

# THE 3rd APELIA CONFERENCE

CUM AN EVENT TO CELEBRATE THE 35TH ANNIVERSARY OF  
THE SCHOOL OF LAW OF CITY UNIVERSITY OF HONG KONG

## Where is the boundary of national security in international and domestic law?

After 911 event, national security has become an important agenda for both the international community and sovereign states. Over the years thereafter, national security issues have come up not only in its traditional security sense, but also in international trade and investment, bilateral relationship between sovereign states, and domestic law. There is a tendency that the concept of national security has been without proper justifications in some occasions. For example, in international and bilateral trade and investment, national security has been invoked by some countries to prohibit certain trade and investment activities. In domestic law, the implementation of national security law enacted by mainland China in Hong Kong has attracted attention of international community.

While acknowledging the importance of national security of each sovereign state, arbitrary use of national security as an excuse to achieve other objectives amounts to a serious challenge to the rule of law in both international and domestic context.

This conference aims to examine the boundary of national security in both international and domestic law, as well as how national security should be balanced with other interests and/or rights.

### Conference's Hosts and Chairs



**Prof. TAN Cheng Han**  
Dean,  
School of Law,  
City University of Hong Kong



**Prof. LIN Feng** **Speaker**  
Associate Dean,  
School of Law,  
City University of Hong Kong



**Prof. LI Yuwen**  
Professor,  
School of Law & China Law Centre,  
Erasmus University Rotterdam



**Dr. HE Tianxiang**  
Assistant Professor,  
School of Law,  
City University of Hong Kong



**Prof. WANG Jiangyu**  
Director,  
Centre for Chinese and Comparative Law,  
City University of Hong Kong

### Conference's Speakers



**Dr. CHENG Bian**  
Academic Researcher,  
School of Law & China Law Centre,  
Erasmus University Rotterdam



**Ms. Maja RUHL**  
Doctoral Candidate,  
Institute of East Asian Economic Law,  
University of Freiburg



**Dr. JIANG Huiqin**  
Associate Professor,  
School of Law and Politics,  
Zhejiang Sci-Tech University



**Dr. Charlie Xiaochuan WENG**  
Associate Professor,  
Law and Justice,  
University of New South Wales



**Dr. Pim JANSEN**  
Associate Professor,  
School of Law,  
Erasmus University Rotterdam



**Dr. Umakanth VAROTIL**  
Associate Professor,  
Faculty of Law,  
National University of Singapore



**Dr. Chuanman YOU**  
Research Fellow,  
EW Barker Centre for Law & Business,  
Faculty of Law,  
National University of Singapore



**Dr. Guan H TANG**  
Senior Lecturer,  
Commercial Law Asia,  
Queen Mary University of London



**Mr. Randal LINDSELL**  
Assistant Researcher,  
Centre for Commercial Law Studies,  
Queen Mary University of London



**Prof. Li YANG**  
Secretary General of APELIA;  
Professor, Law School,  
Shanghai Jiao Tong University



**Mr. Junlin YI**  
Doctoral Candidate,  
KoGuan Law School,  
Shanghai Jiao Tong University



**Prof. LIN Feng**  
Associate Dean,  
School of Law,  
City University of Hong Kong



**Dr. FEI Mengtian**  
Postdoctoral Fellow,  
Centre for Judicial Education and  
Research,  
City University of Hong Kong



**Dr. Marcelo THOMPSON**  
Assistant Professor,  
Faculty of Law,  
The University of Hong Kong



**1-2 JUNE 2022 (WED TO THU)**

China Standard Time: 15:00 - 18:00

British Summer Time: 8:00 - 11:00

Central European Daylight Time: 9:00 - 12:00

Japan Standard Time: 16:00 - 19:00

Australian Eastern Standard Time: 17:00 - 20:00



**Centre for Judicial Education and Research & School of Law,  
City University of Hong Kong**

Zoom meeting registration: <https://bit.ly/3w3bnfE>



<https://www.cityu.edu.hk/cjer/> AND <http://www.apelia.cn/>

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HKT

**1 JUNE 2022 (WED)**

15:00-15:05 Opening remarks  
Prof. **TAN Cheng Han** Dean, School of Law, City University of Hong Kong

## Session 1: Foreign Investment and National Security

Chair: Prof. **LI Yuwen** Professor, School of Law & China Law Centre, Erasmus University Rotterdam

15:05-15:20 The Essential Security Interest Exception in International Investment Agreements and Arbitration: From an Exception to a Norm?

Dr. **CHENG Bian** Academic Researcher, School of Law & China Law Centre, Erasmus University Rotterdam

15:20-15:35 The National Security Review and the New Foreign Investment Management Regime in Mainland China

Ms. **Maja RUHL** Doctoral Candidate, Institute of East Asian Economic Law, University of Freiburg

15:35-15:50 A Comparative Analysis of the Foreign Investment National Security Review Regimes in Mainland China and Australia

Dr. **JIANG Huiqin** Associate Professor, School of Law and Politics, Zhejiang Sci-Tech University

Dr. **Charlie Xiaochuan WENG** Associate Professor, Law and Justice, University of New South Wales

15:50-16:05 FDI Screening in the Netherlands: Key Changes for 2022

Dr. **Pim JANSEN** Associate Professor, School of Law, Erasmus University Rotterdam

16:05-16:40 **Discussion Panel**

16:40-16:50 Break

## Session 2: Artificial Intelligence and National Security

Chair: Dr. **HE Tianxiang** Assistant Professor, School of Law, City University of Hong Kong

16:50-17:05 National Security Screening in Cross-Border Takeovers: Shifting Sands in the Market for Corporate Control

Dr. **Umakanth VAROTTIL** Associate Professor, Faculty of Law, National University of Singapore

Dr. **Chuanman YOU** Research Fellow, EW Barker Centre for Law & Business, Faculty of Law, National University of Singapore

17:05-17:20 AI Law and Policy: An International and Comparative Study of National Security

Dr. **Guan H TANG** Senior Lecturer, Commercial Law Asia, Queen Mary University of London

Mr. **Randal LINDSELL** Assistant Researcher, Centre for Commercial Law Studies, Queen Mary University of London

17:20-17:35 Paradigm Transformation of Classified Protection Compliance Standards for Data Security

Prof. **Li YANG** Secretary General of APELIA; Professor, Law School, Shanghai Jiao Tong University

Mr. **Junlin YI** Doctoral Candidate, KoGuan Law School, Shanghai Jiao Tong University

17:35-18:00 **Discussion Panel**

HKT

**2 JUNE 2022 (THU)**

## Session 3: National Security in Hong Kong

Chair: Prof. **WANG Jiangyu** Director, Centre for Chinese and Comparative Law, City University of Hong Kong

15:00-15:15 The Hong Kong National Security Law – A Paradigm Shift for its National Security Constitution

Prof. **LIN Feng** Associate Dean, School of Law, City University of Hong Kong

Dr. **FEI Mengtian** Postdoctoral Fellow, Centre for Judicial Education and Research, City University of Hong Kong

15:15-15:30 Standards-Setting, National Security, and the Responsibility of Technological Platforms in Hong Kong: Understanding Article 139(2) of the Hong Kong Basic Law

Dr. **Marcelo THOMPSON** Assistant Professor, Faculty of Law, The University of Hong Kong

15:30-15:50 **Discussion Panel**

15:50-15:55 Concluding remarks by organizer

Prof. **LIN Feng** Associate Dean, School of Law, City University of Hong Kong

15:55-16:00 Break

16:00-18:00 2022 APELIA Executive Meeting

APELIA Secretariat Office