

# National Security in the Courtroom:

Judicial Implementation of the National Security Law and its Legal, Political  
and Societal Implications in Hong Kong

## 法庭中的國安法：

香港國家安全法司法實施及其法律、政治和社會影響

Saturday, 13 July 2024, 9:00 a.m. to 6:30 p.m.

2024年7月13日，星期六，早上九時至晚上六時半

In Hybrid Format

線上、線下同時進行

Seminar Room, School of Law, City University of Hong Kong

香港城市大學法律學院研討室



*Scan to register for the conference*

Programme

會議議程

Organisers/舉辦者



支持項目與機構 Supporting Project/Organisation



**09:00 – 09:10**

## **Opening Ceremony: Welcoming Speeches**

### **開幕式**

**09:00-09:10 Welcoming Speech: Prof. Lin Feng, Dean, School of Law, City University of Hong Kong**

林峰，香港城市大學法律學院院長、教授：歡迎詞

**09:10-09:20 Introduction to the Conference: Prof. ZHU Guobin, School of Law, City University of Hong Kong**

朱國斌，香港城市大學法律學院教授：會議背景介紹

**09:20 - 11:00**

**Session I / 第一節**

**The National Security Law and its Rule of Law Foundation**

**國安法及其法治基礎**

Chair: Prof. ZHU Guobin

主持人：朱國斌教授

**09:20-09:40 Prof. Lin Feng, School of Law, City University of Hong Kong: Judicial Protection of Human Rights in Hong Kong before and after the Implementation of the National Security Law**  
林峰教授，法律學院，香港城市大學：《香港國安法》實施前後香港人權的司法保護

**09:40-10:00 Prof. Priscilla Leung, School of Law, City University of Hong Kong: Legislative Intent of Article 23 of the Hong Kong SAR Basic Law and its implication to One Country Two Systems Principles.**  
梁美芬教授，法律學院，香港城市大學：香港特別行政區基本法第 23 條的立法意圖及其對一國兩制原則的影響

**10:00-10:20 Prof. Guo Tianwu, School of Law, Sun Yat-sen University: *The Implementation of the Hong Kong and Macao National Security Laws and the Development of the National Security System in the Greater Bay Area***  
郭天武教授，法學院，中山大學：“港澳國安法例的實施與灣區國家安全制度的發展

**10:20-10:40 Dr. P.Y. LO, Barrister (Hong Kong): *The Interpretation Provisions of the Safeguarding National Security Ordinance (6 of 2024) and Their Judicial Enforcement: The Pulsating Part of the Local System***  
羅沛然博士，香港大律師：“維護國家安全條例中的解釋條款及其司法執行：本地制度的跳動部分”

**10:40-10:55 Q & A and Discussion**  
自由討論

**10:55-11:10**

**Tea Break / 茶歇**

**11:10-13:00**

**Session II / 第二節**

**National Security Law Provisions and Comparative Studies**

**國安法條款及比較研究**

Chair: Prof. Lin Feng

主持人：林峰教授

**11:10-11:30 Prof. Zhang Xiaoshan, School of Law, Guangdong University of Foreign Studies: *Article 2 of the NSL and the Prohibition of Abuse of Fundamental Rights***

章小杉教授，法學院，廣東外語外貿大學：“國家安全法第2條與基本權利濫用的禁止”

**11:30-11:50 Prof. Zhu Han, Faculty of Law, University of Hong Kong: *One Country, Two Systems, Three State Secrets: Defining State Secrets in China and Its Special Administrative Regions***

朱晗教授，法律學院，香港大學：“一國兩制三種國家秘密：中國及其特別行政區的國家秘密定義”

**11:50-12:10 Prof. Huang Mingtao, School of Law, Wuhan University: *Incitement to violence as a seditious intention: Cho Suet Sum Chloe case and Brandenburg case compared***

黃明濤教授，法學院，武漢大學：“煽動罪體系之下的煽惑暴力：對比香港曹雪芯案與美國勃蘭登堡案”

**12:10-12:30 Prof. Jiang Zhaoxin, Chinese Law Programme, HKIAPS, The Chinese University of Hong Kong: *A Comparative Perspective for HK National Security Case Law: The U.S. National Security Constitution and Framework Cases***

江照信教授，中國法項目，香港中文大學：“從比較視角看香港國家安全案例法：美國國家安全憲法和框架案例”

**12:30-12:45 自由討論**

**Q & A and Discussion**

**12:45-14:30**

**Lunch / 午餐**

**Faculty Lodge, City University of Hong Kong**

**14:30-16:10**

## **Session III / 第三節**

### **National Security Law in the Courtroom and Case Law Development**

#### **法庭上的國安法與案例法發展**

主持人：羅沛然博士

Chair: Dr. P.Y. LO

- 14:30-14:50** Anson Wong Yu Yat, Barrister (Hong Kong): *Judicial Deference and National Security: A Tangled Story*  
黃宇逸先生，香港大律師: 司法遵從與國家安全：一個「理還亂」的故事
- 14:50-15:10** Steven Kwan, Barrister (Hong Kong): *Practical aspects of defending persons accused of endangering national security*  
關文渭先生，香港大律師: 危害國家安全罪辯護的實務要點
- 15:10-15:30** Ms. Celeste Lo, Solicitor, School of Law, City University of Hong Kong: *From Arrest to Verdict: A Closer Look into the Challenges and Difficulties in Hong Kong's National Security Proceedings*  
羅天恩女士，律師，法律學院，香港城市大學: “從逮捕到判決：深入瞭解香港國家安全訴訟中的挑戰和困難”
- 15:30-15:50** Ms. Li Yueqi, National Security College, Southwest University of Political Science and Law & Ms. Chen Yizhen, City University of Hong Kong: *On the Applicable Conditions of the Bail System of the Hong Kong National Security Law*  
李悅祺女士，國家安全學院，西南政法大學及陳儀臻女士，法律學院，香港城市大學: “香港國家安全法保釋制度的適用條件”
- 15:50-16:10** 自由討論  
Q & A and Discussion

**16:10-16:25**

#### **Tea Break**

茶歇

16:25-18:00

## Session IV / 第四節

### Interpretations of the National Security Law and Application

#### 國安法的解釋與適用

Chair: Prof. Huang Mingtao

主持人：黃明濤教授

- 16:25-16:45 Prof. Liu Ying, School of Law, Sun Yat-sen University: The Study on the Use of Foreign Human Rights Cases by Hong Kong Courts in Local National Security Cases**  
劉瑛教授，法律學院，中山大學：“香港法院在本地國家安全案件中使用外國人權案例的研究”
- 16:45-17:05 Dr. Huang Wenting, School of Law, Wuhan University: *Situational Manifestations, Applications and Limitations in Sedition Cases***  
黃文婷博士，法律學院，武漢大學：“煽動案件中的情境表現、應用和限制”
- 17:05-17:25 Mr Aaron H. L. Wong, Department of Applied Social Sciences, The Hong Kong Polytechnic University & Ms Urania Chiu, University of Oxford: *Interpreting the Sentencing System of the National Security Law through a Common Law Approach: The Relevance of Chinese Mainland Law in Lui Sai Yu (HKCFA)***  
黃希朗先生，應用社會科學系，香港理工大學及 趙紫晴女士，法學院，牛津大學：“以普通法方法解釋國安法的判刑制度——中國內地法律在《呂世瑜案》(終審法院)中的相關性”
- 17:25-17:45 Mr. Kwan Yuen IU, Hong Kong Barrister & Mr. Yuke Liu, Faculty of Arts, University of Hong Kong: *The Constitutional Game in the National Security Law Era: The Political Dynamics and the Constitutional Interpretation of the Judiciary***  
姚君源先生，香港大律師及 劉雨柯先生，文學院，香港大學：“國安法時代的憲法遊戲：政治互動和法院的憲法解釋”
- 17:45-18:05 自由討論**  
Q & A and Discussion

**18:05 – 18:30**

**Closing Ceremony**

會議總結及致謝

**18:05-18:15** Dr. P.Y. LO  
羅沛然博士

**18:15-18:30** Prof. ZHU Guobin, School of Law, City University of Hong Kong  
朱國斌，香港城市大學法律學院教授

**18:30**

**Dinner at Chinese Restaurant, City University of Hong Kong**

晚宴，中菜廳，香港城市大學