



Centre for  
Chinese and Comparative Law

香港城市大學  
City University of Hong Kong

# CCCL NEWSLETTER

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## MESSAGE FROM THE DIRECTOR

Welcome to our Spring 2023 newsletter, which reports to our readers and friends the major achievements and developments in CCCL from July to December 2022. We have much exciting news to share and hope you enjoy learning about the latest from the Centre, its members, and research programmes.

The first major initiative undertaken by CCCL in the second half of 2022 was to launch a series of ground-breaking research projects. These projects are based on international collaborations, and aim to make CCCL one of the leading centres for Chinese legal studies in both regional and global contexts. They included creating new research programs, forming partnerships with other organizations, and expanding existing collaborations internationally. All these developments have helped position us at the forefront of providing cutting edge research on legal issues related to China's development trajectory over time within regional and global contexts.

The **CCCL Lecture Series on History of International Law: Chinese and Global Perspectives** was a major milestone for the Centre in late 2022. This series featured lectures by distinguished guest speakers, who provided insight into both the history of international law as well as its global and comparative perspectives. The project is a product of cooperation among the CCCL, Wuhan University Law School, and Fudan University Law School, based on a forthcoming book entitled **Histories of International Law in China: All Under Heaven?** (edited by Ignacio de la Rasilla, Jiangyu Wang, and Congyan Cai, Oxford University Press 2025). It was made possible through cross-border collaborations that allowed us to bring together experts from around the world to discuss these topics.

CCCL also joined as a co-organizer of the prestigious **International Conference on the New Haven School of Jurisprudence** and co-hosted the 13th conference together with Yale Law School, the Academy of International Strategy and Law of Zhejiang University, and Guanghua Law School of Zhejiang University, for which Professor Michael Reisman of Yale Law School delivered the keynote speech.

One of the greatest pleasures during this period was for me to announce the launch of the **CCCL Young Scholar Forum** which is directed by our colleague Dr. Martin Lai who played a leadership role in its establishment and operation, as well as ensuring success with a queue of junior faculty members and PhD students all over the world being invited or applying to present papers in the Forum.

CCCL continues to proactively engage the legal professions and law students involved in Chinese legal studies. Working with JERI, we organized a workshop on judicial reform in China, inviting more than a dozen senior Chinese judges to critically evaluate the results of the decade-long



judicial reform. Senior Chinese judges were also invited to meet CityU Law's students in our annual event "**Meeting Chinese Judges: Courts, Adjudicators and Judicial Life**" in which the judges and students discussed legal, policy, and practical issues in Chinese legal system. In addition, we hosted a seminar for partners in leading law firms in Hong Kong to share their experiences on practicing business law in Hong Kong and the mainland in the cross-border context.

Finally, we must not forget our commitment towards promoting diversity in Hong Kong's legal community through outreach activities such as hosting regular symposiums, workshops and seminars. We co-hosted the online conference on climate change with the HKCML which were chiefly organized by our colleagues Professor Michael Tsimplis and Dr Fang Meng. As a faithful believer of open conversations between people from different backgrounds for increasing understanding between cultures and nations, we continue inviting experts from various jurisdictions and fields to share their research and ideas on issues pertaining to a wide range of topics. We were honoured that Professor Ewan McKendrick from Oxford University, Professor Du Ming from Durham University, and Associate Professor Liu Nengye from Singapore Management University, among others, have served as the lead speakers in various CCCL events.

At the same time, we continue to make strides in producing legal knowledge and advising the public with professional expertise. Our members have been busy in the past season publishing in top-tier academic outlets and appearing on international media platforms. This helps us reach a wide audience with our message of understanding law and policy issues more deeply, while also enabling us build relationships with stakeholders around the world.

Spring has finally arrived, and with it a sense of hope that we may finally close the chapter on the isolation caused by Covid-19. The lifting of restrictions is allowing us to plan events in person again instead of virtually online (which believed by many as would remain forever). Productivity will be much greater when participants of our events can interact face-to-face!

Thank you for taking the time to read. As always, we wish you and your family good health and happiness going forward.

Sincerely,

Wang Jiangyu

Professor of Law,  
Director of Centre for Chinese and Comparative Law,  
School of Law, CityU



### Inside This Issue

*Message from the Director*  
*Major Past Event*

*1-2*  
*3-19*

*News of CCCL Members*  
*Publications*

*20-21*  
*21-23*



## MAJOR PAST EVENTS (JUL – DEC 2022)

### Symposiums/Conferences

#### ***HKCML & CCCL Online Conference on “Addressing Climate Change in the Post- pandemic Era: A Global Perspective” (30 Nov 2022)***

Climate change is a significant environmental risk threatening the social, economic, and environmental sustainability of all states. Reduced resilience and reduced diversification of developing states' economies make them far more vulnerable to climate change risks. On 30 November 2022, Hong Kong Commercial and Maritime Law Centre (HKCML) in partnership with the Centre for Chinese and Comparative Law (CCCL), hosted an online conference entitled “Addressing Climate Change in the Post-pandemic Era: A Global Perspective”. The conference included contributions on examining the problems decarbonization and energy transition pose and the ways efforts to optimize each sectoral approach can be coordinated and made more efficient. The discussion took place over four panels, each providing an insightful analysis of such questions and potential solutions to pressing problems.

The Conference started with welcome remarks by **Prof. Alexander LOKE (Director of HKCML)** and **Prof. Jiangyu WANG (Director of CCCL)**. They welcomed all participants and thanked the speakers for discussing their ideas. The conference organizers **Dr. Meng Mandy FANG (Assistant Professor, City University of Hong Kong School of Law)** and **Prof. Michael TSIMPLIS (Professor, City University of Hong Kong School of Law)** then explained the background and objectives of the conference, hoping the conference would promote and have a substantial impact on legal and policy developments.

The first panel – “Climate Change and Energy Transition” was moderated by **Dr. Dong LIANG (Assistant Professor, City University School of Energy and Environment)**. There were two speakers in this panel. **Dr. Philip Andrew SPSEED (Energy Studies Institute, National University of Singapore)** spoke on “Understanding the Heterogeneity of National Responses to the Low-carbon Energy Challenge”; and **Dr. Hao ZHANG (The Chinese University**

**Faculty of Law)** gave a presentation on “China’s Carbon Neutrality Objective: Legal and Regulatory Arrangements Governing the Network-dependent Energy Industry”. Dr. SPEED explained the IPCC 6th Assessment Report to argue the structural factors including resource endowment, political system and ideas, values, and beliefs. He believed those factors could endure the difficulties for developing countries. Dr. ZHANG first provided his analysis of China’s carbon neutrality objective and contended that the current institutional arrangement in China’s energy governance depends on the NDRC and NEA to carry out more active roles as regulators.

The second panel, moderated by Dr. Mandy FANG, was entitled “Climate Change and International Shipping” with two presentations. Prof. Michael TSIMPLIS discussed “Institutional obstacles in the decarbonization of international trade: The case of the IMO”; and **Dr. Regina ASARIOTIS (Policy and Legislation Section, Division on Technology and Logistics, Policy and Legislation Section, United Nations Conference on Trade and Development)** spoke on “Climate change adaptation for ports. A priority issue for developing countries”. Prof. TSIMPLIS provided some international shipping facts and figures to the audience to introduce his topic. Dr. ASARIOTIS suggested some actions needed to ensure that 2030 critical transport infrastructure is climate resilient 2050, which will remain the key to achieving progress on many SDGs. She argued that we needed to improve data collection, plan early, adopt a systematic approach and avoid maladaptation or over-engineering from now on.

The third panel - “Climate Change and International Trade” was moderated by **Prof. Virginia HARPER HO (City University of Hong Kong School of Law)** and consisted of two presentations. Dr. Meng Mandy FANG spoke on “When Decarbonization Meets Industrialization: The First WTO Dispute Between the EU and UK” and **Dr. Hanok ASMELASH (Birmingham Law School)** presented on “The Regulation of Environmentally Harmful Fossil Fuel Subsidies: From Obscurity to Prominence in the Multilateral Trading System”. Dr. FANG provided Measures relating to the allocation of contracts for differences in low carbon energy generation in the United Kingdom (UK-CfD (EU)) as



background information. She suggested that not all forms of policy instruments blending decarbonization and industrialization would fail WTO's scrutiny. Therefore, in the UK's case, it is significant to identify the factors hindering the competitiveness of the country's lack of competitiveness in the offshore wind manufacturing industry and design solutions. Dr. ASMELASH first focused on explaining the energy subsidies in almost all countries around the world and pointed out the intergovernmental efforts to reform fossil fuel subsidies from 1992 to 2021. He argued there were a few challenges ahead, including defining fossil fuel subsidies, targeting harmful fossil fuel subsidies, enhancing transparency, and ensuring inclusivity.

The last panel - "Climate Change and Investment" was moderated by Prof. Michael TSIMPLIS. Prof. Virginia HARPER HO spoke on "Corporate Climate Disclosure Mandates: Implications for Corporate Governance (and the Planet)". Prof. HARPER HO explained the corporate climate disclosure mandates at first. She explained not only the implications for corporate governance but also the impacts and limitations of a post-carbon transition.

The seven presentations delivered during the four panels were informative and thought-provoking, and the group discussions following each panel's presentations were equally impressive. Insightful comments and questions were raised after each presentation which promoted further interactions between speakers and the audience. The five-hour conference ended with the closing remarks by conference organizers Dr. Mandy FANG and Prof. Michael TSIMPLIS. Both thanked all the attendees for their time and contributions, as well as the speakers' excellent presentations and valuable contributions.



*Prof. Jiangyu WANG*



*Prof. Alexander LOKE, Prof. Michael TSIMPLIS, Dr. Meng Mandy FANG, Dr. Dong LIANG, Dr. Philip Andrews SPEED*





*Dr. Hao ZHANG, Dr. Regina ASARIOTIS, Prof. Virginia HARPER HO and Dr. Henok ASMELASH*

### **13th International Conference on the New Haven School of Jurisprudence (9 Dec 2022)**

On December 9, 2022, the Academy of International Strategy and Law of Zhejiang University, in partnership with Yale Law School, Guanghua Law School of Zhejiang University, and Centre for Chinese and Comparative Law and Law School of City University of Hong Kong, organized the 13th International Conference on the New Haven School of Jurisprudence. The conference was held online and offline at the same time, invited scholars and experts from mainland China and Hong Kong, the United States, the

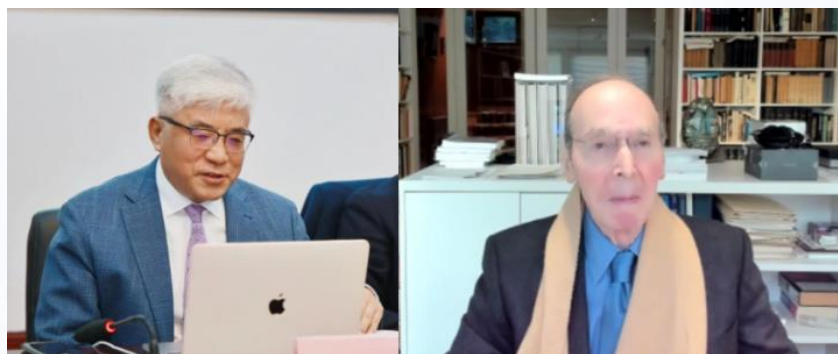
United Kingdom, Japan, Korea, Thailand, Italy, India, Australia, and other countries to start in-depth exchanges and discussions in contemporary international law frontier and related hot issues.

**Prof. Wang Guiguo (President of the Academy of International Strategy and Law of Zhejiang University; University Professor of Law at Zhejiang University)** gave the opening remarks and **Prof. W. Michael Reisman (Myres S. McDougal Professor of International Law of Yale Law School)** delivered the keynote address. Professor Wang Guiguo greeted all presenters and moderators and fondly recalled the deep friendship he established with his mentor, Professor Reisman, one of the important founders of the New Haven School, during his study at Yale University. It is not only a legal theory that directs the development of international society but also contributes to the social progress of foreign countries. Professor Wang Guiguo further pointed out that an adequate theory should not purely be based on historical experience but also apply to the present and provide guidance for the future. Since its inception, the New Haven School of Jurisprudence has gained widespread support and attention from the international community and is directly related to the values advocated by traditional Chinese culture, including human dignity and the rule of law.

Professor Reisman also expressed his greetings to the attendees and said that all international lawyers face the difficulty of choosing between the conflicting values and interests of the international and national communities. Professor Reisman cited the dilemma between ethical judgment and national allegiance faced by former British Attorney General Shawcross in the Lotus case as an example of the importance of this issue in today's uncertain world of international jus cogens. Professor Reisman highlighted that domestic norms may differ from the requirements of international law, such as human rights, which requires international lawyers and international law scholars to uphold the notion of justice, adhere to the principles of international law, and contribute



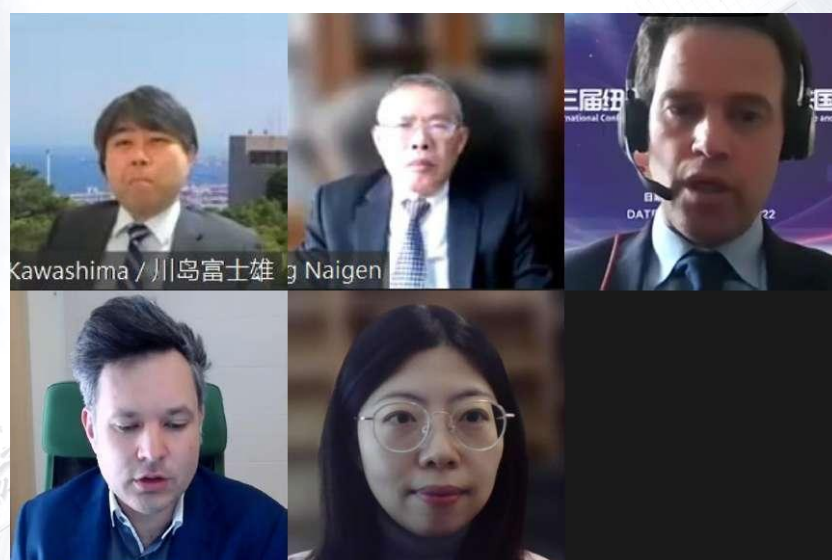
to the development of humanity.



Following that, four discussion panels were held.

The first panel was moderated by **Professor Fujio Kawashima (Professor, Kobe University School of Law, Japan)**. **Professor Zhang Naigen of Fudan University Law School** delivered a presentation entitled "The Relationship between International Law and Ideology in the Changing World", arguing the international community is facing many challenges brought about by the changing world, including the development of traditional international law from Europe to the world with the ideology of the so-called civilized nations, and especially the new Cold War mentality in today's international law theory. The new Cold War paradigm of international jurisprudence, in particular, should be removed and developed in a more inclusive direction following the United Nations Charter. **Associate Professor Matthew Erie of the Institute of Modern China Studies, University of Oxford, United Kingdom**, gave a presentation entitled "Legal Systems Inside Out: American Legal Exceptionalism and China's Dream of Legal Cosmopolitanism," arguing the United States and China have taken different approaches to the relationship between international and domestic law and that it is worthwhile to consider which is better or worse. The lecture is worthy of attention. **Professor Tomas Fitzgerald from the School of Law, Curtin University, Australia**, delivered a lecture entitled "Regulating Artificial Intelligence: A New Haven Approach to Solving Problems in theory and Practice", which was based on the theory of the New Haven School and discussed outer space law, artificial intelligence law, artificial intelligence, and culture. **Dr. Ying Zhu, Assistant Professor of the Faculty of Law of the University of Hong Kong**, gave a

lecture entitled "A Bottom-up Dilemma: International Investment Law and Environmental Governance", arguing that international investment law has possessed a "chilling effect" on the environmental regulation of foreign countries. He advocated a bottom-up approach to environmental governance and made suggestions for future arbitration and treaty-making in environmental governance.



The second panel was moderated by **Professor Wang Jiangyu from the School of Law, City University of Hong Kong**. **Professor Gu Minkang, President of the School of Credit Risk Management of Xiangtan University**, gave a speech entitled "The Spirit of International Relations: Keep Good Faith and Pursuing Harmony", arguing that "speaking of faith and cultivating harmony" has been recorded as early as in the Book of Rites. He also pointed out that the pursuit of peace and harmony is a major trend in world development. **Professor Liu Jingdong, Director of the Institute of International Law of the Chinese Academy of Social Sciences**, delivered a speech entitled "Singapore Convention on Mediation and China's Commercial Conciliation Legislation," arguing that while the Convention is helpful to commercial mediation, it also poses challenges. Professor Liu believes China will eventually ratify the Convention and develop an independent commercial mediation law to implement the Convention. **Professor Swaran Singh Jaswal of Jawaharlal Nehru University, India**, gave a speech entitled "Human Dignity and Peace", pointing out that the Indian Constitution has made great contributions to human dignity and peace,



such as providing for affirmative action, the right to information, the right to education, etc. **Professor Shen Wei from Shanghai Jiaotong University Kaiyuan Law School** delivered a lecture entitled "RMB and the Global Financial (Monetary) System", explaining the causes of U.S. financial hegemony, from the Bretton Woods system, the International Monetary Fund and the World Bank to monetary imperialism, pointing out that the U.S. dollar has a "first mover advantage". He pointed out that the U.S. dollar retains a "first-mover advantage"; the development opportunities of RMB are in the Asia-Pacific region; the establishment of an "RMB zone" is an effort to de-dollarize the U.S. dollar, which remains a long way to go; and raised three issues that remain to be solved. **Professor He Zhipeng, Dean of the School of Law of Jilin University**, delivered a lecture entitled "International Justice: A Historical Evolution of a Terminology", explaining the changes in the concept of "justice" from the dimension of time and space and proposing a relative understanding of "justice."



The third panel was assembled by Zhejiang University Guanghua University and chaired by **Professor Zhao Jun, Vice Dean of Guanghua Law School of Zhejiang University**. **Professor Nohyoung Park from the School of Law, Seoul University, Korea**, delivered a lecture entitled "International Digital Trade Rulemaking: An Observation", which explored the impact of international agreements such as RCEP, USMCA, KSDPA, and DEPA on cross-border data flows. **Professor Shi Jingxia from the School of Law of the Renmin University of China** gave a speech entitled "The Possible Future of the WTO Appellate Mechanism", suggesting that China

remains a staunch supporter of multilateralism and two-tier dispute resolution procedures and that the WTO's appeal and arbitration procedures may also exist for a long time. **Professor Hong Yanqing from the School of Law of Beijing Institute of Technology** delivered a speech entitled "Data and the Relationship between Geo-Economics and Geopolitics", arguing that data power can be used in economic, political, and military aspects, and that digitalization has altered the mode of government governance, and substantial data can help governments plan for education, healthcare, public transportation, and other areas. **Dr. Rajesh Sharma, Senior Lecturer at the Royal Melbourne Institute of Technology, Australia**, presented on "Is it time to define substantive standards of obligation in ISDS? He argued that the use of ADR in the ISDS is necessary and that there is an urgent need to establish consistent and predictable FET standards. **Professor Nartnirun Junngam, National University of Political Science and Law, Thailand**, presented "Thailand's Debut in Investment Treaty Arbitration: Legal Implications of the Walter Bau Case for Participants in International Investment Law", sharing his academic views on the importance of treaty-making and subsequent practice in treaty interpretation, and arguing that he shared his views on the importance of treaty-making and subsequent practice in treaty interpretation, and argued the understanding of international law by arbitral tribunals is crucial to the credibility of investment treaty arbitration.



Last but not the least, the fourth panel was chaired by **Professor Cheng Le, Executive**



**Vice President of the Academy of International Strategy and Law, Zhejiang University, and Guanghua Law School. Professor Tomoko Ishikawa of the Graduate School of International Development of Nagoya University, Japan,** delivered a speech entitled "Third Party Participation in Investor-state Mediation", pointing out that the imbalance of power and resources between the two parties in investment mediation has become an obstacle to the resolution of investment disputes, and that the participation of a third party in investment mediation can help resolve this problem. **Professor Stefano Porcelli from the University of Brescia Law School, Italy,** presented a lecture entitled "Ars Boni et aequi" for a Dynamic Approach to Law in a Fast-Changing World", emphasizing the importance of using a critical research approach from both commercial and civil law perspectives. He emphasized the importance of using critical research methods from a commercial and civil law perspective. **Professor Alberto De Franceschi, Faculty of Law, University of Ferrara, Italy,** gave a presentation on "The EU Digital Markets Act: Ensuring Fairness and Transparency in Online Markets," discussing specific measures taken by the EU to ensure fair and secure digital markets. **Professor Chen Lei from the School of Law, Durham University, United Kingdom,** gave a speech entitled "Some Reflections on the Doctrine of Change of Circumstances in the Chinese Civil Code", discussing that although the DCC rules set out in the Civil Code do not provide the Chinese courts unfettered power to exclude contractual liability, but they do give the courts discretion to interpret certain provisions to ameliorate unfairness caused by changing circumstances. **Professor Geraint Howells, School of Law, University of Manchester,** delivered a speech entitled "Consumer Protection in Asia", pointing out that Asian consumers face unjust treatment and that the non-confrontational cultural traditions of Asian consumers have contributed to the rapid growth of mediation claims.



While the eighteen presentations delivered during the four panels were informative and thought-provoking, the group discussion following each panel's presentations was equally impressive: critical and inspirational comments were delivered on the speakers' presentations and acute questions were posed for the speakers' responses, and further discussion among all participants.

Finally, **Professor Wang Guiguo, Professor Wang Jiangyu, and Professor Zhao Jun** delivered concluding statements, thanking all the attendees for their time and contributions, as well as the speakers' excellent presentations and valuable contributions. Professor Wang Guiguo first expressed his gratitude to the participants from all walks of life, both online and offline, and considered the speakers' views inspiring and a successful international conference. Prof. Wang Jiangyu expressed his gratitude to the organizers and the scholars for their speeches, each of which was very enlightening and beneficial, especially in deepening his understanding of policy-oriented research methods in international relations. Prof. Zhao Jun believes that the International Conference on New Haven School and International Law provided a platform for scholars to communicate their academic views and generated many insights, which promoted the dialogue between international relations and international law, as well as the interaction between practice and theory. Finally, Professor Wang Guiguo concluded the New Haven School of Law is a very comprehensive and systematic school of law, encompassing not only research methods but also the values, goals, and directions of human society, and is reasonably consistent



with the values advocated by traditional Chinese culture. Professor Wang Guiguo believes the participants of the International Conference on New Haven Schools of Law and International Law have exchanged many valuable academic perspectives.



***JERI&CCCL Workshop on “Judicial Reform in China: Looking Back, Looking Forward” (1 Nov 2022)***

On 1 November 2022, the Centre for Judicial Education and Research cum Identification of Hong Kong Law (JERI) and the Centre for Chinese and Comparative Law (CCCL) of the City University of Hong Kong's School of Law hosted a workshop on “Judicial Reform in China: Looking Back, Looking Forward”. This workshop convenes a group of senior Chinese judges from courts in several provinces in Mainland China to evaluate the progress and achievements of judicial reform in China and to discuss how to cope with the difficulties and barriers laid ahead. It aims to provide an opportunity for the staff and researchers of the City University of Hong Kong School of Law to gain a critical understanding of China's most recent round of judicial reform, as well as, a forum for Chinese judges to voice their narratives on the development of the rule of law in China (講好中國法治故事). The workshop was moderated by **Prof. Lin Feng**, Acting Dean of the School of Law and JERI Director, and **Prof. Wang Jiangyu**, CCCL

Director, with **Prof. Fu Hualing**, Dean, of Hong Kong University Faculty of Law, **Dr. Ding Chunyan**, Associate Dean of City University of Hong Kong School of Law, and **Prof. Zhu Guobin**, Director of the Public Law and Human Rights Forum (CPLR), as discussants.

Prof. Wang Jiangyu gave the opening remarks, in which he greeted all presenters, moderators, and discussants and explained the background of the workshop. Following that, three discussion panels were held.

The first panel, chaired by Prof. Lin Feng, was entitled "Overview of Judicial System Reform, Staff Classification and Management, and Judicial Reform." In this panel, the speakers were: **Judge Yang Zhi** (Deputy Director of the Research Office of Zhejiang High People's Court), **Judge Guo Jianjun** (President of the Maritime Division of Tianjin Maritime Court), **Judge Yu Miao** (Vice President of the Finance Division of Anshan Intermediate People's Court, Liaoning Province) and **Judge Zheng Ye** (Vice President of the Intellectual Property Court of Wenzhou Intermediate People's Court, Zhejiang Province). As a judge of the comprehensive trial department, Judge Yang Zhi represents not only a participant, but also a personal witness and an active promoter of the judicial system reform, so he mainly shared his practice, understanding, and future direction of the judicial reform from a macro perspective. The concept of the pre-service training system for judges is a task proposed in the process of judicial system reform, so Judge Guo Jianjun explained the current regulations and practice of pre-service training for judges, also its urgency and necessity, and even some extended thinking. Judge Yu Miao focused on the practical dilemmas of the judge assistant system and the ways to resolve them. He pointed out that it would be more appropriate to centralize the jurisdiction of patent administrative cases, while other types of intellectual property cases should operate under the legitimate system.

The second panel, chaired by Prof. Wang Jiangyu and titled "Reforming the Positioning of the Court's Judicial Function", featured



several presentations by **Judge Fan Yina (President of the Administrative Division of the Higher People's Court of Hebei Province)**, **Judge Shan Ying (President of the Enforcement Division III of the Enforcement Bureau of the Higher People's Court of Shandong Province)**, **Judge Lu Yun Yun (Vice President of the Changzhou Intermediate People's Court of Jiangsu Province)**, and **Judge Li Yan (President of the Comprehensive Trial Division of the People's Court of Chengdu High-Tech Industrial Development Zone of Sichuan Province)**. Judge Fan Yina provided thoughts on the issues related to the administrative litigation system in the reform of the trial level function, suggesting that the first instance administrative cases filed against the administrative acts of municipal and county people's governments should be under the jurisdiction of the grassroots courts, except for those cases with significant social impact, major, complex or possibly affected by local factors. Judge Shan Ying explained his thoughts on the reform of trial-level functions, pointing out that the reformed enforcement work is positioned to present a particular play to the enforcement feedback function. She added the rate of voluntary compliance, and enforceability comprises factors to be considered in the assessment. Judge Lu Yunyun explained the reform of the court's case complexity and streamlining. She hoped that after the fundamental problem of "too many cases and too few people" is solved, the judges could go for ethical development. She pointed out that the reform is necessary, especially the judicial system reform should be placed under the framework of social system reform.

The third panel, chaired by Dr. Ding Chunyan and titled "Reform of the Judicial Power Operation Mechanism", followed by presentations by **Judge Chen Hao (Senior Judge of the Civil Division of Shandong High People's Court)**, **Judge Tong Bing (Vice President of the Dongsheng People's Court of Haidian District, Beijing)**, **Judge Huang Yu Yu (Senior Judge of the Intellectual Property Court of Shenzhen Intermediate People's Court, Guangdong Province)**, **Judge Lu Fengguo (Deputy Director of the**

**Enforcement Management Department of Chongqing High People's Court)**, **Judge Deng Mengtian (Senior Judge of the Intellectual Property Court of Ningbo Intermediate People's Court, Zhejiang Province)**, and **Judge Deng Mengtian (Senior Judge of the Intellectual Property Court of Ningbo Intermediate People's Court, Zhejiang Province)**. Judge Lu Fengguo (Deputy Director of the Enforcement Administration Department of Chongqing High People's Court), Judge Deng Mengtian (Senior Judge of the Intellectual Property Court of Ningbo Intermediate People's Court, Zhejiang Province), and Judge Wang Yanhua (Head of the Filing Division of Fengtai District People's Court, Beijing). Judge Chen Hao gave a presentation on the thinking of judicial decision document reasoning, affirming that judicial decision document reasoning represents a significant part of the court's promotion of judicial openness. Judge Tong Bing used the Haidian District People's Court in Beijing as a case to explain the dynamics, mechanism, effectiveness, and challenges of multi-faceted mediation and speedy adjudication. Judge Huang Yu Yu explained the reform of deepening the cooperation between Shenzhen and Hong Kong and serving the construction of the Greater Bay Area, adopting the Qianhai model of the construction of the rule of law in Guangdong, Hong Kong, and Macau. Judge Lui Fengguo talked about the past, present, and future of enforcement work, pointing out that enforcement "difficulties" are bound to exist, not because of the economic base, but because they will exist and are determined by human nature. Judge Deng Mengtian's topic remains the practice and reflection of Internet justice, mainly divided into online litigation, case office, and Internet trial. Judge Wang Yanhua explained the comprehensive quantitative assessment, the purpose of the assessment, and the changes caused by it. While fourteen presentations delivered during the three panels were informative and thought-provoking, the group discussion following each panel's presentations was equally impressive: critical and inspirational comments were delivered on the speakers' presentations and acute questions were posed for the speakers' responses, and further discussion among all



participants. Finally, Prof. Lin Feng concluded the conference with a closing speech in which he thanked the speakers for their valuable contributions and all of the participants for their attendance, which carry out the workshop a success.



*Prof. Lin Feng, Prof. Wang Jiangyu, Dr. Ding Chunyan, Prof. Zhu Guobin and 14 senior judges.*

## **Seminars/Lectures**

### ***CCCL Seminar: Practising Business Law in the Hong Kong and Mainland Cross-Border Environment (28 Sept 2022)***

On 28 September 2022, the Centre for Chinese and Comparative Law (CCCL) of the City University of Hong Kong's School of Law hosted a virtual seminar to assist students in understanding how to practice business law in Hong Kong and the mainland environment. **Mr. Haifeng Yang, Alan Xu, and Frank Sun** have been invited as our awesome guest speakers to explain their experiences.

The seminar kicked off with a welcoming speech by **Dr. Chunyan Ding**, Associate Dean and Associate Professor at the City University of Hong Kong.

**Mr. Haifeng Yang** is a founding partner of Silk Road law Firm, that his area of practice includes capital market, IPO, M&A, listed company M&A, Cross Border M&A, and private equity. Mr. Yang briefly shared the ecology of law firms in the mainland legal market. Next, he explained what cross-border transactions different mainland lawyers are generally involved in. He, at last, exchanged

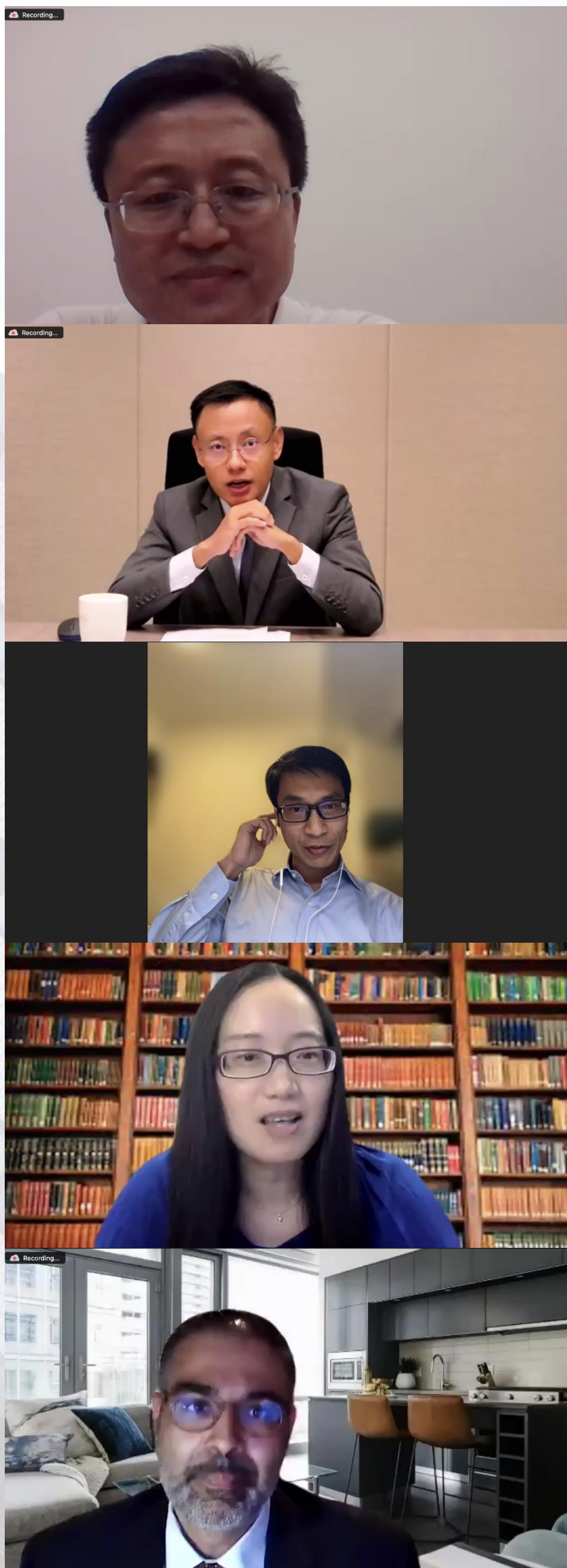
his personal views on the development of the mainland legal market.

**Mr. Alan Xu** is an equity partner of Zhong Lun Law Firm, founded in 1993, which is one of the first partnership law firms in the PRC. Mr. Xu is an international lawyer with more than 20 years of experience in Hong Kong and mainland China. As one of the few lawyers qualified to practice laws in the PRC, Hong Kong, and the New York state, Mr. Xu has advised clients on hundreds of cross-border transactions, which include Fortune 500 companies, leading global investment banks, PRC state-owned enterprises as well as public institutions listed on the stock exchanges in PRC and Hong Kong. Mr. Xu's practice in foreign and large domestic firms is very representative, so he talked about his own valuable learnings to the participants.

**Mr. Frank Sun** is a partner in the Hong Kong office of Latham & Watkins and a member of the Corporate Department, which specializes in private equity investment and public and private M&A transactions. Mr. Sun regularly advises private equity funds and corporate clients in private equity investments, cross-border acquisitions, PIPEs, privatizations, and an extensive range of other complex M&A transactions as well as venture capital financings. Mr. Sun has been practicing in a global international law firm, so he briefly shared what kind of business the foreign law firms are doing now. He also talked about the trends that he observed in foreign law firms over the years. Last but not the least, he shared how to connect what law students learn in the School of Law with their future work.

Following the speakers' three-hour thought-provoking speech, we moved on to a discussion conducted primarily by **Mr. Rehman Ubaid**, Barrister-at-Law of Alexandra Chamber and also the PCLL Programme Director at the City University of Hong Kong School of law, who presented his insightful views on practicing business law in Hong Kong.





Haifeng Yang, Alan Xu, Frank Sun Dr. Ding Chunyan, and Mr. Rehman Ubaid.

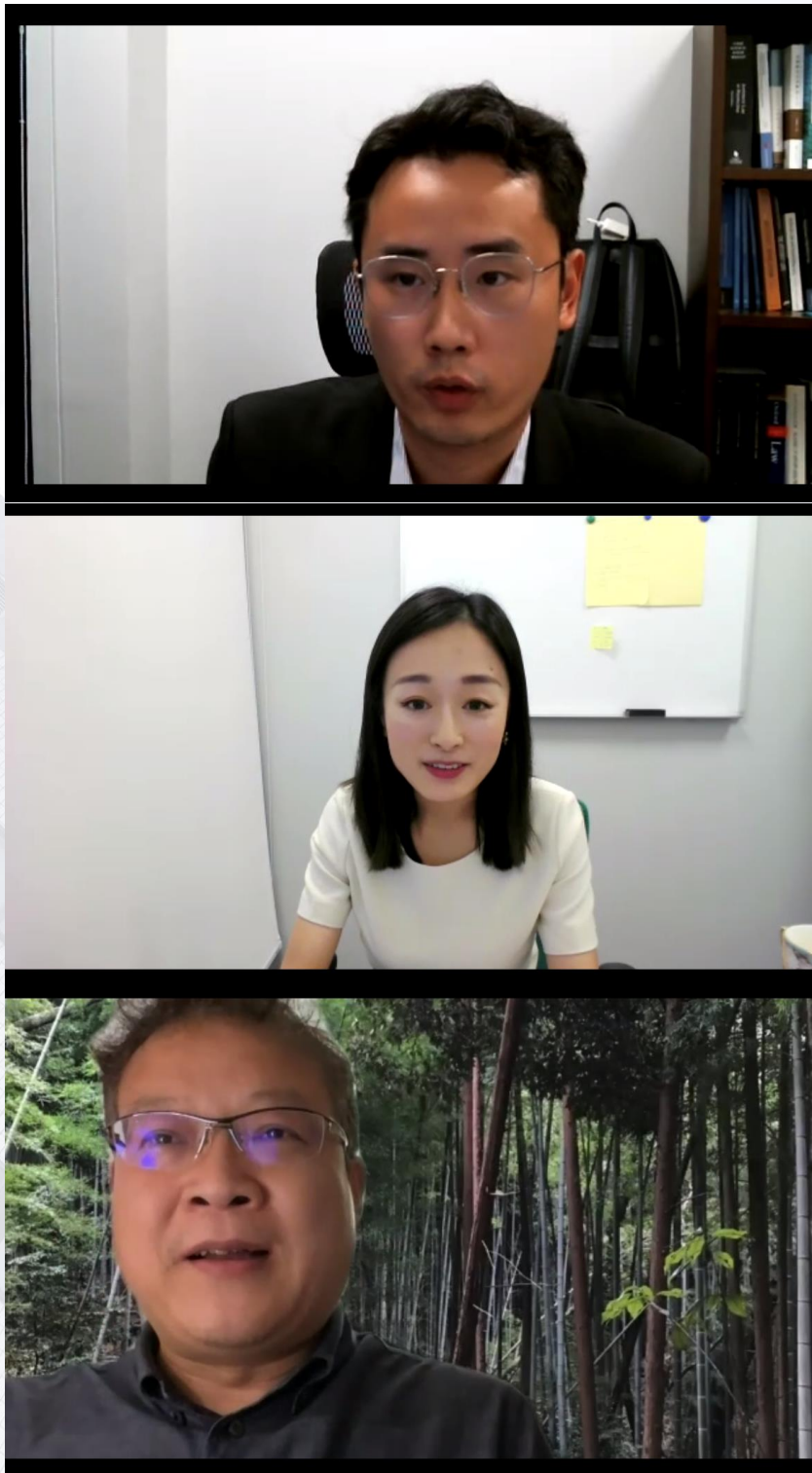
***Young Scholar Forum: Dr. LAI Sin Chit Martin  
“Output Effect of Private Antitrust  
Enforcement” (29 Sept 2022)***

On 29 September 2022, the Centre for Chinese and Comparative Law (CCCL) of the City University of Hong Kong's School of Law hosted a virtual seminar to assist students in understanding the output effect of private antitrust enforcement. **Dr. Lai Sin Chit Martin, Assistant Professor at City University of Hong Kong School of Law** have been invited as our awesome speaker to explain his argument.

The seminar kicked off with a welcoming speech by **Prof. Wang Jiangyu**, Director of Centre for Chinese and Comparative Law at the City University of Hong Kong School of Law.

In the seminar, **Dr. LAI Sin Chit Martin** presented his article entitled same as the seminar title. A considerable body of literature evaluates the impact of antitrust laws on economic growth. Most of these empirical studies identify a positive impact; however, the existing literature only studies the effect of the existence of antitrust laws, not their enforcement. Therefore, his goal of the research is to evaluate the causal effect private antitrust enforcement has on GDP but his presentation only focused on the short-run effect. Surprisingly, the results show there that there is a negative relationship between private antitrust enforcement and real GDP per capita in the short run. He believed that the negative output effect discovered in the U.S. might be an exceptional case attributed to the high legal courts' defendants face. He, at last, suggested that the US government could reduce penalties and costs of private actions; at the same time, in other countries, it is unrecommended to discourage to promote private actions. Following Dr. Lai's thought-provoking speech, we moved on to a discussion conducted primarily by **Dr. Fang Meng**, Assistant Professor at the City University of Hong Kong School of law, who presented her insightful views on the topic.





*Dr. LAI Sin Chit Martin, Dr. FANG Meng and Prof. WANG Jiangyu.*

***LIU Nengye "The Polar Silk Road and the Future Governance of Northern Sea Route" (5 October 2022)***

On 5 September 2022, the Centre for Chinese and Comparative Law (CCCL) of the City University of Hong Kong's School of Law hosted a virtual seminar to assist students in understanding the China, Russia and the Polar Silk Road. **Dr. Liu Nengye, Associate Professor at Yong Pung How School of Law Singapore Management University** have been invited as our awesome speaker to explain his argument.

In this seminar, **Dr LIU Nengye** presented his recent publication entitled same as the seminar title, which is written by himself and Dr. Jan Jakub Solski (Postdoctor at Norwegian

Centre for the Law of the Sea, UiT/Arctic University of Norway). The article examines China's Polar Silk Road (PSR) and its legal implications for the future governance of the Northern Sea Route (NSR). To introduce the topic, he first explained the concept of the melting arctic and how it be seen as an economic frontier. He stated there is no such thing as called Arctic Treaty, but due to the geopolitical shift, technology development, and climate change, The United Nations on the Law of the Sea, negotiated between 1973 and 1982, and finally entered into force in 1994. Next, he focused on explaining the Polar Silk Road with some introduction to massive projects in Russia including Yamal LNG Project. He in addition shared about the governance of the Northern Sea Route. He pointed out that there are various controversial issues about the legal regime of the NSR, including permit and UNCLOS, icebreaker monopoly, full autonomy and predictability, transparency, and even some fundamental and climate change-related issues. He, in addition, briefly explained China's coastal practice since 1958, the declaration on China's Territorial Sea, and the recent Coast Guard Law in 2021. To summarize, his analysis of coastal state practices of China and Russia reveals remarkable commonalities. Both are driven by the concern about the potential adverse effects of uncontrolled foreign shipping in proximity to their coasts. The coastal regulations of both countries show evident traits of efforts to maximize their exclusive authority to prescribe and enforce laws and regulations.

Following **Dr. Liu's** thought-provoking speech, we moved on to a discussion conducted primarily by **Prof. Ling Bing**, a Professor at the Sydney Law School of the University of Sydney, who presented his insightful views on the topic.





*Dr. Liu Nengye, Prof. Ling Bing and Prof. Wang Jiangyu.*

***CCCL and JERI Seminar on “Meeting Chinese Judges: Courts, Adjudicators, and Judicial Life” (14 Oct 2022)***

Since 2009, the School of Law of the 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 middle of the semester in 2022, the Centre for Judicial Education and Research cum Identification of Hong Kong Law (JERI) and the Centre for Chinese and Comparative Law Studies (CCCL) of the School of Law, City University of Hong Kong invited five graduating students from the programs to be speakers in the academic seminar on October 14, 2022, so that participants could learn more about the courts, judges and judicial system in Mainland China from the perspective of adjudicators. The seminar was hosted at the Shaw Creative Media Center, M3017, City University of Hong

Kong.

The five invited speakers were **Judge Wang Di**, President of the People's Court of Shanxi Transformation Comprehensive Reform Demonstration Zone, **Judge Liu Yi**, Deputy Chief Judge of the First Division of Trial Supervision, Yunnan Higher People's Court, **Judge Hou Jun**, President of the Case Filing Division, Beijing Third Intermediate People's Court, **Judge Chen Dongqiang**, Vice President of the Civil Division No. 1 of Shandong Provincial High People's Court, and **Judge Zhu Wenbin**, Fourth Grade Senior Judge of Guangzhou Intellectual Property Court.

**Judge Wang Di** explained the concept, nature, distinction, and interrelationship between judicial power and enforcement power, and finally explained the history of enforcement agencies and the current mode of operation of the enforcement system of the courts in Mainland China. **Judge Liu Yi** shared the problems and achievements of Chinese criminal justice, using the case of Sun Xiaoguo as an example. She first introduced the problems and achievements of the case, and then explained in detail the "catalyst", including the problems of reporting, ruling, and failure of prosecution in the chain of the commutation process. She concluded with the progress of criminal justice in recent years. **Judge Hou Jun** explained the background and system design of the streamlining mechanism. She then explained specific examples of practice, including online and offline simultaneous trials of securities misrepresentation disputes, and finally emphasized that "trial work has changed from a case waiting for people to a case waiting for people", which shows that the streamlining has been effective. **Judge Chen Dongqiang** gave a presentation on "A Summary of the Work on Unifying the Application of Law Standards - From the Perspective of a Civil Trial Judge in Shandong". He gave a brief introduction about "The Implementation Measures of the Supreme People's Court on Improving the Positioning of the Trial Level of Courts at Four Levels", which came into effect on October 1, 2021. He emphasized that the standards had adjuted the functions of civil trial courts. The last speaker was **Judge Zhu**



**Wenbin**, who spoke on the topic of "Judicial Review Paradigm of Unfair Competition". He pointed out that the attempt to introduce consumer interests and social public interests into the judicial review paradigm of unfair competition is still at the exploratory stage in China's judicial practice, but there are still relatively few cases. He believed that China could refer to overseas research results, especially the value objectives of anti-competitive law, the trend changes of interest protection, effective competition, and economic analysis of competition law, but at the same time, conduct further extensive research based on the national situation and the current legal system.



*Judge Wang Di, and Judge Liu Yi.*



*Judge Chen Dongqiang and Judge Zhu Wnbin.*



*Judge Hou Jun and the participants.*



*Prof. Lin Feng and Prof. Wang Jiangyu.*

### ***Du Ming, "International Economic Law in the Era of Great Power Rivalry" (2 Nov 2022)***

On 2 November 2022, the Centre for Chinese and Comparative Law (CCCL) of the City University of Hong Kong's School of Law hosted a virtual seminar to assist students in understanding international economic law in the era of great power rivalry. Prof. Du Ming, Professor of Chinese Law, Durham University has been invited as our awesome speaker to explain his argument.

The seminar kicked off with a welcoming speech by Prof. Wang Jiangyu, Director of Centre for Chinese and Comparative Law at the City University of Hong Kong School of Law.

In the academic seminar, **Prof. Du Ming's** presentation objective is to document some nascent features of international economic law in the era of great power rivalry and speculate on its trajectory. He argued people were witnessing the return of great power rivalry in world politics and are moving to a recent geopolitical and economic order, and probably a new cold war in the future. He explained that this country was a more formidable challenger for the west not only because of a less united west but also a more powerful and less ideologically motivated China now. He believed there were some main factors behind including the power shift in international politics, the rise of the east and the gradual decline of the west, the shift in thinking about economic globalization, China's disruptive development model and China's assertive foreign policy. He argued there was a considerable difference between international relations in the Era of Great Power Rivalry like the securitization of international economic relations. When the countries are transformed from cooperation to weaponized interdependence, their judicialization may also be changed to de-judicialization. In the foreseeable future, he imagined there were few possibilities including China dominance, West dominance, or even multipolar with separate spheres of influence.



Following Prof. Du's thought-provoking speech, we moved on to a discussion conducted primarily by **Prof. Lim Chin Leng**, Choh-Ming Li Professor of Law at the Chinese University of Hong Kong, who presented his insightful views on the topic.



*Prof. Du Ming, Choh-Ming Li Prof. Lim Chin Leng and Prof. Wang Jiangyu.*

***Distinguished Public Lecture: Emeritus Professor Ewan McKendrick, "Interpretation of Contracts" (11 Nov 2022)***

Many contract disputes are resolved by reference to the terms of the contract that has been concluded between the parties. Given that many contract disputes turn on the proper interpretation of the terms of the contract, the approach taken by the courts to the interpretation of contracts is a matter of considerable significance both in terms of commercial practice and legal theory. On 11 November 2022, the Centre for Chinese and

Comparative Law (CCCL) of the City University of Hong Kong's School of Law hosted a Distinguished Public Lecture to assist students and lawyers in understanding common law rules concerning the interpretation of contracts. **Prof. Ewan McKendrick**, Emeritus Professor of Law, Oxford University was invited as our distinguished speaker. **Professor Liu Qiao**, the CCCL's Deputy Director chaired the public lecture.

**Ewan McKendrick**, BCL, MA, LLB (Edinburgh), QC (Hon) is a Professor of Anglo-American Law at the University of Leiden and an Emeritus Professor of English Private Law at the University of Oxford. He began the lecture by explaining the relevant factors of contracts including the natural and ordinary meaning of the clause, any other relevant provisions of the contract, the overall purpose of the clause and the contract, the facts, and circumstances recognized or assumed by the parties at the time of entry into the contract and commercial common sense. He then mentioned the re-statements of the applicable principles. He emphasized that interpretation could be implied into the contract as a 'unitary exercise and also as an 'iterative' process. Under the corrective interpretation, he argued that both statements must be satisfied otherwise there is a risk that the court will be making the contract for the parties. He in addition pointed out that the precedent value of the case law is low unless the term in dispute is a term of art or is a term widely used in an industry or in a widely used standard form contract where it is more likely that the meaning given to the disputed term will apply to all contracts of that type. He also explained the demise of the contra proferentem rule, which was replaced by a rule which requires that 'clear words' must be used if valuable rights are to be taken away. To explain the entire agreement clauses, he provided some background in English Law. He moved to talk about the interpretation of entire agreement clauses, liability for false statements, force majeure clauses, and hardship clauses. Ultimately, he raised some inspiring questions such as if the clause requires the parties to meet to negotiate an adjustment to the contract, is that clause enforceable?



**Associate Professor Kelry Loi**, Associate Professor at the National University of Singapore and co-director of the Asian Law Institute led a discussion session following Professor Ewan McKendrick's thought-provoking speech, in which they shared their insights.



*Prof. Ewan McKendrick, Assoc. Prof. Kelry Loi, Prof. Liu Qiao and Prof. Wang Jiangyu.*

***Lecture Series: China and The Turn to the National Histories of International Law (16 Dec 2022)***

In light of a forthcoming book on Histories of International Law in China: All Under Heaven? (edited by Ignacio de la Rasilla, Jiangyu Wang, and Congyan Cai, Oxford University Press 2025), the Centre for Chinese and Comparative Law (CCCL), in partnership with Wuhan University Law School and Fudan University Law School, is organizing a massive series of public lectures on the histories of international law from both Chinese and global perspectives. To begin the series, on 11 November 2022, the Centre for Chinese and Comparative Law (CCCL) of the City University of Hong Kong's School of Law hosted the first lecture to assist students and lawyers in discovering the peripheral and semi-peripheral histories of International Law. **Prof. Ignacio DE LA RASILLA**, Wuhan University was invited as our distinguished speaker.

**Prof. Ignacio DE LA RASILLA** began the lecture by introducing the primary concerns of the book, which is called Histories of International Law in China, which allowed him to go through the six distinct phrases in which China has moved into the relationship in his engagement with international law from a historical perspective. He also talked about the purpose of the book, how the book fits into a contemporary trend towards the national history of international law, and how the different methodologies and diverse approaches were studied back in time. He stated this book was in 35 chapters with around 40 contributors from all over the world including Chinese scholars, and also the United States, Canada, and other countries in Asia. The first part of the book contains eight chapters ending with China and the western standard of civilization. One essential reference remains how China contributes to the hectic conference of 1899 and 1907. The second part of the book focuses on an unusual period: 1912 to 1949. It is remarkably fascinating to include the foundation of the Chinese Communist party and the introduction of the Marxist theory of international law to China in the period. The



book also looked at the contribution of China to the foundation United Nations. The starting point of the third period in the book, which is from the New China to the opening up and reform process, represents, in addition, the most modern part. For instance, a chapter looked into international law during the cultural revolution, widely unstudied. Some of the last chapters could assist us to recognize the present situation.

After introducing the publication in detail, he turned to discuss the national history of international law comparing western history, with an emerging tendency within which fits the peripheral or historically peripheral national history of jurisprudence. He believed all of us were more familiar with the history of international law more generally with western figures. However, understanding more about the dominant superpower at present and its relationship with international law from a historical perspective would enable people to understand better the current position and future patterns of China which is of significant engagement with international law. He in the end emphasized that we need to try to build the paradox of hidden evolution. Even though there are now emerging histories of post-colonial approaches, the paradox is that it ends up illuminating the western record of international law. Therefore, he would like to focus more on internal law in Asia including China's relations with India, Korea, and even Japan. He believed the book was about the age of Asia.

**Associate Prof. CHEN Li**, Fudan University led a discussion session following **PROF. DE LA RASILLA's** thought-provoking speech, in which they shared their insights.



*Prof. Ignacio DE LA RASILLA.*



*Associate Prof. CHEN Li and Prof. Wang Jiangyu.*

***Young Scholar Forum: Yizhi Wang, "China's Participation In The International Commercial Dispute Resolution Mechanism, Under The Context of The Belt And Road Initiative" (29 Dec 2022)***

On 29 December 2022, the Centre for Chinese and Comparative Law (CCCL) of the City University of Hong Kong's School of Law hosted a virtual seminar to assist students in understanding China's participation in the international Commercial Dispute Resolution Mechanism. **Yizhi WANG, a PhD candidate at Queen Mary, University of London** has been invited as our awesome speaker to explain her argument.

The seminar kicked off with a welcoming speech by **Dr. Martin LAI Sin Chit**, Assistant Professor at the City University of Hong Kong School of Law.

Yizhi Wang is now under the supervision of Professors Matthieu Burney and Malik Dahlan. Her PhD research focuses on international dispute resolution and legal globalisation, with a particular interest in china's participation in international rule of law development, under the context of the Belt and Road Initiative. In the seminar, she presented her article entitled the same as the seminar title. To begin with, she presented the background and the soft-law framework of BRI. The "Belt and Road" Initiative (BRI) constitutes an assertive strategy that offers a



China-driven model of transnational connectivity and partnership. Besides a grand strategy of global economic order, BRI to some extent is on top of that like a moral claim or preaching, which spreads BRI spirit (including the Chinese value) to the rest of the world. Next, she introduced the characteristics of BRI disputes and their possible alternative dispute resolution. In addition, she provided a brief explanation of the rise of international commercial courts in Europe and Asia with various driving forces including not only Brexit, but also Chinese are now providing legal safeguards for BRI implementation. Furthermore, she explained the establishment of China's International Commercial Court (CICC) and some parisons of internationalism among various international courts. To summarize, she argued various challenges of CICC under the BRI context including insular and conservative, the blank of common-law legal culture and English language historical

influence, the less advanced domestic judicial system, and the lack of legislative legitimation.

Following **Yizhi Wang's** thought-provoking speech, we moved on to a discussion conducted primarily by Dr. **Yueming YAN**, Assistant Professor at the Chinese University of Hong Kong, who presented her insightful views on the topic.



*Yizhi Wang.*

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25 years  
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## NEWS OF CCCL MEMBERS (JUL – DEC 2022)

### Jul 2022

- ◆ Professor Wang Jiangyu was interviewed by Singtao Daily on Xi Jinping's speech at 25th anniversary of the handover ceremony of Hong Kong (1 Jul 2022)
- ◆ Professor Wang Jiangyu Quoted on Criticisms of Beijing on the 25th Anniversary of Hong Kong's handover in Lianhe Zaobao (2 Jul 2022)
- ◆ Professor Wang Jiangyu published a commentary on Protecting Hong Kong's financial system in Asia Times (21 Jul 2022)
- ◆ Professor Wang Jiangyu published a commentary on the financial security of Hong Kong in FT Chinese (22 Jul 2022)
- ◆ Professor Wang Jiangyu published a commentary about Russia-Ukraine War in Ming Pao Daily (30 Jul 2022)

### Aug 2022

- ◆ CCCL congratulates the publication of the monograph Law as Instrument: Sources of Chinese Law for Authoritarian Legality (Cambridge University Press 2022) by Shucheng (Peter) Wang (1 Aug 2022)
- ◆ Professor Julien Chaisse published a commentary on Financier Worldwide about the Global Minimum Tax (1 Aug 2022)
- ◆ Professor Julien Chaisse Quoted in Al Jazeera international on China's restriction of trade with Taiwan amid elevated tensions over United States House of Representatives Speaker Nancy Pelosi's visit to the democratically-ruled island (3 Aug 2022)
- ◆ Professor Wang Jiangyu was quoted in Global Times regarding the PLA conducting a missile rehearsal to the east of Taiwan as Pelosi arrives (3 Aug 2022)
- ◆ Professor Wang Jiangyu Quoted on United States politician Nancy Pelosi's visit to Taiwan in Lianhe Zaobao (4 Aug 2022)
- ◆ Professor Julien Chaisse Quoted in Times on China's military escalation and ban on natural sand export to Taiwan which may impact semiconductor manufacture and trade (5 Aug 2022)
- ◆ Professor Julien Chaisse Quoted in The Strait Times on Beijing decision to halt some trade with Taiwan in retaliation against United States House Speaker Nancy Pelosi's controversial visit to the island (6 Aug 2022)
- ◆ Professor Wang Jiangyu Quoted on the case of The Chinese military culminated its largest-ever military exercise around Taiwan Strait in Lianhe Zaobao (7 Aug 2022)

- ◆ Professor Wang Jiangyu was interviewed in Lianhe Zaobao about the issues of the Taiwan Strait and its impact on the US-China relationship (12 Aug 2022)
- ◆ Professor Wang Jiangyu Quoted on China's new five-year blueprint in South China Morning Post (SCMP) (14 Aug 2022)
- ◆ Professor Wai Yee Wan, Court-Supervised Restructuring of Large Distressed Companies in Asia: Law and Policy, Hart Publishing, 2022 (23 Aug 2022)
- ◆ Professor Wang Jiangyu was Interviewed by iFeng Talk (Phoenix New Media) on Lee Hsien Loong's speech and related Singapore's foreign policy (26 Aug 2022)
- ◆ Professor Julien Chaisse Quoted in Al Jazeera international on the UN High Commissioner for Human Rights (OHCHR) report on Xinjiang (31 Aug 2022)

### Sep 2022

- ◆ Professor Wang Jiangyu Quoted on China's new law for tackling growing online fraud in South China Morning Post (SCMP) (2 Sep 2022)
- ◆ Professor Julien Chaisse Quoted in The Strait Times on Taiwan's application to join the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) (9 Sep 2022)
- ◆ Professor Wang Jiangyu published a commentary about the "Singapore Approach" to the Homosexual Problem in Ming Pao Daily (10 Sep 2022)
- ◆ Professor Julien Chaisse Quoted in Al Jazeera international on China's imports of Russian coal (20 Sep 2022)

### Oct 2022

- ◆ Professor Wang Jiangyu Quoted on the case of the UN human rights body rejecting the Xinjiang-related draft in Lianhe Zaobao (8 Oct 2022)
- ◆ Professor Wang Jiangyu Quoted on Chinese modernization in CCP's 20th Congress Report in Lianhe Zaobao (17 Oct 2022)

### Nov 2022

- ◆ Article by Dr. Lauren Yu-Hsin LIN Featured on SCCEI (Stanford Centre on China's Economy and Institutions) China Briefs (1 Nov 2022)
- ◆ Professor Wang Jiangyu Quoted on the case of Beijing's preparation to Establish International



Organization for Mediation in Hong Kong in Lianhe Zaobao (3 Nov 2022)

- ◆ Professor Wang Jiangyu published a commentary on Hong Kong's status as the world's premier international financial center in Ming Pao Daily (5 Nov 2022)
- ◆ Professor Julien Chaisse Quoted in Asia Business Law Journal on the changing landscape of foreign investment law (11 Nov 2022)
- ◆ Professor Julien Chaisse Quoted in Al Jazeera international on the US push to blame Russia's war in Ukraine for cost-of-living crisis comes amid divisions within G20 economic forum (15 Nov 2022)
- ◆ Professor Julien Chaisse Quoted in Tuổi Trẻ on the significance of the APEC Leaders' meetings this year, as we faced economic issues and even geopolitical competitions between big powers (US-China and Russia-the West) (19 Nov 2022)

### Dec 2022

- ◆ Professor Wang Jiangyu Quoted on the US-China Relationship after dropping charges against Huawei's Meng Wanzhou in Lianhe Zaobao (4 Dec 2022)
- ◆ Professor Julien Chaisse Quoted in The Strait Times on the concerns that Taiwan may lose its silicon shield if it keeps building semiconductor plants outside of Taiwan (15 Dec 2022)
- ◆ Professor Wang Jiangyu published a commentary on Power and Authority in Ming Pao Daily (24 Dec 2022)



## PUBLICATIONS (JUL – DEC 2022)

### CCCL Members' Publications

#### Julien CHAISSE

- ♦ Julien Chaisse "Tariffs and Threats in US Trade Policy: Debunking the Myth of "Global Reset", 55(2) *Vanderbilt Journal of Transnational Law* (2022), 239-282.
- ♦ Julien Chaisse & Matthieu Burnay, "CAI's Contribution to International Investment Law: European, Chinese, and Global Perspectives," 23(4) *Journal of World Investment & Trade* (2022), 5-32.
- ♦ Julien Chaisse "Toward a Big Bang for the Taxation of the Digitalized Economy: a Business Retrospective, Perspective, and Prospective" 41(3) *Virginia Tax Review* (2022), 345-389.
- ♦ Julien Chaisse & Irma Mosquera, "Public international law, international taxation and tax dispute resolution," 36(2) *ICSID Review* (2022), 1-17.

#### Thomas CROFTS

- ♦ Thomas Crofts, "Act now : raise the minimum age of criminal responsibility," (2022) *Current Issues in Criminal Justice*.
- ♦ Thomas Crofts, "Kriminalisierung des Misbrauchs von Intimbildern im Common Law : Eine Rechtsvergleichende Betrachtung (Criminalisation of the misuse of intimate images in the common law : a comparative view)," (2022) In E. Hilgendorf, G. Hochmayr, M. Malolepszy, & J. Dlugosz-Jozwiak (Eds.), *Festschrift fuer Prof. Dr. Dr. h.c. Jan C Joerden Duncker und Humblot GmbH*.
- ♦ Thomas Crofts, "Combatting intimate image abuse in Hong Kong," (2022) *Hong Kong Law Journal*, 52(Part 2), 405-430.
- ♦ Thomas Crofts & Andrew Dyer, "Reforming Non-consensual Sexual Offences in Hong Kong : How do the Law Reform Commission of Hong Kong's Proposals Compare with Recent Recommendations in Other Jurisdictions?," (2022) *Common Law World Review*, 51(3), 145-171.
- ♦ Thomas Crofts & Raymond Arthur, "The use of intermediaries for young defendants: overcoming barriers to young people's participation in criminal proceedings," (2022) *Child and Family Law Quarterly*, 34(2).

- ♦ Thomas Crofts, Enys Delmage & Laura Janes, "Deterring Children From Crime Through Sentencing : Can It Be Justified?," (2022) *Youth Justice*.

#### Chunyan DING

- ♦ Chunyan Ding, Keng Leng Siau, Fen Lin and Fiona Nah "Identifying Legal and Ethical Values in AI," (2022) In *PACIS 2022 Proceedings [313] Association for Information Systems (AIS)*.
- ♦ Chunyan Ding, "'Moral Conviction' plus 'Joint Sanctions' : The Judgment-defaulter Blacklist System in China" (2022) *Brooklyn Journal of International Law*.

#### Mandy Meng FANG

- ♦ Mandy Meng Fang, "New Asian regionalism in international economic law: by Pasha L Hsieh, Cambridge, UK, Cambridge University Press, 2022, 240 pp., ISBN 9781108845601," (2022) *Asia Pacific Law Review*, 30(2), 431-433.
- ♦ Mandy Meng Fang, "'Low-Hanging Fruit'? Direct Supply in China's Natural Gas Market Reform," (2022) *Journal of World Energy Law and Business*, 367-381.

#### Tianxian HE

- ♦ Tianxiang He, "粵港澳大灣區知識產權合作框架芻議 (On the Intellectual Property Cooperation Framework of the Guangdong-Hong Kong-Macau Bay Area)," (2022) In 朱國斌, & 鄧凱 (Eds.), *粵港澳大灣區法制建設: 合作與創新* (pp. 181-191). 三聯書店(香港)有限公司.
- ♦ Tianxiang He, "The Copyright Limitations of the 2020 Copyright Law of China : A Satisfactory Compromise?," (2022) *Journal of the Copyright Society of the U.S.A.*

#### Sinchit LAI

- ♦ Sinchit Lai, "The Infringement Notice System Under Hong Kong's Competition Law: Using the EU as a Benchmark," (2022) *Journal of Law and Commerce*, 40(1), 127-156.
- ♦ Sinchit Lai, "Output Effect of Private Antitrust Enforcement," (2022) *Fordham Journal of Corporate and Financial Law*, 27(2), 477-520.
- ♦ Sinchit Lai, "The Infringement Notice System Under Hong Kong's Competition Law: Using



the EU as a Benchmark,” (2022) *Journal of Law and Commerce*, 40(1), 127-156.

#### Laruen Yu-Hsin LIN

- ♦ Lauren Yu-Hsin Lin & Yun-chien Chang, “Do State-Owned Enterprises Have Worse Corporate Governance? An Empirical Study of Corporate Practices in China,” (2022) *European Business Organization Law Review*, 23(3), 711-734.
- ♦ Lauren Yu-Hsin Lin & with Jyh-An Lee, “Legal Institutions of Human Capital: Property, Contract, and Organisation,” (2022) 13(4) *Journal of the Knowledge Economy* 3326 - 3344

#### Qiao LIU

- ♦ Qiao Liu & Grace Yu, “Public Policy in Private International Law: Judicial Practice in China.” (2022) In O. Meyer (Ed.), *Public Policy and Private International Law: A Comparative Guide* Edward Elgar.

#### Fozia Nazir LONE

- ♦ Fozia Nazir Lone & Bonnie Wing-Yin Chow, “Pre-primary education and Chinese language acquisition of ethnic minority students in Hong Kong : a multidisciplinary critical evaluation” (2022) *Asian Education and Development Studies*, 11(4).

#### Wai Yee WAN

- ♦ Wai Yee Wan & Xin Yan, “Insolvency Law and Policy in Times of COVID-19 and Beyond: Academic Roundtable Proceedings,” (2022) *Chinese Journal of Comparative Law*, 10(3), [cxac025].
- ♦ Wai Yee Wan, *Court-Supervised Restructuring of Large Distressed Companies in Asia* (Hart Publishing, 2022)

#### Shucheng WANG

- ♦ Shucheng Wang, *Law as an Instrument: Sources of Chinese Law for Authoritarian Legality*. (2022) Cambridge University Press.



## 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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