoming, 2014)

LONE, Fozia Edict in Pre-Colonial India: Analysis of the New Haven Approach. (2014) *Beijing Law Review* (Forthcoming)

XING, Lijuan *Behind the Multilateral Trading System: Legal Indigenization and the WTO in Comparative Perspective* USA, Carolina Academic Press 2014

XING, Lijuan and Head, John W. *Legal Transparency in Dynastic China: The Legalist-Confucianist Debate and Good Governance in Chinese Tradition* USA, Carolina Academic Press 2013



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Mr Peter CHAN (Editor in Chief), Mr Michael BECKETT, Dr LI Xiao, Mr John BURKE, Dr Avnita LAKHANI*