



MESSAGE FROM THE DIRECTOR

The second half of 2021 witnessed the launch of several milestone initiatives in CCCL’s development.

We started the Chinese Law and Practice Seminar Series, the Chinese Law for Students Events Series, and the Distinguished Public Lecture Series. Top scholars from Peking University Law School, Tsinghua University Law School, Sydney Law School, CUHK Law School, SMU Law School, and leading business lawyers in China were invited to share their wisdom and experience with the CityU community and the general public.

The CCCL Inaugural Distinguished Public Lecturer by Judge Zhao Hong was particularly a significant event as it was one of the very first public appearances of Judge Zhao after she retired from the Appellate Body of the World Trade Organization (WTO).



To engage CityU Law’s students with Chinese law, the CCCL organized a virtual tour to Huawei for CityU students and, together with the Centre for Judicial Education and Research (CJER), a seminar with five senior Chinese judges sharing their work and career as adjudicators in mainland China.

With these new drives, the CCCL is steadily and sustainably marching on the journey to solidify its position as one of the top Chinese law research institutions in the region and the world.

By Professor Wang Jiangyu, Director , Centre for Chinese and Comparative Law

Inside This Issue

<i>Message from the Director</i>	1	<i>News of CCCL Members</i>	5-6
<i>Major Past Event</i>	2-4	<i>Publications</i>	6-7

MAJOR PAST EVENTS (JUL - DEC 2021)

Symposiums/Conferences

Second International Online Symposium on The Peaceful Settlement of the Sino-Indian Boundary Dispute: A Pragmatic Multidisciplinary Framework, co-organized by CCCL and CPLR (9 December 2021)

On March 4, 2021, CCCL, in partnership with its sister research centre, CPLR, hosted a symposium on Sino-India Border Disputes (SIBD) from the perspectives of international law and international relations. Adopting a forward-thinking approach, on December 9, 2021, CCCL organized the second follow-up online symposium in collaboration with CPLR, to bring together a group of 13 scholars and experts to continue the SIBD conversation that began at the first symposium.

The first panel, chaired by Professor Wang Jiangyu, was entitled "The Sino-Indian Border Disputes: Full Paper Presentations." In this panel, the three speakers, namely Dr. Fozia Nazir Lone (Assistant Professor, School of Law, City University of Hong Kong), Professor Anuradha M Chenoy (Retired-former Dean, Jawaharlal Nehru University, New Delhi), and Dr. Rityusha Mani Tiwary (Assistant Professor, Department of Political Science, Shaheed Bhagat Singh College, University of Delhi & Assistant Editor, China Report, SAGE, Institute of Chinese Studies), gave a full paper presentation about their proposal on a possible peaceful approach towards settlement. Dr. Peter Wang (Associate Professor, City University of Hong Kong School of Law), Dr. Peter Chan Chi Hin (Associate Professor, City University of Hong Kong School of Law), and Dr. James D. Fry (Associate Professor of Law, Faculty of Law, The University of Hong Kong) have been invited to provide academic feedback.

The second panel, chaired by Professor Tsimplis Michael (Professor, School of Law, City University of Hong Kong) and titled "Resolution of the Sino-Indian Border Dispute: Some Academic and Practical Reflections from the Perspective of International Relations and Law," featured two presentations by Professor Alka Acharya (Centre for East Asian Studies, School of International Studies, Jawaharlal Nehru University) and Professor Anthony Carty (Professor, School of Law, Beijing Institute of Technology).

The third panel, chaired by Prof. Ling Bing (Professor & Associate Director, Centre for Asian and Pacific Law, School of Law, The University of Sydney) and titled "Possible Approaches to the Peaceful Settlement of the Sino-Indian Boundary Dispute: A Multidisciplinary Framework," followed three presentations by Professor Wang Jiangyu, Capt (retd) Andy (Shichen) Tian (Founder and President, Global Governance Institution; Director, Center for International Law of Military Operations (CILMO)) and Professor M Sornarajah (Emeritus Professor, Faculty of Law, National University of Singapore).



Screenshot of thirteen participated professors (Dr. Fozia Nazir Lone, Professor Anuradha M Chenoy, Dr. Rityusha Mani Tiwary, Dr. Peter Wang, Dr. Peter Chan, Dr. James D. Fry, Professor Alka Acharya, Professor Anthony Carty, Professor Tsimplis Michael, Professor Wang Jiangyu, Captain (retired) Andy (Shichen) Tian, Professor M Sornarajah)

Seminars/Lectures

A Virtual Tour of Huawei: Technologies, Ownership and Corporate Governance (26 Oct 2021)

Given the importance of the technological development and corporate governance in Huawei, being a research centre that maintains a close watch on China's development, CCCL conducted an online academic seminar on 26 October 2021, inviting only students of CityU, to enjoy a virtual tour of Huawei. Aimed at delivering participants more opportunities to grasp about the high-tech giant's most recent innovations, Mr. Kompocholis Konstantinos (Kostas), explained the application of 5G technology through visiting Galileo Exhibition Hall and Columbus Exhibition Hall and Ms. Daisy Xiong introduced Huawei with the 2020 Annual Report.

Ms Lan Jie, "Overseas Listing of Chinese Companies: "Homecoming" Opportunities for Hong Kong" (9 Nov 2021)

Despite the outbreak of the coronavirus in 2020, Chinese IPO numbers and volumes remained robust, with many of them listed on stock exchanges in Hong Kong or other overseas destinations. In the tech trade war between China and the United States, new rules from the two governments may have a significant impact on the overseas listings of Chinese companies. Given the importance of "homecoming" towards Hong Kong. Given the importance of "homecoming" towards Hong Kong, CCCL conducted an online academic seminar on November 9, 2021, inviting Ms. Lan Jie as the guest speaker to explain how the return of Chinese companies has become a valuable opportunity for Hong Kong.



Screenshot of Ms Lan Jie, Partner at Haiwen & Partners, based in Beijing office.

Meeting Chinese Judges: Courts, Adjudicators, and Judicial Life, co-organized by CCCL and CJER (10 Nov 2021)

Since 2009, the School of Law of City University of Hong Kong, the Supreme People's Court of the People's Republic of China, and the National Judges College have jointly organized judicial education programs for Chinese judges. Towards the end of the semester in 2021, the Centre for Judicial Education and Research (CJER) and CCCL invited five graduating students from the programs to be speakers in the academic seminar on October 26, 2021, so that participants could learn more about the courts, judges and judicial system in Mainland China from the perspective of adjudicators. The seminar is held both online and offline in LI-3614, City University of Hong Kong.

The five invited speakers were Judge Zhang Yanhong, Vice President of Shenzhen Bao'an District People's Court; Judge Rong Yan, Vice President of Nanjing Bankruptcy Court, Nanjing Intermediate People's Court; Judge Zhang Yan,

President of Criminal Division II, Chengdu Intermediate People's Court, Sichuan Province; Judge Liu Jianhong, President of Trial Supervision Division, Foshan Intermediate People's Court; and Judge Sun Jixu, Vice President of Beijing Huairou District People's Court.



Group photo of the offline seminar, including five judges, moderators (Professor Lin Feng and Professor Wang Jiangu) and some participants.

Professor Ling Bing, "China's Engagement with international judicial dispute settlement: will non-appearance be the new normal?" (18 Nov 2021)

In the South China Sea (SCS) Arbitration Case, China's act of non-appearance increased the risk of receiving an unfavorable decision. In fact, the non-participation of a party before an international court or tribunal is uncommon, and some argue that non-appearance may perhaps become the new normal for China to engage in international judicial dispute settlement in the future. Given the huge impact of China's engagement with multinational judicial controversy especially in East Asia, CCCL conducted a virtual academic seminar on November 18, 2021, inviting Professor Ling Bing as the guest speaker to explain the argument.



Screenshot of Professor Ling Bing (Professor of Chinese Law, Associate Director of Centre for Asian and Pacific Law, Director China Engagement, The University of Sydney)

Associate Professor Wu Xuan, "Regulating Cyberspace and Informatization in China: An Academic Critique of Recent Legislations" (26 Nov 2021)

On June 10, 2021, the Standing Committee of the National People's Congress, China's highest legislature, passed the Data Security Law of the People's Republic of China (the Data Security Law), which came into effect on September 1, 2021. In addition to being the first comprehensive data security law in China, the Data Security Law is a necessary supplement to the China Network Security Law, which came into effect on June 1, 2017. Considering the recent heated debate over Chinese cybersecurity legislation, CCCL hosted an online seminar on November 26, 2021, inviting Associate Professor Dr. Wu Xuan as the guest speaker to discuss the legal regulation of cybersecurity and information technology in China.



Screenshot of Dr. Wu Xuan (Associate Professor, Shanghai Normal University)

Judge Zhao Hong, "Multilateral Trading System and Future International Economic Law: Implications for rule of law in China" (3 Dec 2021)

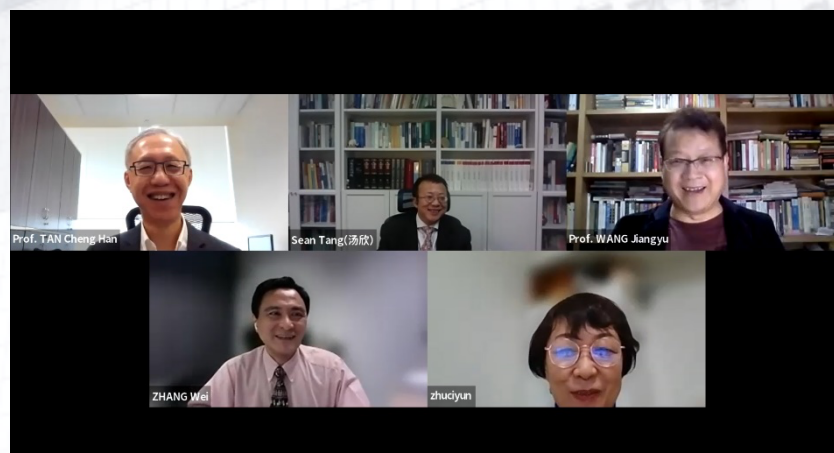
The World Trade Organization (WTO), the centre for multilateral trading system, is the successor to the General Agreement on Tariffs and Trade (GATT), which was founded in the aftermath of World War II. While the WTO is still relatively new, the global trading system established under the GATT is more than 70 years old. Given the importance of a rules-based multilateral trading organization to the global economy, CCCL hosted a distinguished public lecture on December 3, 2021, with Judge and Professor Zhao Hong, the former member and chairperson of the WTO's Appellate Body, as the guest speaker to discuss the relationship between the multilateral trading system and future international economic law.



Screenshot of Judge and Professor Zhao Hong (former Member (2016-2020) and Chairperson of the Appellate Body of the WTO))

"Revising Chinese Company Law (again): Academic Debates and Legislative Considerations" co-organized by CCCL, Tsinghua Commercial Law Research Centre, SMU School of Law and ALSA (17 Dec 2021)

The Company Law of the People's Republic of China has been in force since July 1, 1994, with amendments to individual provisions in 1999 and 2004, a comprehensive amendment in 2005, and two necessary amendments in 2013 and 2018. The Company Law of the People's Republic of China was again submitted to the Thirty-second Session of the Standing Committee of the Thirteenth National People's Congress for consideration in December 2021. In view of the concerns from the most recent round of amendments to China's company law, CCCL hosted a virtual seminar on December 17, 2021, on the theme of "Revising Chinese Company Law (again): Academic Debates and Legislative Considerations," which was co-organized by the Tsinghua Commercial Law Research Centre, Singapore Management University Yong Pung How (SMU) School of Law and the Asian Law Schools Association (ALSA), inviting Professor Zhu Ciyun and Professor Tang Xin as the keynote speakers.



Screenshot of two keynote speakers, chairperson (Professor Tan Cheng Han), discussants (Professor Zhang Wei and Professor Wang Jianguyu)

NEWS OF CCCL MEMBERS (JUL – DEC 2021)

Dec 2021

- ◆ Professor Julien Chaisse Quoted in International Financial Law Review on impact of bilateral data agreements such as the Singapore-Australia Digital Agreement play, compared to regional agreements like RCEP (23 Dec 2021)
- ◆ Professor Julien Chaisse Quoted in the South China Morning Post on WTO's joint statement initiative (JSI) on e-commerce (16 Dec 2021)
- ◆ Professor Wang Jiangyu spoke on WTO and rule of law in China at a PKU Conference (10 Dec 2021)
- ◆ Professor Wang Jiangyu gave a keynote speech on US trade policy and its impact on China (10 Dec 2021)

Oct 2021

- ◆ Professor Wang Jiangyu Quoted in The Sing Tao Daily on Biden Government can Hardly Remove Tariffs on China (6 Oct 2021)

Sep 2021

- ◆ Professor Wang Jiangyu Quoted on the case of China Frees Jailed two Canadian in Lianhe Zaobao (26 Sep 2021)
- ◆ Professor Wang Jiangyu Quoted on the US-China relationship after releasing Huawei's Meng Wanzhou in Lianhe Zaobao (26 Sep 2021)
- ◆ Professor Wang Jiangyu Quoted on the China-Canada relationship after releasing Meng Wanzhou in Lianhe Zaobao (26 Sep 2021)
- ◆ Professor Wang Jiangyu Quoted on the case of release of Huawei's Meng Wanzhou in Lianhe Zaobao (19 Sep 2021)
- ◆ Professor Julien Chaisse quoted in the South China Morning Post on Beijing's long-awaited application to join the 11-member CPTPP (18 Sep 2021)
- ◆ Professor Julien Chaisse quoted in Financier Worldwide Magazine on the potential for FDI to boost suffering economies (17 Sep 2021)
- ◆ Professor Julien Chaisse quoted in the South China Morning Post on China's bid to join Pacific rim trade pact heaps pressure on US to step up regional economic strategy (17 Sep 2021)

- ◆ The International Jury of the International Organisation of Vine and Wine (OIV) has awarded the Vitivincultural Law OIV Award (2021) to Professor Julien Chaisse (13 Sep 2021)
- ◆ Professor Wang Jiangyu Quoted in The Sing Tao Daily on Xi's speech at the Party School of the CPC Central Committee (National Academy of Governance) (2 Sep 2021)
- ◆ Publication of Volume 9, Issue 2 of The Chinese Journal of Comparative Law (Sep 2021)

Aug 2021

- ◆ Professor Julien Chaisse quoted in the South China Morning Post on Australia's plan to work together with U.S. to create new rules for how trading countries should behave with each other (27 Aug 2021)
- ◆ Professor Wang Jiangyu quoted on Meng Wanzhou's extradition last hearing in Lianhe Zaobao (20 Aug 2021)
- ◆ Professor Wang Jiangyu quoted in the Guardian on Meng Wanzhou's extradition case (19 Aug 2021)
- ◆ Professor Wang Jiangyu published an Op-ed on the Meng Wanzhou case in Singapore's ThinkChina (18 Aug 2021)
- ◆ Professor Wang Jiangyu quoted in Deutsch Welle (DW) "China or the US: Hong Kong firms could soon face difficult choice (16 Aug 2021)
- ◆ Professor Wang Jiangyu quoted in South China Morning Post (SCMP) on the Rules-Based Governance within the Communist Party (13 Aug 2021)
- ◆ Professor Wang Jiangyu Published an Op-ed on the Biden's China Policy in Singapore's Lianhe Zaobao (13 Aug 2021)
- ◆ Professor Wang Jiangyu Quoted in BBC News (Chinese) on the Public Interest Litigation against Tencent on the Laws of Protection of Minors in China (12 Aug 2021)
- ◆ Professor Wang Jiangyu Quoted in Singapore's Lianhe Zaobao on the China-Canada Judicial Gaming (12 Aug 2021)
- ◆ CCCL Core Member Dr. Ding Chunyan has published an article on China's Prosecutorial environmental public interest litigation with Fordham Environmental Law Review (3 Aug 2021)

- ◆ CCCL Core Member Dr. Ding Chunyan has published a Paper on Information Ecosystems in Mainland China and Hong Kong During the Covid-19 Pandemic with China Review (3 Aug 2021)

Jul 2021

- ◆ Professor Julien Chaisse quoted in Financier Worldwide Magazine on the Effects of the Coronavirus (COVID-19) Pandemic Which Has Dramatically Impacted FDI Flows in Many Regions (31 Jul 2021)

- ◆ CCCL Associate Director Dr. Lauren Yu-Hsin Lin published a paper on the Political Conformity of Chinese Companies with the Journal of Legal Studies (29 Jul 2021)
- ◆ Professor Julien Chaisse quoted in Asia Business Law Journal Cover Story on Outlook for Litigation Financing in Asia (12 Jul 2021)
- ◆ Professor Julien Chaisse quoted in Financier Worldwide on the Supply Chain Resilience Initiative, A Bid to Strengthen Supply Chain Provision in the Asia-Pacific Region (5 Jul 2021)

PUBLICATIONS (JUL - DEC 2021)

CCCL Members' Publications

Jullien CHAISSE

- ◆ Julien Chaisse and Xueliang Ji 'Rethinking Hong Kong's Tax Agreements: Challenges of Transparency, Harmonisation and Global Tax Reform' (2021) 51(2) *Hong Kong Law Journal* 405-440.
- ◆ Julien Chaisse 'Delays Expected but Duration of Delays Unpredictable: Causes, Types, and Symptoms of Procedural Applications in Investment Arbitration' 2021 (37(3) **Arbitration International** 1-38
- ◆ Julien Chaisse and Jamieson Kirkwood, "Adjudicating Disputes Along China's New Silk Road: Towards Unity, Diversity or Fragmentation of International Law?" (2021) 68(2) *Netherlands International Law Review* 219-247.
- ◆ Julien Chaisse, 'Arbitration of FRAND Disputes in SEP Licensing: Towards Global Substantive and Procedural Rules' (2021) 38(4) *Intellectual Property Quarterly* 264-279.
- ◆ Julien Chaisse and Kehinde Olaoye, "The Case for Hong Kong joining Regional Comprehensive Economic Partnership (RCEP)," *East Asia Forum* (2021).
- ◆ Julien Chaisse and Kehinde Olaoye "Hong Kong's New Approach to Investment Treaty Arbitration," *Kluwer Arbitration Blog* (2021)

Thomas CROFTS

- ◆ Thomas Crofts and John A.S. Burkee, "Sexting in Hong Kong - A Complex Interplay between Young People, Technology and Law" (2021) 29(1) *Asia Pacific Law Review*.
- ◆ Thomas Crofts, Angela Dwyer, Christine E. W. Bond, Matthew Ball and Murray Lee, "Support provided by LGBTI Police Liaison Services: An analysis of a survey of LGBTIQ people in Australia" (2021) *Police Quarterly*.

Wenwei GUAN

- ◆ Wenwei Guan, "The Origin of Copyright: Expression as Knowing in Being and Copyright Onto-Epistemology" (2021) *Routledge* (Routledge Research in Legal Philosophy)

Hui JING

- ◆ Hui Jing, "Enforcing Charitable Trusts: A Study on the English Necessary Interest Rule", (2021) *Legal Studies* 1-18.
- ◆ Hui Jing, "The Governance of Charities in China" (2021) *Asian Journal of Comparative Law*.
- ◆ Hui Jing and Siyi Lin, The Transplantation of Quistclose Trusts in China: Difficulties in Law and Normative Uncertainties (2021) *15 Journal of Equity* 153-180.

Lauren Yu-Hsin LIN

- ◆ Lauren Yu-Hsin Lin and Yun-chien Chang, "Do State-Owned Enterprises Have Worse Corporate Governance? An Empirical Study of Corporate Practices in China" (2021) *European Business Organization Law Review*.
- ◆ Lauren Yu-Hsin Lin and Jyh-An Lee, "Legal Institutions of Human Capital: Property, Contract, and Organisation" (2021) *Journal of the Knowledge Economy*.

Qiao LIU

- ◆ Qiao Liu, Lei Chen, Jiangqiu Ge, Jian He, Zhicheng Wu and Bingwan Xiong (eds), "The Civil Code of the People's Republic of China: English Translation. (Chinese and Comparative Law Series; Vol. 10)" (2021), Brill | Nijhoff.

Fozia Nazir LONE

- ◆ Fozia Nazir Lone and Bonnie Wing-Yin Chow, "Pre-primary education and Chinese language acquisition of ethnic minority students in Hong Kong: a multidisciplinary critical evaluation" (2021) *Asian Education and Development Studies* (Published online on 10 Aug 2021).
- ◆ Fozia Nazir Lone, 'Revisiting the New Haven Methodology from an International Law and Policy Perspective' in Rossana Deplano and Nicholas Tsagourias (eds), *Research Methods in International Law: A Handbook* (Edward Elgar Publishing, 2021).

Wai Yee WAN

- ◆ Wai Yee Wan and Cady Watters, "Mandatory disclosure in corporate debt restructuring via schemes of arrangement: A comparative approach" (2021) 42 *International Insolvency Review*.

Jiangyu WANG

- ◆ Jiangyu Wang, "Encyclopedia of Public International Law in Asia: China State Volume" (China state editor) (Brill, October 2021)
- ◆ 王江雨, 《香港國家安全法: 法理與實踐》(與朱國斌、韓大元、黃明濤共同主編). 香港讀書. 生活. 新知三聯書店, 2021 年

11 月) [Jiangyu Wang, "The National Security Law of Hong Kong; Theory and Practice," with Zhu Guobin, Han Dayuan, Huang Mingtao (Nov 2021) *Hong Kong: Joint Publishing (H.K.)*]

- ◆ 王江雨: "國際法視角下的香港國家安全法: 以《中英聯合聲明》為例", 載朱國斌、韓大元、王江雨、王江雨主編: 《香港國家安全法: 法理與實踐》, 第 235-250 頁, 香港三聯出版社 [Jiangyu Wang, "Hong Kong's National Security Law under International Law: A Study of Compliance with the Sino-British Joint Declaration", in Zhu Guobin, Han Dayuan, Wang Jiangyu, and Huang Mingtao eds., *The National Security Law of Hong Kong; Theory and Practice* (Nov 2021) *Hong Kong: Joint Publishing (H.K.)*]

Shucheng WANG

- ◆ Shucheng Wang, "Judicial Review of the Legislative Process in Hong Kong: A Comparative Perspective" (2021) *Statute Law Review*, 42(3), 291-304.
- ◆ Shucheng Wang, "China's Imaginary Rule of Law" (in traditional Chinese), City University of Hong Kong Press.

Guobin ZHU

- ◆ Guobin Zhu, "Deference to the Administration in Judicial Review : Comparative Perspectives", in Katharina Boele-Woelki, Diego P. Fernández Arroyo, and Alexandre Senegacnik (eds), *General Reports of the XXth General Congress of the International Academy of Comparative Law - Rapports généraux du XXème Congrès général de l'Académie internationale de droit comparé* (Springer, 2021) 577-588 (Ius Comparatum - Global Studies in Comparative Law; Vol. 50), (Rapports généraux de l'AIDC / General Reports of the IACL).
- ◆ 朱國斌, 《香港國家安全法: 法理與實踐》(與王江雨、韓大元、黃明濤共同主編). 香港讀書. 生活. 新知三聯書店, 2021 年 11 月) [Guobin Zhu, "The National Security Law of Hong Kong; Theory and Practice," with Wang Jiangyu, Han Dayuan, Huang Mingtao (Nov 2021) *Hong Kong: Joint Publishing (H.K.)*]

ABOUT CCCL

The Centre for Chinese and Comparative Law (CCCL) was established in 1994 as an interdisciplinary research institute in affiliation with the School of Law of City University of Hong Kong (CityU Law). As one of the world's oldest research centres on Chinese and comparative legal studies as a discipline, it is devoted to research in both fundamental and cutting-edge issues in the relevant areas. The Centre benefits greatly not only from the institutional support of CityU Law but also from a sizable group of academics in the School of Law who specialize either in a particular area of Chinese law or general Chinese legal studies, as well as, are experts in comparative law. The Centre is blessed by its location in Hong Kong which has a legal system based on English common law and a long-standing rule of law tradition. As an international business and financial hub under the "One Country, Two Systems", Hong Kong has also served as an international legal hub in facilitating rule-based commercial transactions and trans-border dispute settlement, in many cases involving mainland China, and provides the best forum in the world for interactions between Chinese laws and foreign laws. As both CityU and its School of Law are increasingly recognized as world-class educational and research institutions, the Centre is now in an ideal position to be the centre of gravity for Chinese and comparative legal studies in the region and the world.

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