

CPLR E-Newsletter

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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

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Welcome to the CPLR E-Newsletter for the latter half of 2023!

Continuing our active engagement from earlier this year, CPLR has hosted a variety of enriching academic events and discussions in the second half of 2023. These events, covering diverse legal and societal issues, have fostered valuable exchanges among global experts and practitioners.

We are thrilled to share insights into our members' latest achievements, including publications, media contributions, and research endeavours.

Stay connected with CPLR for more updates and insights. Enjoy our newsletter!

Highlights of Events (Jul – Dec 2023)

Guangdong-Hong Kong-Macao Greater Bay Area Legal Forum 2023: Building a Rule of Law-based Bay Area and Creating New Prospects for Development

28 July 2023

This prestigious forum, held on July 28, 2023, commemorated the ongoing development of the Guangdong-Hong Kong-Macao Greater Bay Area. Themed "Building a Rule of Law-based Bay Area and Creating New Prospects for Development," it aimed at bolstering the rule of law to promote regional growth and future prospects. **Professor Lee Chun Sing**, Provost and Deputy President of City University of Hong Kong, and **Professor Lin Feng**, Dean of the School of Law participating online, inaugurated the forum.



The Decision-Makers Forum commenced post-opening, spearheaded by **Professor Zhu Guobin**. Keynote speeches were delivered by prominent figures such as **Mr. Horace Cheung Kwok-kwan, Ms. Leung Wing Yin, Ms. Eunice Yung Hoi-yan, Mr. Victor Dawes SC, Mr. Chan Chak Ming, Professor Mo Jihong**, and **Dr. Bian Fei**, focusing on the rule of law and cooperative development in the Greater Bay Area.

Subsequent sessions delved into diverse legal aspects. The first session, led by **Professor Mo Jihong**, explored legal cooperation theories and practices. The second session, moderated by **Professor Du Chengming**, focused on rule convergence, followed by the third session on Judicial Cooperation, overseen by **Professor Zou Pingxue**. The fourth session, led by **Professor Guo Tianwu**, discussed legal service industry cooperation. The final session, chaired by **Professor Yang Xiaonan**, concentrated on comprehensive construction in the Greater Bay Area.

The forum concluded with closing remarks by **Professor Guo Tianwu** and **Professor Zhu Guobin**, celebrating the forum's success and the collaborative spirit towards the Greater Bay Area's development. The event was a melting pot of ideas, fostering deeper understanding and consensus on the rule of law's role in the region's advancement.

CPLR Co-organizes Landmark Conference on the Influence of Soviet Law Model on Modern Legal Systems

3 October 2023

In a significant academic event co-organized by the City University of Hong Kong's Public Law and Human Rights Forum (CPLR) and VNU University of Law, Hanoi, **Professor Zhu Guobin** presented a notable keynote address. The conference, held at VNU University of Law in Hanoi and accessible online, focused on the influence of Soviet law on modern legal systems. Professor Zhu's speech, titled "*The Soviet DNA in Contemporary Chinese Constitution through the Lens of Two Concepts and One Institution*," delved into the impact of Soviet constitutional principles on China's legal framework. His insights highlighted how Soviet legal concepts have been integral to shaping China's socialist constitution. This event, a collaborative effort between CPLR and VNU University of Law, provided a platform for exploring the historical and ongoing influences between Soviet and Chinese legal systems. Professor Zhu's contribution significantly enriched the discussions, underlining the complex interplay of legal doctrines across different jurisdictions.

Public Law and Human Rights Book Review Seminar Series (5) – Crime and Control in China: The Myth of Harmony (Polity 2022) by Børge Bakken

19 Oct 2023

(in collaboration with the Asia Pacific Law Review (APLR), School of Law, CityU)

Moderator: *Prof. Daniel Pascoe, Associate Professor, Associate Director of CPLR, SLW, CityU*

Attending Author: *Børge Bakken, Visiting Emeritus Fellow, College of Asia & the Pacific, The Australian National University*

Reviewer: *Enshen Li, Associate Professor, School of Law, City University of Hong Kong*

The fifth seminar in the "Public Law and Human Rights Book Review Series," co-organized by the CPLR and the APLR, focused on the book "Crime and Control in China: The Myth of Harmony" by **Børge Bakken**. This event, aiming to promote scholarly exchange and publicize notable works in Public Law and Human Rights,

attracted a diverse audience of academics and students. The seminar was held online via Zoom on October 19, 2023, from 5:00 pm to 6:00 pm (HKT).

Author **Børge Bakken** presented a critical analysis of the discrepancy between the reported low crime rates in China and the country's reality of high inequality and potential instability. He questioned the narrative of a harmonious society by exposing how crime statistics are manipulated and controlled by the authorities. Reviewer **Enshen Li**, alongside **Bakken**, engaged in an in-depth discussion about the complexities of crime and control in China, challenging the conventional understanding of these issues.

The seminar offered valuable insights into the often-misunderstood aspects of Chinese society and law enforcement, making it a significant contribution to the ongoing dialogue in the fields of law and criminology. Participants were encouraged to join via a provided Zoom link and engage in this enlightening discussion.

The Relationship between the Chinese Constitution and the Hong Kong Basic Law: A Theoretical Review of Forty Years

26 Oct 2023

Moderator: *Prof. Huang Tao, Assistant Professor, SLW, CityU*

Speaker: *Prof. Huang Mingtao, Professor, School of Law, Wuhan University*

Discussants: *Prof. Zhu Han, Professor, Faculty of Law, University of Hong Kong*
Prof. ZHU Guobin, Professor, SLW, CityU



On October 26, 2023, the City University of Hong Kong's School of Law hosted an illuminating seminar entitled "The Relationship between the Chinese Constitution and the Hong Kong Basic Law: A Theoretical Review over Forty Years." The event took place in the LI-6301 Seminar Room and was moderated by **Prof. Huang Tao**.

Prof. Huang Mingtao, a renowned expert from Wuhan University, was the keynote speaker. He provided a comprehensive analysis of the evolution and interconnections between the Chinese Constitution and the Hong Kong Basic Law, covering their developments over the past forty years. His presentation offered a deep

dive into the constitutional dynamics and their application within the Hong Kong Special Administrative Region.

Joining the discussion were **Prof. Zhu Guobin** from CityU's School of Law and **Prof. Zhu Han** from the University of Hong Kong. Their contributions added depth to the seminar, presenting varied perspectives on the constitutional framework and its implications for Hong Kong.

This seminar, part of the Public Law and Human Rights Forum's mission, fostered a multidisciplinary dialogue among legal scholars and students. It underscored the forum's commitment to being a leading institution in Asia for public law and human rights research, emphasizing global collaboration and knowledge exchange. The seminar's success was evident in the rich discussions and engagement from over twenty CityU students and faculty members.

Symposium on the Leading Edge of Research and Publishing in 'One Country, Two Systems' and the Rule of Law in Hong Kong

9 Dec 2023



On December 9, 2023, the School of Law, City University of Hong Kong, in collaboration with Joint Publishing (Hong Kong) Limited, successfully hosted a symposium titled "Adherence to Principles and Innovation." The event, organized by the Public Law and Human Rights Forum, delved into the 'One Country, Two Systems' policy and the rule of law in Hong Kong.

On December 9, 2023, the School of Law, City University of Hong Kong, in collaboration with Joint Publishing (Hong Kong) Limited, successfully hosted a symposium titled "Adherence to Principles and Innovation." The event, organized by the Public Law and Human Rights Forum, delved into the 'One Country, Two Systems' policy and the rule of law in Hong Kong.

Opening remarks were made by **Ms. Janice Yip Pui-chu** and **Professor Zhu Guobin**, setting the stage for a series of in-depth discussions. Key themes included the Chinese Constitution and the Basic Law of Hong Kong, with notable contributions from **Professor Priscilla Leung Mei-fun** and **Professor Rao Geping**. They emphasized understanding the 1982 Constitution and its application within the context of Hong Kong's unique legal environment.

The symposium also explored the Hong Kong legal system under 'One Country, Two Systems,' highlighted by insights from **The Hon Ronny Tong Ka-wah** and **Professor Albert Chen Hung-ye**. They addressed the harmonization of Hong Kong's common law system with mainland China's legal framework and the implications of the National Security Law.

A session on the Hong Kong National Security Law and Rights Protection featured **Professor Zhu Guobin** advocating for a comprehensive legal framework respecting common law values. The symposium concluded

with perspectives on Hong Kong's and Taiwan's roles in the international arena, stressing the importance of continuous research and writing in these areas.

This pivotal event highlighted the ongoing development and challenges within Hong Kong's legal landscape, fostering a deeper understanding and dialogue among scholars and legal experts.

Publications (Jul – Dec 2023)

Prof. Guobin Zhu

- Zhu, Guobin, "Governance of Hong Kong by AO (Administrative Officers)", in Chinese, Mingpao Daily, 20 July 2023.
- Zhu, Guobin, "Law regarding the Greater Bay Area and Legal Education", bilingual in English-Chinese, Hong Kong Lawyer, Issue August 2023, Hong Kong, pp. 74-75.
- Zhu, Guobin, "History and Discussion of the Art 23 Legislation", in Chinese, Mingpao Daily, 14 Sept 2023.
- Zhu, Guobin & Xiao Shiling, "The 'Dual Personality' of the Hong Kong National Security Law and Judicial Interpretation Approaches", in Chinese, Mingpao Daily, 12 Sept 2023.
- Zhu, Guobin & Zhang Xiaoshan, "Lu Sai Yu Case and the Principles and Methods of Sentencing", in Chinese, Mingpao Daily, 6 Sept 2023.
- Zhu, Guobin, "Research and Publication of the Basic Law in Hong Kong", in Chinese, Mingpao Daily, 16 Nov 2023.
- Zhu, Guobin & Adrienne Lam, "Committed to Building a Legal and Dispute Resolution Service Center in the Asia-Pacific Region", in Chinese, Ta Kung Pao, 3 Nov 2023.
- Zhu, Guobin & Ye Haibo (eds.), "Research on the New Electoral System of Hong Kong", in Chinese, Hong Kong: City University of Hong Kong Press, Dec 2023, 285 pages.
- Zhu, Guobin & Feng Bolin, "On the Transformation of the Central Government's Idea and Model of Governing Hong Kong through the Lens of the Reform Process of Hong Kong's Electoral System", in Zhu, Guobin & Ye Haibo (eds.), Research on the New Electoral System of Hong Kong, in Chinese, Hong Kong: City University of Hong Kong Press, Dec 2023, pp. 3-23.
- Zhu, Guobin, "Thinkers Forum: Key Issues and Countermeasures for Hong Kong's Governance and Revitalization", in Chinese, China Review, Dec Issue, 2023, pp. 99, 116-117.

Prof. Fozia Nazir Lone

- Fozia Nazir Lone, "Report on Sino-Indian Border Disputes: International Law and International Relations Perspectives". The Chinese Journal of Comparative Law 11, 2 (2023), 1-39. Published Sept 2023. Article number: cxad005.
- Fozia Nazir Lone, "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, Chapter 12, p. 153-172, 20 p. Palgrave Macmillan, Cham (2023).

Prof. Daniel Pascoe

- Pascoe, Daniel. "Indonesia's Revised Criminal Code and the Death Penalty – Progress Amid the Gloom?" In: Australian Journal of Asian Law. 2023; Vol. 24, No. 1, July 2023, pp. 67-81.

Prof. Enshen Li

- Li, Enshen. "Forward-leaning policing and stability maintenance: The politics of penal control in Xi's China." In: Punishment & Society. December 6, 2023.

- Li, Enshen. "The Qianke system in China: Disorganisation, discrimination and dispersion." In: *Criminology and Criminal Justice*. September 2023; Vol. 23, No. 4, pp. 568-587.
- Li, Enshen. "Risk, political security and extra-judicial penalty under Xi." In: *Theoretical Criminology*. August 1, 2023.

Prof. Mandy Meng Fang

- Fang, Meng. Mandy. "Regulating EV Batteries' Carbon Footprint: EU Climate Ambition or Green Protectionism?" In: *Environmental Law Reporter*. 2023; Vol. 53, No. 7, July 2023, p. 10590.

Prof. Tao Huang

- Huang, Tao; Zheng, Shuyuan. "Using Differential Privacy to Define Personal, Anonymous, and Pseudonymous Data." In: *IEEE Access*, Vol. 11, 2023, pp. 109225-109236.

Media Presence (January – June 2023)

Prof. Guobin Zhu

- • Delivered speech at Guangdong Province Foreign-related Legal Construction Work Conference titled "Leading the Construction of the Guangdong-Hong Kong-Macao Greater Bay Area in Accordance with the Idea of 'Rule of Law-based Bay Area'" at 19 July 2023, Guangzhou, China.
- • Delivered paper at Guangdong-Hong Kong-Macao Greater Bay Area Legal Forum 2023 titled "Legal Difficulties and Approaches in Promoting the Construction of the Guangdong-Hong Kong-Macao Greater Bay Area" at 28 July 2023, Hong Kong.
- • Delivered speech at the conference of "Adherence to Principles and Innovation: A Symposium on the Leading Edge of Research and Publishing in 'One Country, Two System' and the Rule of Law in Hong Kong" titled "Improving the Legal Regime of National Security" at 9 Dec 2023, Hong Kong.

Upcoming Events (July – December 2023)

National Security in the Courtroom: A Conference on Judicial Implementation of the National Security Law and its Legal, Political and Societal Implications in Hong Kong

13 July 2024

Coordinator: Prof. ZHU Guobin

Public Law and Human Rights Book Review Seminar Series

Date TBC (on a quarterly basis)

Coordinator: Prof. Daniel Pascoe

The Present Status and Policy Issues Impacting the Future of Women's Labour Rights in Asia

Date TBC

Coordinators: Prof. Fozia Nazir Lone

Public Law and Human Rights PhD Seminar Series

Date TBC

Coordinators: Prof. Guobin Zhu

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