

CPLR E-Newsletter

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Public Law and Human Rights Forum, School of Law, City University of Hong Kong



Public Law and
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香港城市大學
City University of Hong Kong

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Welcome to the second volume of the CPLR E- Newsletter. We are pleased to update you on the highlights of our events held in the second half of the year 2021. Under COVID-19 pandemic, the CPLR continues to organize academic conferences addressing the cutting edges issues in public law and human rights via Zoom. Our members' recent publications will also be introduced in this E-Newsletter. To safeguard the wellbeing and health of participants, we will strictly follow the government's precautionary policies to conduct upcoming events.

Enjoy reading and stay in touch with us!

Highlights of Events in (July – December 2021)

The Second International Online Symposium on Sino-Indian Border Disputes: A Dialogue between International Law and International Relations

09 December 2021

(jointly held with the Centre for Chinese and Comparative Law (CCCL), School of Law, CityU)

Moderators: Prof. Wang Jiangyu, Director of the CCCL, School of Law, CityU

Dr. Fozia Nazir Lone, Associate Director of the CPLR, School of Law, CityU

The CPLR, in collaboration with CCCL, organised the second symposium on the Sino- Indian Border Dispute (SIBD) from the perspective of international law and relations. A total of 13 scholars and legal experts were invited to express their views on whether efficient territorial delineation necessitates an interdisciplinary approach that considers both legal and non-legal claims of both parties. Key speakers included: **Prof. Wang Jiangyu**, **Dr. Fozia Nazir Lone**, **Prof. Tsimplis Michael** from CityU; **Prof. Anuradha M Chenoy** and **Prof. Alka Acharya** from Jawaharlal Nehru University; **Dr. Rityusha Mani Tiwary** from University of Delhi; **Prof. Anthony Carty** from Beijing Institute of Technology; **Prof. Ling Bing** from The University of Sydney; **Capt (Retd) Andy (Shichen) Tian** from Global Governance Institution and Center for International Law of Military Operations; **Prof. M Sornarajah** from National University of Singapore etc. Moderators and speakers presented their opinions on Sino- Indian Border Disputes in the first session of the symposium. Scholars and experts then analyzed the existing resolutions of the dispute from the perspective of international relations and law. Directions and possible approaches to settle the dispute peacefully are suggested in the last session.

Please click here ([Eng](#)/[Chi](#)) for a recap of the online symposium.



CPLR Webinar Series on Asian Perspectives on Human Rights (II) Sexual Harassment Against Women in Asia: A Dialogue on Gender Based Violence in India, Pakistan, Bangladesh and Afghanistan

02 December 2021

Moderator: *Dr. Fozia Nazir Lone, Associate Director of the CPLR, School of Law, CityU*

Panelists: *Dr. Saira Rahman Khan, School of Law, BRAC University*

Dr. Syed Wasif Azim, Department of Political Science, University of Innsbruck

Ms. Vrinda Grover, Lawyer, Researcher and Human Rights Activist

The 2012 Delhi gang rape and murder case, together with the 2017 MeToo movement has caught the public's attention on whether women's fundamental human rights are protected in South Asia. This webinar aims to provide a platform to discuss gender based violence issues and to stand in solidarity with the victims as well as academics working towards advocacy of women rights protection despite the great personal risks.

The speakers discussed how the culture and bureaucracy in South Asia hinders women from realizing their civil and political rights as provided under international human rights. **Dr. Saira Rahman Khan** was in the view that international human rights act application is largely confined to academic discussion in Bangladesh. **Dr. Syed Wasif Azim** observed most gender based violence victims are reluctant to bring lawsuits against perpetrators. **Ms. Vrinda Grover** highlighted that prejudice against women in the countries and the dominant ideology of patriarchy is the main obstacle to attain gender equality.

Please click here ([Eng](#)/[Chi](#)) for a recap of the webinar.



CPLR Webinar Series on Asian Perspectives on Human Rights – “Post-colonial Asian Perspectives on Human Rights” by Radhika Coomaraswamy

04 November 2021

Moderator: *Dr. Fozia Nazir Lone, Associate Director of the CPLR, School of Law, CityU*

Lecturer: *Dr. Radhika Coomaraswamy, Lawyer; Under-Secretary-General of the United Nations; Visiting Lecturer at School of Law, New York University, Oxford University Human Rights Programme*

The CPLR is honored to have **Dr. Radhika Coomaraswamy** in the first webinar of the series to deliver a keynote lecture. **Prof. Tan Cheng Han**, Dean & Chair Professor of Commercial Law, School of Law, CityU also joined the webinar as honorable guest. He noted that the school of law has the responsibility to promote the importance of rule of law as well as human rights. **Dr. Radhika Coomaraswamy** introduced development of human rights in South Asia and her experiences in promoting human rights as a diplomat, scholar and former United Nations official. She highlighted that both new ideas and traditions of humanism should be respected when promoting human rights.



Please click here ([Eng/Chi](#)) for a recap of the webinar.

Publications (July - December 2021)

Prof. Zhu Guobin

- Guobin Zhu, Mark Kielsgard and Surya Deva (eds.) *Constitutional Law and Human Rights in Hong Kong: A Sourcebook* (City University of Hong Kong Press, July 2021)
- Guobin Zhu, Xiaoshan Zhang and Xiaonan Yang (eds.) *The System and Power of Chief Executive and The Governance of the HKSAR* [《行政長官制度、權力與特區管治》] (City University of Hong Kong Press, July 2021)
- Guobin Zhu, Dayuan Han, Jiangyu Wang and Mingtao Huang (eds.) *The National Security Law of Hong Kong: Theory and Practice* [《香港國家安全法：法理與實踐》] (Joint Publishing, Nov 2021)
- Guobin Zhu, “Legislative Intent, Theoretical Construction and Orientation for Improvement of the Chief Executive System”, in ZHU Guobin, ZHANG Xiaoshan and YANG Xiaonan (eds.), *The System and Power of Chief Executive and The Governance of the HKSAR* (City University of Hong Kong Press, July 2021), pp. 3-48.
- Guobin Zhu and Yuchen Yang, ‘Comparision, analysis and reflection on the National Security Law of Hong Kong and Hong Kong Legal System’ in Guobin Zhu, Dayuan Han, Jiangyu Wang and Mingtao Huang (eds.) *The National Security Law of Hong Kong: Theory and Practice* (Joint Publishing, Nov 2021), pp. 23-47.

Dr. Fozia Nazir Lone

- Fozia Nazir Lone and Chow Wing Yin, 'Pre-Primary Education and Chinese Language Acquisition of Ethnic Minority Students in Hong Kong: A Multidisciplinary Critical Evaluation' (August 2021) *Asian Education and Development Studies*
- Fozia Nazir Lone, 'Revisiting the New Haven Methodology from an International Law and Policy Perspective' Chapter 9 in Nicholas Tsagourias (eds) *Research Methods in International Law - A Handbook* (Edward Elgar Publishing, July 2021) pp. 132
- Fozia Nazir Lone, 'Evaluating Merits of the Water-Energy-Food Nexus Towards Achieving Long-term Peace and Security: A Critical Review' Chapter 15 in Zafar Adeel and Benno Böer (eds.) *Water Security in a New World Securing Water, Energy, and Food in Central and South Asia* (Springer 2022, forthcoming)
- Fozia Nazir Lone, 'International Law and the Kashmir Dispute', in Haley Duschinski, Mona Bhan, Cabeiri Robinson (eds.) *Palgrave Handbook of New Directions in Kashmir Studies* (Palgrave Macmillan Publishing 2022, forthcoming)
- Fozia Nazir Lone, 'Legal Critique of the Accession of Princely State of Jammu and Kashmir to India: An Archival Perspective on the Instrument of Accession 1947' in Shubh Mathur, Mirza Saaib Bég and Amina Mahmood Mir (eds.) *History, Resistance and Life beyond Politics in Kashmir: A Multidisciplinary Approach to the Conflict* (Lexington Books 2022, forthcoming)

Dr. Mark Kielsingard

- Guobin Zhu, Mark Kielsingard and Surya Deva (eds.), *Constitutional Law and Human Rights in Hong Kong: A Sourcebook* (City University Press, July 2021)
- Mark Kielsingard, 'Emerging Judicial Autonomy and Procedural Due Process in the PRC? An Empirical Study of China's Exclusionary Rule' (2021) 28(2) *Asia Pacific Law Review* pp.380-411

Dr. Pok Yin Stephenson Chow

- Pok Yin Stephenson Chow, 'Cultural Rights' (2021) in Christina Binder, Manfred Nowak, Jane A. Hofbauer and Philipp Janig (eds.) *Elgar Encyclopaedia of Human Rights* (Edward Elgar Publishing)
- Pok Yin Stephenson Chow, 'The International Court of Justice and Ethnic Conflicts: Challenges and Opportunities' (2021) 56(1) *Texas International Law Journal*
- Pok Yin Stephenson Chow, 'On Obligations Erga Omnes Partes' (2021) 52(2) *Georgetown Journal of International Law* pp.469-504
- Pok Yin Stephenson Chow, 'Reconsidering Sentencing Principles in Cases of Civil Disobedience: Cuadrilla Bowland Ltd and Others v Persons Unknown and Others' (2021) *Modern Law Review*

Dr. Massimo Lando

- Massimo Lando, 'Binding Advisory Opinions' in N. Tsagourias, R. Buchan and D. Franchini (eds) *The Changing Character of International Dispute Settlement: Challenges and Prospects* (Cambridge University Press, forthcoming)
- 'Enhancing Conflict Resolution "ASEAN Way": The Dispute Settlement System of the Regional Comprehensive Economic Partnership' (2022) 13 *Journal of International Dispute Settlement* (forthcoming)
- Massimo Lando, 'Stability of Maritime Boundaries and the Challenge of Geographical Change: A Reply to Snjólaug Árnadóttir' (2022) 35 *Leiden Journal of International Law* (forthcoming)
- 'Jurisdiction *ratione materiae* of the International Court of Justice in Compromissory Clause Cases' (2023) 139 *Law Quarterly Review* (forthcoming)

Dr. Daniel Pascoe

- Daniel Pascoe and Tobias Smith, 'Suspended Execution Beyond China's Borders' (2021) *Asian Journal of Law and Society* (Cambridge University Press)
<<https://www.cambridge.org/core/journals/asian-journal-of-law-and-society/article/abs/suspended-execution-beyond-chinasborders/101E2A549C987D5FD02FDBE206D1709D>>

Dr. Julia Tomassetti

- Julia Tomassetti, 'Neoliberal Conceptions of the Individual in Labour Law' in Tindara Addabbo, Edoardo Ales, Ylenia Curzi, Tommaso Fabbri, Olga Rymkevich and Iacopo Senatori (eds.) *The Collective Dimensions of Employment Relations* (Palgrave Macmillan, Aug 2021) pp. 117-154
- Julia Tomassetti, 'Power in the Employment Relationship: Why Contract Law Should Not Govern At-will Employment' (Economic Policy Institute, Washington DC, 2021)

Media Presence (July – December 2021)**Dr. Fozia Nazir Lone**

- Dr. Lone was invited to CGTN- The Point with Liu Xin live show on "[How the media created controversy over HKSAR's LegCo Polls](#)"

Grants

We are excited to announce that the CPLR members has received a number of research grants last year for the projects below.

Prof. Zhu Guobin

- HK\$1,937,680 from the Tsinghua University Education Foundation (HKSAR) for his project titled 'Implementation of the HK National Security Law in the HKSAR: Local Application, Adaptation and Integration'

Dr. Fozia Nazir Lone

- HK\$98,650 School Strategic Research Grant for 'Indian Relations with the World Health Organisation during COVID19: Forward to Eastphalia or back to Westphalia?' (with Alka Acharya, Nicholas Thomas, Wang Jiangyu)
- HK\$99,986 Internal CityU Strategic Research Grant for her project on 'Towards Improved Trans-Boundary Water Cooperation on the Yarlong-Tsangpo/Brahmaputra River: A Multidisciplinary Study' (with Patricia Wouters)
- HK\$715,024 General Research Fund together with HK\$35,715 City University Reward for the project 'Towards the Pragmatic and Peaceful Resolution of the Sino-Indian Boundary Dispute: A Multidisciplinary Study' (with Carty, Sze Lok Leung)

Dr. Pok Yin Stephenson Chow

- HK\$188,495 donations for his project concerning 'The Impact of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region (NSL) on Hong Kong Courts: Jurisdiction Curbing and Ideological Alignment'
- HK\$500,000 CityU Internal Fund supporting his project on 'Accommodating the Needs of Persons with Disabilities in Policies concerning Public Health Emergencies: Law, Ethics and Practice'

Dr. Daniel Pascoe

- HK\$100,000 from Centre for Public Affairs and Law for his project titled 'A Quantitative Analysis of Protest-Related Sentencing Decisions in Hong Kong' (with Dennis Wong)
- HK\$464,097 General Research Fund for 'Foreign Domestic Helpers and Sentencing in Hong Kong' (with Julia Tomassetti and Marie Manikis)

Dr. Massimo Lando

- HK\$242,695 CityU Start-up Grant for 'New Faculty Taking the State out of Customary International Law: An Empirical Analysis of Customary International Law Identification'

Upcoming Events (January – June 2022)**Business and Human Rights Standards: Relevance for Law Students**

03 March 2022

Online via Zoom

Coordinator: Dr. Fozia Nazir Lone

Research Seminar –Accommodating the Needs of Persons with Disabilities in Public Health Emergencies

10 March 2022

Online via Zoom

Coordinator: Dr. Pok Yin Stephenson Chow

Webinar Series on Asian Perspectives on Human Rights: Defining and Defending the Rule of Law in Asia

14 March 2022

Online via Zoom

Coordinator: Dr. Daniel Pascoe

New Electoral Law of the HKSAR: Preliminary Assessment

April/May 2022

Coordinator: Prof. Zhu Guobin

Public Law and Human Rights Book Review Seminar Series (III): The Concept of Proportionality in Public Law

May 2022

Coordinator: Dr. Daniel Pascoe

Halfway Completed of the HKSAR: Retrospect and Prospect

June/July 2022

Coordinator: Prof. Zhu Guobin

Webinar Series on Afghanistan

Date TBC

Coordinator: Dr. Fozia Nazir Lone

CPLR MEMBERS

Director

Prof. Zhu Guobin

Associate Director

Dr. Mark Kielsingard

Dr. Fozia Nazir Lone

Core Members

Dr. Pok Yin Stephenson Chow

Dr. Julia Tomassetti

Dr. Daniel Pascoe

Dr. Massimo Lando

Associate Member

Prof. Alka Acharya

Prof. Mingtao Huang

Dr. P Y Lo

Dr. Xiaobo Zhai

Prof. Anthony Carty

Dr. Kai Deng

Prof. Xiaolan Yang

Dr. Xiaoshan Zhang

Research Officer

Ms. Christine Wu

Research Assistants

Mr. Berlin Feng

Ms. Tracy Cui

Ms. Amy He

Ms. Adrienne Lam

CONTACT US

Email: lwcp1r@cityu.edu.hk

Tel: +(852) 3442 4179

Fax: +(852) 3442-0190

Postal Address: Room 6101, 6/F Li Dak Sum Yip Yio Chin Academic Building,
City University of Hong Kong, 83 Tat Chee Avenue,
Kowloon Tong, Kowloon, Hong Kong

Website: <https://www.cityu.edu.hk/slwcplR/>

Facebook: <https://www.facebook.com/cplr.slw>

LinkedIn: <https://www.linkedin.com/company/public-law-and-human-rights-forum-cityu-law>

Twitter: <https://twitter.com/PublicLawandHu1>