

# CPLR E-Newsletter

Jan 2023  
Vol. 3, No. 1

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



Public Law and  
Human Rights Forum

香港城市大學  
City University of Hong Kong

Welcome to the latest CPLR E-Newsletter!

In the latter half of 2022, CPLR actively organized four significant events. These included guiding students the UN Human Rights Council Universal Periodic Review Competition, exploring local and global legal dev COVID-19 challenges, hosting the Public Law and Human Rights Forum PhD Seminar, and orchestrating th Kong SAR: Transformation and Continuation Academic Conference."

These events provided valuable platforms for knowledge exchange, fostering insightful discussio collaboration. Students engaged with international human rights matters, analyzed the evolving legal lan pandemic, and delved into public law and human rights complexities. Our commitment to scholarly excellen dissemination remains steadfast.

## Highlights of Events (July – Dec 2022)

### The 2022 7th International Model UN Human Rights Council Universal Periodic Review Competition 8 August 2022

The 2022 7th International Model UN Human Rights Council Universal Periodic Review Competition was held on 8th August 2022. The competition is co-sponsored by the UN Office of the High Commission for Human Rights and the Ministry of Foreign Affairs of the Republic of Korea with the aim of nurturing the next generation of diplomats to engage in human rights dialogues and promoting a deeper understanding of the UN UPR mechanism. The co-organizers, including Human Asia, Korea University International Human Rights Centre,



International Christian University, City University of Hong Kong and Graduate Program on Human Security of Tokyo University, recruited students from different regions to participate in this role-playing competition. Students are expected to take on the role of national delegates of their respective governments to the UN Human Rights Council. They also have the opportunity to act as recommending states to review human rights policies that other delegates proposed. For four years now, participating students were chosen from a pool of highly qualified CityU law candidates and were given training delivered by **Dr Stephenson Chow**, Assistant Professor under the auspices of the Public Law and Human Rights Forum. This year, **Ms. Yiu Pui Ting**

**Florence (LLB), Ms. Chan Wing Lam Wynona (LLB) and Mr. Fong Fu San Christopher (PCLL)** were selected to participate in the competition as a team.

**Professor Changrok Soh** (President of Human Asia, Professor of Graduate School of International Studies, Korea University) and **Miss Imsuk Ha** (Human Rights Officer from UN OHCHR Seoul) delivered the welcoming speech. They indicated that the competition allows students to discuss and exchange ideas on human rights issues in-depth with people from other countries. They hope participants will find this experience rewarding. **Dr. Stephenson Chow, Dr. Mi-Hwa Hong** (Assistant Professor at the Department of Political Science & International Relations, Kookmin University) and **Dr. Matsuda Hiromichi** (Assistant Professor of Law at International Christian University) served as judges of the competition.

Our students **Ms. Chan Wing Lam Wynona, Ms. Yiu Pui Ting Florence, and Mr. Fong Fu San Christopher** have won the Outstanding Delegation Award (First Place) and the Best Teamwork Award (as Team China) at the competition, outperforming other students from HKU, the University of Tokyo, the International Christian University (ICU, Japan), Korea University and more.

## Local and Global Legal Developments amid COVID-19

27 Aug 2022

**Moderator: Prof. Julia TOMASSETTI**, Assistant Professor, SLW, CityU

**Speaker: Prof. David LARSON** (Chair, American Bar Association Section of Dispute Resolution; Professor of Law; Senior Fellow, Dispute Resolution Institute, Mitchell Hamline School of Law)  
**Prof. Ana ACOSTA** (Associate Professor of Law, Mitchell Hamline School of Law)  
**Prof. Wai Yee WAN** (Associate Dean and Professor, CityU School of Law)  
**Dr. Pablo ARELLANO** (Labour Law Specialist, Labour Law and Reform Unit Governance and Tripartism Department, International Labour Organization)

To combat COVID-19's spread, countries globally enacted strict measures. With activities shifting online, digital technology integration surged across industries. In response, the **CityU Law Review** and the **Public Law and Human Rights Forum** jointly organized a conference to discuss the evolution of online dispute resolution, public health law, insolvency law, and labor law over the past two and a half years.

Moderated by **Prof. Julia TOMASSETTI**, the conference hosted esteemed scholars: **Prof. David LARSON, Prof. Ana ACOSTA, Prof. Wai Yee WAN, and Dr. Pablo ARELLANO**. Prof. Larson highlighted technology's role in delivering legal services during the pandemic, emphasizing the expansion of online dispute resolution (ODR).



Prof. Acosta addressed racial disparities in COVID-19's impact, spotlighting unsafe working conditions in industries employing minority workers. Prof. Wan examined governmental responses to support small businesses, suggesting temporary restructuring law reforms. **Dr. Arellano** analyzed labor dispute resolution mechanisms' adaptation to pandemic challenges, underscoring principles of good governance.

**Dr. Tomassetti** extended gratitude to the speakers and CityU Law Review for their contributions, on behalf of CPLR. The conference marked a collaborative effort to delve into the legal implications of our rapidly evolving world.

## Public Law and Human Rights Forum PhD Seminar (I)- Encountering the Exclusion of Constitutional Identity of Rohingyas: A Comparative Study

16 Nov 2022

**Moderator:** *Dr. Fozia N Lone, Associate Professor and Associate Director of the CPLR, SLW CityU*

**Speaker:** *Md Rabiul Islam (PhD candidate, SLW, CityU)*

**Discussants:** *Dr. Daniel Pascoe, Associate Professor and Core Member of the CPLR, SLW, CityU*



On 16 November 2022, from 5pm to 6pm, the first PhD seminar of the Public Law and Human Rights Forum at the City University of Hong Kong (CityU) was successfully held, with Md Rabiul Islam (PhD candidate of CityU) presenting his research paper.

Dr. Fozia N Lone (Associate Professor and Associate Director of the CPLR, CityU School of Law) and Dr. Daniel Pascoe (Associate Professor and Core Member of the CPLR, CityU School of Law), as well as several PhD and LLM students attended the seminar.

Md Rabiul Islam's report focuses on the constitutional identity of Burma's minority Rohingya people. He argues that the Rohingya have been partly excluded from peoplehood in the 1947 constitutions of Burma due to the critical examination and were entirely excluded in both the 1974 and the 2008 constitutions. Md Rabiul Islam seeks to discover and understand the rationale behind the construction of Burma's constitutional peoplehood and, based on comparative research, to design a new inclusive constitutional identity for Burma that includes the Rohingya.

## 25 Years' Hong Kong SAR: Transformation and Continuation Academic Conference

25-26 Nov 2022



The year 2022 marks the 25th Anniversary of the establishment of the Hong Kong Special Administrative Region (HKSAR) of the People's Republic of China and the implementation of the Basic Law of the HKSAR. In the past 25 years, there have been profound transformations in the political, legal and social situations in the HKSAR, Mainland China, regionally and internationally. It is the right time for reflection on the implementation of the policy of "One Country, Two Systems" and the Basic Law in the HKSAR.

On 25 and 26 November 2022, the Public Law and Human Rights Forum (CPLR) and the Centre for Public Affairs and Law (CPAL) of the City University of Hong Kong jointly held an international conference: 25 Years' Hong Kong SAR: Transformation and Continuation.

This conference gathered 30 distinguished academics and former government officials from the Mainland, Hong Kong and Macau to discuss fundamental issues relating to Hong Kong's political, legal, and social transformation and the future.

The conference was kicked off with welcome speeches by **Prof. Guobin Zhu**, Director of the CPLR, and by **Prof Edmund Cheung**, Co-Associate Director of the CPAL. **Ms. Elsie Leung Oi-sie**, former and the first Secretary of Justice of the HKSAR Government and **Mr. Dayuan Han**, Professor of Law at Renmin University of China's School of Law and Member of the Hong Kong Basic Law Committee of the NPCSC, delivered their theme-based opening speeches. They stressed the importance of upholding the rule of law, persisting in the continuation and development of the common law, and the pursuit of the value of freedom in Hong Kong. Centred around the transformation and continuation of the HKSAR in the last 25 years, the conference was divided into five sessions. Each session focused on one topic, and the topics covered by the conference ranged from constitutional law and order, sovereignty and democracy, governance, the rule of law, human rights and national security, etc.

**Prof. Jihong Mo, Prof. Mingtao Huang, Prof. Minghui Chen, Prof. Feilong Tian, Prof. Ryan Mitchell, Prof. Miguel Angelo, Prof. Yang Sun, Prof. Stuart Hargreaves, Dr. P Y Lo, Prof. Xiaobo Zhai, Prof. Ying Liu, Prof. Xiang Zhang, Prof. Xiaoshan Zhang, Prof. Albert Chen, Prof. Sonny Lo, Prof. Junzhi He, Prof. Jingxian Chen, Prof. Hualing Fu, Prof. Yanying Bi, Prof. Guobin Zhu, and Ms.**



**Wenting Huang** presented their papers in this conference. At the end of each session, there were Q&As and discussions. All speakers and audiences had heated debates on relevant issues.

The conference ended with the concluding remarks of Prof. Albert Chen who is also a Member of the Hong Kong Basic Law Committee, and by closing remarks by Prof. Zhu on behalf of the organisers. They highly praised the quality presentation of all the speakers, and thanked the speakers and participants for taking part in this conference.

## Publications (July – December 2022)

### Prof. Guobin Zhu

- Zhu, Guobin, "Taking (Un)constitutional Constitutional Amendment as Effective Means to Legitimize Social Transformation in Authoritarian Regime: A Review of the Case of China and Some Reflections", 7 Dec 2022. 30 p.
- Zhu, Guobin, "The Changing Constitutional Order of the HKSAR: A Retrospective Reflection", Dec 2022, In: Hong Kong Law Journal. 52, 3, p. 827-850.
- Han Dayuan (ed.) & Zhu, Guobin (ed.), "Questioning Hong Kong: 'One Country, Two Systems' Theory and Hong Kong's Great Practice", Dec 2022, Hong Kong: Joint Publishing (HK) Co., Ltd. 316 p.

- Zhu, Guobin (ed.) & Deng Kai (ed.), "Legal System Construction in the Guangdong-Hong Kong-Macao Greater Bay Area: Cooperation and Innovation", Dec 2022, Hong Kong: Joint Publishing (HK) Co., Ltd. 296 p.
- Cheng Ye & Zhu, Guobin, "On the Standardization and Institutionalization of Continued Litigation Procedures in the Guangdong-Hong Kong-Macao Greater Bay Area: The Experience of Qianhai Court", Dec 2022, In: Zhu, Guobin & Deng Kai (eds.), "Legal System Construction in the Guangdong-Hong Kong-Macao Greater Bay Area: Cooperation and Innovation". Hong Kong: Joint Publishing (HK) Co., Ltd., p. 118-129. 12 p.
- Zhu, Guobin & Zhang Mengqi, "Where Lies the Difficulty in Legislating Article 23?", 26 Nov 2022. 12 p.
- Zhu, Guobin, "From the Process of Hong Kong's Political Reform to the Transition of the Central Government's Hong Kong Governance Philosophy and Model", 24 Jun 2022. 18 p

### **Prof. Fozia Nazir Lone**

- Fozia Nazir Lone, 'Revisiting the New Haven Methodology from an International Law and Policy Perspective' in Nicholas Tsagourias (eds) *Handbook on the Methodologies of International Law* (Elgar, 2021 forthcoming). Lone, F.N. (2023). International Law and the Kashmir Dispute: A Critical Reflection. In: Duschinski, H., Bhan, M., Robinson, C.d. (eds) *The Palgrave Handbook of New Directions in Kashmir Studies* (153-172) (Chapter 12) (2 June 2023) Palgrave Macmillan, Cham.
- F. N. Lone, "Report on Sino-Indian Border Disputes: International Law and International Relations Perspectives". *The Chinese Journal of Comparative Law* (2023) 1-39 (Published 19 June 2023) (Report)

### **Prof. Daniel Pascoe**

- Pascoe, Daniel. / Crime and Punishment in Indonesia. In: *Singapore Journal of Legal Studies*. 2023 ; Vol. March 2023. pp. 211-215.

### **Prof. Massimo Lando**

- Lando, Massimo. / Advisory Opinions of the International Court of Justice in respect of Disputes. In: *Columbia Journal of Transnational Law*. 2023 ; Vol. 61, No. 1. pp. 67-132.
- Lando, Massimo. / Jurisdiction *ratione materiae* of the International Court of Justice in Compromissory Clause Cases. In: *Law Quarterly Review*. 2023 ; Vol. 139. pp. 52-78.
- Lando, Massimo. "An Exploratory Empirical Outlook on the Authority of Annex VII Arbitral Tribunals." *The international journal of marine and coastal law*. 38.2 (2023): 302–325. Web.

### **Prof. Mandy Meng Fang**

- 'When Decarbonization Meets Industrialization: The First WTO Dispute Between the EU and U.K.' (2023) 63(2) *Virginia Journal of International Law* 165-208
- "'Unforeseen Developments" Before and After US – Safeguard Measure on PV Products: High Standard or New Standard?' (2023) *World Trade Review* (forthcoming, with Weihuan Zhou)
- 'Regulating EV Batteries Carbon Footprint: EU's Climate Ambition or Green Protectionism?' (2023) 53(7) *Environmental Law Reporter* 10590-10604
- 'China's Battle Against Marine Plastic Pollution at the Local Level: A Case Study of Sanya City, Hainan Province' (2023) 37 *Ocean Yearbook* 249-275
- 'Advancing 'Net Zero Competition' in Asia-Pacific Under a Dynamic Era: A Comparative Study on the Carbon Neutrality Policy Toolkit in Japan, Singapore and Hong Kong' (2023) *Global Public Policy and Governance* 12-40 (with Yunhong Liu and Liang Dong)

## Upcoming Events (January – June 2023)

### Public Law and Human Rights Book Review Seminar Series (4) – Rethinking Chinese Politics (Cambridge University Press, 2021) Joseph Fewsmith

20 Jan 2023

Coordinator: **Prof. Daniel Pascoe**

### Public Law and Human Rights Forum PhD Seminars Series

Date TBC (on a quarterly basis)

Coordinator: **Prof. Guobin Zhu**

### Human Rights in Asia Seminar Series

Date TBC

Coordinators: **Prof. Fozia Nazir Lone**

## CPLR MEMBERS

### Director

Prof. Guobin ZHU

### Associate Directors

Prof. Fozia Nazir LONE

Prof. Daniel PASCOE

### Core Members

Prof. Massimo LANDO

Prof. Mark KIELSGARD

Prof. Mandy Meng FANG

Prof. Tao HUANG

### Post-Doctoral Fellows

Dr XIAO, Shiling

### Research Officer

Ms. BAI Rianne

### Research Assistants

Miss Adrienne LAM

### Associate Members

Prof. ACHARYA, Alka (School of International Studies, Jawaharlal Nehru University)

Prof. CARTY, Anthony (School of Law, Beijing Institute of Technology)

Dr DENG, Kai

Prof. HUANG, Mingtao (School of Law, Wuhan University)

Dr LO, P Y

Prof. YANG, Xiaolan (School of Law, Dalian Maritime University)

Prof. ZHAI, Xiaobo (Faculty of Law, University of Macau)

Prof. ZHANG, Xiaoshan (School of Law, Guangdong University of Foreign Studies)

**Public Law and Human Rights PhD Seminar Series**

Date TBC

Coordinators: **Prof. Guobin Zhu****PhD Student**

Miss GUO Ai

Mr. ISLAM Md Rabiul

Ms. NGUYEN Thi Phuong

Ms. SARKAR Arpita

**CONTACT US****Email:** [lwcp1r@cityu.edu.hk](mailto:lwcp1r@cityu.edu.hk)**Tel:** +(852) 3442-4179**Fax:** +(852) 3442-0190**Postal Address:** Room 6222, 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/slW/CPLR/>**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>

Editor: Ms. Rianne BAI