

CENTRE FOR COMPARATIVE AND PUBLIC LAW

**FACULTY OF LAW
THE UNIVERSITY OF HONG KONG**

ANNUAL REPORT

July 2006 – June 2007

Faculty of Law, The University of Hong Kong, 4/F KK Leung Building, Pokfulam Road, Hong Kong
Telephone: (852) 2859 2941; Fax (852) 2549 8495; Email: fkleung@hku.hk

www.hku.hk/ccpl



The Centre for Comparative and Public Law (CCPL) was established in 1995 as a virtual centre within the Faculty of Law. Its purposes are to encourage and facilitate collaborative work within the Faculty, the University, and the broader Hong Kong community in the fields of comparative and public law. This report covers the period from 1 July 2006 to the end of June 2007. CCPL housed thirty conferences and seminars, five public lectures, two roundtable/workshops and eleven Rights Talks. CCPL also supported a variety of research projects and produced several publications.

PEOPLE

STAFF

Associate Professor **Dr Fu Hualing** has been CCPL Director since July 2004, stepped down from the position at the end of June 2007.

Associate Professor **Simon Young**, a specialist in human rights, evidence, and criminal law and procedure, has been CCPL Deputy Director since 2003, will take over as the Director of the Centre from 1 July 2007.

Flora Leung is the joint Secretary for CCPL and the Asian Institute of International Financial Law (AIIFL). She manages the registration and publicity for CCPL conferences and seminars, and other administrative matters.

NEW MEMBER

Karen Kong - Research Assistant Professor. Ms. Kong joined the Faculty in March 2007. She completed her BA at Oxford (University College), PCLL at HKU, and LLM at Cambridge (Darwin College). Her special interests are human rights and public law.

BOARD OF MANAGEMENT

CCPL's Board of Management consists of members appointed by the Dean and Heads, as well as co-opted members. The Board members represent a range of areas in the fields of public and comparative law, including international law, constitutional law, human rights law, comparative private law, Chinese law, and equality law.

The Board members in 2006-2007 were:

John Burns (HKU Dept of Politics & Public Administration)
Johannes Chan, SC (Dean, HKU Law)
Joseph Chan (HKU Dept of Politics & Public Administration)
Albert Chen (HKU LAW)
Anne Cheung (HKU LAW)
Michael Davis (Chinese University)
Hurst Hannum (HKU LAW)
Fu Hualing (Director)
Michael Jackson (Head, Dept of Law)
Suzannah Linton (Director, LLM (HR))
Christine Loh (Civic Exchange)
Benny Tai (HKU LAW)
Simon Young (CCPL Deputy Director)
Zhang Xianchu (HKU LAW)

FELLOWS OF THE CENTRE

The Centre has established a CCPL Fellows Programme in order to provide a formal structure for visitors – academics, policy makers, and students (undergraduate and postgraduate) – to undertake research within the Centre. Fellows help to expand the Centre's research capability and consolidate its relationships with other institutions.

The Fellows Programme also provides the opportunity to acknowledge those people who have demonstrated their expertise in the fields of comparative and public law, and who have a continuing role and interest in the Centre and its work, through the appointment of Honorary Fellows.

Fellows

CCPL Fellows are academics employed by the University of Hong Kong who teach or research in the area of comparative or public law.

Honorary Fellows

The Board of Management may appoint as an Honorary Fellow "an external academic or professional who has demonstrated expertise in the fields of comparative and/or public law and also undertakes research or otherwise plays a continuing role in the Centre."

A full list of Fellows and Honorary Fellows is available on the CCPL website.

Visiting Fellows

Ole Kristian Fauchald is Associate Professor at the Faculty of Law, University of Oslo, and worked as adviser to the Norwegian Ministry of Environment during the OECD negotiations.

Holning Lau is currently the Harvey S. Shipley Miller Teaching Fellow at the UCLA School of Law. At UCLA, he teaches classes on law and sexuality and is affiliated with UCLA's Williams Institute on Sexual Orientation Law & Public Policy. In September, Prof. Lau will join the Hofstra University School of Law as an Associate Professor. He is currently working with Hofstra to develop an institute on law and sexuality that he will co-direct. Prof. Lau completed his BA at the University of Pennsylvania, where he graduated Phi Beta Kappa and *magna cum laude*, with distinction in International Relations. He received his JD from the University of Chicago, where he served as an executive editor of the *University of Chicago Law Review* and was named a Stonewall Scholar for excellence in work related to law and sexuality.

Sino-British Fellowship Trust Visitor

Professor Qin Qanhong, Professor at Wuhan University School of Law.



CONFERENCES AND SEMINARS

CCPL conferences and seminars are open to the general public and free of charge, although a fee is charged to those participants who wish to obtain continuing professional development credit, to cover the additional administrative work involved. If not otherwise specified, participants were from The University of Hong Kong.

Conferences

29-30 June 2007

Administrative Law and Judicialized Governance in Asia: Comparative Perspectives

Colin Scott, University College Dublin School of Law; **Kanishka Jayasuriya**, Murdoch University, Australia; **Martin Painter**, City University of Hong Kong; **Michael Dowdle**, Cornell Law School; **Randy Peerenboom**, UCLA School of Law; **Johannes Chan**, Faculty of Law, HKU; **Albert Chen**, Faculty of Law, HKU; **Jongcheol Kim**, Yonsei University, Korea; **Hitoshi Ushijima**, Chuo University, Japan; **Tom Ginsburg**, University of Illinois; **Gan Ching Chuan**, University of Malaya; **Raul Pangalangan**, University of Philippines; **Peter Leyland**, University of London; **Donald Horowitz**, Duke University; **Yeh Jiunn-Rong**, National Taiwan University; **Jolene Lin**, Faculty of Law, HKU; **Chang Wen-Chen**, National Taiwan University; **John Gillespie**, Monash University; **Stewart Fenwick**, Melbourne Development Institute; **Richard Cullen**, Faculty of Law, HKU; **Donald Lewis**, Faculty of Law, HKU; **Karen Kong**, Faculty of Law, HKU; **Suzannah Linton**, Faculty of Law, HKU and **Puja Kapai**, Faculty of Law, HKU.

21 April 2007

Rights Protection (*Weiquan*) Lawyers and the Rule of Law in China

Co-organized by CCPL and the China Human Rights Lawyers Concern Group



Mo Shaoping, A prominent human rights lawyer in Beijing and Founder and Director of Mo Shaoping Law Firm in Beijing; **Professor Ong Yew-kim**, Advisor, China Human Rights Lawyers Concern Group and Honorary Research Fellow, Hong Kong Institute of Asia-Pacific Studies, Chinese University of Hong Kong; **Cheung Yiu-leung**, Mainland Affairs

Secretary, China Human Rights Lawyers Concern Group; **Dr. Fu Hualing**, CCPL Director; **Professor Eva Pils**, Assistant Professor, School of Law, Chinese University of Hong Kong; **Dr. Xu Zhiyong**, Lecturer, Faculty of Arts, Law and Economics, Beijing University of Posts and Telecommunications; **Roseann Rife**, Program Director of Hong Kong Office, Human Rights in China; **Mark Allison**, East Asia Researcher, Amnesty International Asia-Pacific Regional Office.

31 March 2007

Promoting Racial Harmony? Hong Kong's Race Discrimination Bill in International and Comparative Perspective

The Hong Kong government tabled a Race Discrimination Bill in the Legislative Council in December 2006. If passed, the law will become Hong Kong's fourth piece of specific anti-discrimination legislation and would prohibit discrimination on the basis of race, colour, descent, or national or ethnic origin. The proposed legislation is intended to give effect in domestic law to Hong Kong's obligations under the International Convention on the Elimination of all Forms of Racial Discrimination. Debate over the bill has focused on its definition of indirect discrimination; its exemptions; whether the prohibited grounds include new arrivals from mainland China; and whether it is compatible with equality rights in the Bill of Rights and the Basic Law. This conference examined the bill's provisions in light of Hong Kong's international human rights obligations and comparative equality law.

Carrie Lam, Permanent Secretary for Home Affairs, HKSAR; **Donald Tong**, Deputy Secretary for Home Affairs, HKSAR;



James Keezhangatte, Department of Social Work and Social Administration, HKU; **Fermi Wong**, UNISON; **Sharmila Gurung**, Christian Action; **Annie Lin**, SOCO;

Raymond Tang, Chairman, EOC; **Carole Petersen**, University of Hawaii; **Kelley Loper**, Faculty of Law, HKU; **P.Y. Lo**, Barrister and PhD Candidate, HKU; **Professor Andrew Byrnes**, University of New South Wales; **Fernand De Varennes**, Murdoch University; **Aileen McColgan**, Matrix Chambers and King's College London; **Malcolm Luey**, Sohmen Visiting Scholar, Faculty of Law, HKU; **Holning Lau**, UCLA; **Margaret Ng**, Chair of the Legislative Council Bills Committee on the Race Discrimination Bill; **Michael Davis**, Chinese University of Hong Kong; **Hurst Hannum**, Faculty of Law, HKU.



16 December 2006

The Role of Political Parties in Hong Kong: The Next Ten Years



Keynote Speaker: **Mrs. Anson Chan**, Former Chief Secretary of Hong Kong. Other speakers included **Professor Michael Davis**, Dept. of Govt and Admin, CUHK; **Dr. Michael de Golyer**, Director, Hong Kong Transition Project; **Professor Richard Cullen**, Faculty of Law, HKU; Legislative Councillor **Albert Chan**, League of Social Democrats; Legislative Councillor **Albert Ho**, Democratic Party; Legislative Councillor **Emily Lau**, The Frontier; Legislative Councillor **Ronny Tong**, Civic Party; Legislative Councillor **Howard Young**, Liberal Party; **Mr. Stephen Lam**, Secretary for Constitutional Affairs; **Professor Anthony Cheung**, Exco Member

and Professor, Department of Public and Social Administration, and Associate Director, Governance in Asia Research Centre, City University of Hong Kong; **The Hon Victor Perton, MP**, Member for Doncaster and the Liberal Shadow Minister for Conservation and Environment and Innovation and Technology, Victoria, Australia; **Ms. Christine Loh**, Chief Executive Officer, Civic Exchange; **Mr. Jose Luis Martin Gascon**, Managing Trustee and Former Executive Director, National Institute for Policy Studies (Philippines); **Dr. Ray Yep**, Research Director, Synergynet; **Mr. Simon Lee**, Co-Founder Lion Rock Institute and Editorial Writer for the Apple Daily.

Seminars

3 May 2007

Models of Legal Aid in China

Sang Ning, Deputy Director, Legal Aid Centre, Ministry of Justice

20 April 2007

The Politics of Cross-Border Crime in Greater China

Sonny Lo, Associate Professor, University of Waterloo, Ontario, Canada

20 April 2007

The Resolution of Labour Disputes through ADR (with particular emphasis on developments in Mainland China)

Professor Arnold Zack, Labor and Worklife Program, Harvard Law School

13 April 2007

Dealing (with) Paradoxes: Law and Justice in Systems Theory

Dr. Andreas Philippopoulos-Mihalopoulos, Reader, School of Law, University of Westminster

26 March 2007

A Human Rights Approach to the Regulation of Health Care Service – The New Zealand Health and Disability Commissioner

Malcolm Luey, Sohmen Visiting Scholar, Faculty of Law, The University of Hong Kong

21 March 2007

The Nature of Rights

jointly organized with HKU Department of Philosophy

Dr. Siegfried Van Duffel, Assistant Professor, Department of Philosophy, University of Groningen

20 March 2007

The New Path of United States Immigration Law: Asymmetric Incorporation of Criminal Justice Norms

Dr. Stephen H. Legomsky, John S. Lehmann University Professor, Washington University School of Law

19 March 2007

International Investment Law and Environmental Protection

Ole Kristian Fauchald, Associate Professor, Faculty of Law, University of Oslo

5 March 2007

NZ Equality Litigation - Alleged Discrimination in Public Health Care

Malcolm Luey, Sohmen Visiting Scholar, Faculty of Law, The University of Hong Kong

5 March 2007

China Modernizes: Threat to the West or Model for the Rest?

Professor Randall Peerenboom, University of California

31 January 2007

Majority Verdicts and Human Rights: Is Jury Unanimity an Intrinsic Aspect of the Accused's Right to a Fair Trial and the Right to a Trial by Jury?

Peter Sankoff, Senior Lecturer, Faculty of Law, University of Auckland

29 January 2007

Message and Method: Lessons from the New Zealand Animal Welfare Scheme

jointly organized with the Society for the Prevention of Cruelty to Animals (HK)

Peter Sankoff, Senior Lecturer, Faculty of Law, University of Auckland

Dr. Fiona Woodhouse, Deputy Director, Society for the Prevention of Cruelty to Animals (HK)

13 December 2006

The Problem and Reform of Death Penalty in Mainland China

Professor Lau Ming Cheung, Renmin University of China

7 December 2006

Legal Mechanisms for State Unification

Professor Wang Zhenmin, Tsinghua University School of Law

1 December 2006

Local People's Congress in China and its Supervisory Power

Professor Qin Qianhong, Sino-British Fellowship Trust Visitor and School of Law, Wuhan University

30 November 2006

Why not let the State be "benevolent" to religion? - seen from goods intrinsic to freedom of religion

Dr. Weng Kaixin, Postdoctoral Fellow on Ethics, Tsinghua University

11 October 2006

Abstract Constitutional Review in the HKSAR II

PY Lo, Barrister

3 October 2006

Decentring the 'Rule of Law' in Vietnam: Regulating Business in Vietnam

Professor John Gillespie, Monash University, Melbourne, Australia

ROUNDTABLE AND WORKSHOP



4 May 2007

Roundtable on Cyberspace and Privacy: The Challenge in the Yahoo! Case

Professor Johannes Chan, SC, Faculty of Law, HKU; *Professor John Bacon-Shone*, Social Sciences Research Centre, HKU; *KP Chow*, Center for Information Security and Cryptography, HKU; *Charles Mok*, Chairman Internet Society Hong Kong and *Rebecca MacKinnon*, Journalism and Media Studies Centre, HKU

21 March 2007

Public Law Workshop

Sir David Williams, Emeritus Professor, University of Cambridge, *Professor Albert Chen*, Faculty of Law, HKU; *Dr Anne Cheung*, Faculty of Law, HKU; *Yap Po Jen*, Faculty of

Law, HKU and *Oliver Jones*, Faculty of Law, HKU



PUBLIC LECTURES

5 June 2007

The 50th Anniversary of the Anti-Rightist Movement: Its Contemporary Significance

Professor Jerome A. Cohen, School of Law, New York University

9 March 2007

Tensions Between National Security and The Refugee Convention - New Zealand's Post 9/11 Experience

Malcolm Luey, Sohmen Visiting Scholar, Faculty of Law, HKU

14 December 2006

China's Scorecard in the WTO: Self-assessment and External Reviews

Shi Miaomiao, Deputy Director-General, WTO Division, Deputy Commissioner on WTO Negotiations, Ministry of Commerce, China

8 December 2006

Legalizing Central/Regional Relations in China

Professor Qin Qianhong, Sino-British Fellowship Trust Visitor and School of Law, Wuhan University

3 November 2006

The Rule of Law in China: the Recent Controversies

Professor Jerome A. Cohen, School of Law, New York University

HONG KONG CIVIL FORFEITURE PROJECT SEMINAR SERIES

14 December 2006

Forfeiture of Criminal Property in Taiwan and Macau

Lawrence LC Lee, Associate Professor, School of Law, Ming Chuan University, Taiwan

Jorge Godinho, Assistant Professor, Faculty of Law, University of Macau

22 November 2006

Civil Forfeiture in the United Kingdom

Angela Leong, Course Director, International Compliance Association

Sara Dayman, Head of Restraint and Confiscation Unit & Partner, BDO Stoy Hayward LLP

16 October 2006

Civil Forfeiture in Australia and New Zealand

Sylvia Grono, Assistant Director, Australian Commonwealth Director of Public Prosecutions

Carey Hibbert, Senior Legal Adviser, Criminal Justice Policy, Ministry of Justice, New Zealand

13 September 2006

Civil Forfeiture in Ireland and Canada

Felix McKenna, Chief Bureau Officer, Criminal Assets Bureau, Ireland

James McKeachie, Senior Counsel, Ministry of the Attorney General, Canada

LAW AND RELIGION SEMINARS SERIES

16 May 2007

Christianity and the Grounds of Human Rights

Karen Lee, PhD Candidate, Faculty of Law, The University of Hong Kong

8 May 2007

Law and Religion in Pluralistic Societies: An Analytical Perspective from Max Weber's Social Theory

Dr. Zheng Ge, Faculty of Law, The University of Hong Kong

11 April 2007

The Christian Tradition and the Origins of Modern Constitutionalism

Professor Albert Chen, Faculty of Law, The University of Hong Kong

28 February 2007

Models of Interaction between Law and Religion: An Overview

Benny Tai, Faculty of Law, The University of Hong Kong

RIGHTS TALKS

CCPL organised eleven informal Rights Talks during this period. Talks have been delivered

by a wide range of experts in particular human rights issues, including lawyers and activists in Hong Kong and experts visiting Hong Kong from other jurisdictions. While these informal gatherings are open to all, we believe that they are particularly useful for our students in the LLM in Human Rights programme. The talks provide added depth to the curriculum and give students an opportunity to see how the theory of human rights can be applied in practice, both in Hong Kong and in the international community.

22 May 2007

Using Social Science to Evaluate Sexual Orientation Law

Holning Lau, Harvey S. Shipley Miller Teaching Fellow, UCLA School of Law and *Charles Quincannon Strohm*

7 May 2007

Prosecuting Sexual Violence in Armed Conflict: Gender, Law and the International Criminal Tribunal for the former Yugoslavia

Kirsten Campbell, Goldsmiths College, University of London

2 May 2007

Transnational Corporations and Human Rights in China

Roddy Shaw, East Asia Researcher & Coordinator, Business & Human Rights Resource Centre

27 April 2007

Metagora Philippine Pilot Study on Rights of Indigenous Peoples: A Participatory and Bottom up Approach Putting Together Human Rights and Statistics

Anita M. Chauhan, Sohmen Visiting Scholar, Faculty of Law, The University of Hong Kong

25 April 2007

From Emergency Relief to Development: Consequences for Health Care

Helene Lorinquer, Head, Advocacy & Analysis Unit, Médecins Sans Frontières (MSF) Brussels

7 February 2007

Humanitarian Action, Health and Human Rights

Dick van der Tak, Executive Director, Médecins Sans Frontières (MSF) in Hong Kong

6 December 2006

Reform of the Human Rights Mechanisms

Markus Schmidt, Office of the High Commissioner for Human Rights (OHCHR)

17 November 2006

Failure to Protect: A Call for UN Security Council to Act in North Korea

Michael S. Tracy, Managing Partner, DLA Piper Rudnick Gray Cary US LLP

3 November 2006

Human Rights and The Ombudsman

Alice Tai, JP, The Ombudsman, Hong Kong

4 October 2006

Roundtable on Domestic Workers in Hong Kong

James Collins, Founder, Helpers for Domestic Helpers, Chairman, Migrant Workers Subcommittee of the HK Human Rights Monitor

Devi Novianti, Manager – Christian Action Humanitarian Services HK

Nurul Qoiriah, Regional Coordinator of Migrants' Grassroots Organizing and Capacity Building, Asian Migrant Centre

15 September 2006

Same-Sex Marriage/Constitutionalism and their Centrality to Equality Rights in Hong Kong: A Comparative Socio-Legal Appraisal

Phil C.W. Chan, Visiting Fellow, Asia-Pacific College of Diplomacy, The Australian National University

RESEARCH SHARING SESSION

CCPL and the Faculty of Education at the University of Hong Kong jointly organized a research sharing session on the **Implications of Law and Language Policy for Ethnic Minority Students in the Hong Kong Education System** on 21 November 2006. Participants included members of the Faculty of Education, the Faculty of Law, the Department of Social Work and Social Administration, teachers, and staff from Hong Kong NGOs. Kelley Loper began with a review of Hong Kong's international and domestic legal obligations to ensure equality in education. Participants then discussed school admission's procedures, difficulties ethnic minority students face in the education system, and the need for social integration. Several concrete ideas were suggested for collaborative research.

TRAINING

Migration - refugees

CCPL jointly organized a training workshop for their volunteers and student interns from 9 to 10 June 2007. Kelley Loper taught one of the sessions on researching international human rights materials.

RESEARCH GRANTS AND PROJECTS

▶ ***When Jurors Act Strangely*** URC Small Project Funding (PI: Simon Young)

The project aims to identify and catalogue cases involving jury misconduct in Hong Kong, England, Canada, the United States, Australia and New Zealand. It will examine how the imperfect human institution of the jury can create legal problems and how different jurisdictions have dealt with these problems.

▶ ***Forfeiture of Crime Tainted Property in Hong Kong*** RGC Public Policy Research Funding Scheme (PI: Simon Young)

Simon Young and Jennifer Stone, former Research Assistant, prepared a discussion paper on Hong Kong's current confiscation regime and options for reform based on examples from other jurisdictions' use of civil forfeiture. A local expert focus group met in June 2006 and provided comments on the substance and methodology of the research. In the first semester, International Experts from Ireland/Canada, Australia/New Zealand, United Kingdom and Taiwan/Macau presented seminars on the forfeiture laws and experiences in their respective countries. The final report, targeted at policy makers and legislators, will provide recommendations for reform. A collection of edited papers by international experts will be published as a book.

▶ ***The First Decade of Hong Kong's Court of Final Appeal*** Research Grants Council Competitive Earmarked Research Grant 2006-2007

Simon Young and Yash Ghai will lead a review of the first decade of the CFA. Quantitative data on the operation of the CFA and its decided cases will be collected and compared with similar data in respect of the last decade of appeals to the PC. Comparative analysis will also be done with the Macao Court of Final Appeal since its creation in 1999 and supreme courts from other countries. From the quantitative data, comparative analysis, and a close examination of all the CFA judgments,

the goal of the research is to gain original and substantial knowledge of how the CFA has developed the law in Hong Kong since 1997.

► **Project on Inclusive Education and Equality Law** conducted by Kelley Loper and funded by the Henry Chan Inclusive Education Fund. The study will consider whether legal provisions prohibiting disability discrimination in education, from several jurisdictions, support the implementation of inclusive education programmes for disabled students.

THE LL.M. IN HUMAN RIGHTS

CCPL continues to work closely with the Faculty of Law's LL.M. in Human Rights. The Human Rights students are encouraged to participate in CCPL events and many regularly attend CCPL conferences and public lectures. The Rights Talks, which are especially targeted at the human rights students, provide informal opportunities to discuss current human rights issues and to meet individuals who practice in the field.

YOUNG RESEARCHERS SCHEME

A new initiative for law students interested in international, comparative and public law issues. Students will have the opportunity to work closely with Faculty members on different projects.

FORTHCOMING EVENTS

A conference on a Decade of Basic Law (2008, Simon Young/Po Jen Yap)

A conference on Contributions of the Court of Final Appeal (2008, Simon Young)

DEVELOPMENTS IN 2007-2008

Forthcoming Publications

Practicing Self-Government: Purpose, Structures and Institutions of Autonomous Regions

Sophia Woodman and Yash Ghai are editing the papers from the Autonomy conference held in April 2005, which will be published as a book in 2008.

The Struggle for Coherence: Interpreting Hong Kong's Basic Law

Fu Hualing, Lison Harris, and Simon Young have edited a book on constitutional

interpretation in Hong Kong and China, which will be published by Palgrave in early 2008.

Anne Cheung and Fu Hualing are editing a book entitled *Freedom in the Cyberspace: Lessons from the Yahoo! Case*, based on presentations made at the Roundtable on the Yahoo! Case.

CENTRE REVIEW

The Faculty has recently conducted a review of CCPL. The Review was chaired by Professor Chris Sherrin (Associate Dean, Research) and comprised Professor Sir David Williams (Emeritus Vice Chancellor of University of Cambridge), Dr. Peter Cheung, Dr. Eliza Lee (Department of Politics and Public Administration, cognate faculty), and Dr. Lin Feng (City University of Hong Kong). The reviewers were impressed by the work of the Centre and the review is very favourable. The review panel also made valuable recommendations on the future development of the Centre.

CONCLUSION

As this is my last year as Director of the Centre, I would like to express my sincere thanks to our staff who have assisted me over the past three years. I would also like to thank many individuals who have been actively involved in the Centre's events.

Dr Fu Hualing
Associate Professor
Director, CCPL

APPENDIX
Additional selected publications by
Members of the Centre

- ▶ Brabyn J.M., Protection Against Judicially Compelled Disclosure of the Identity of News Gatherers' Confidential Sources in Common Law Jurisdictions, *The Modern Law Review*. Oxford, Blackwell Publishing, 2006, 69(6): 895-934.
- ▶ Chan J.M.M., Hong Kong Human Rights Bibliography (Hong Kong Law Journal Ltd, 2006), 114 pp.
- ▶ Chan J.M.M., 'A Sliding Scale of Reasonableness in Judicial Review' [2006] *Acta Juridica* 233-257.
- ▶ Chan J.M.M., 'Legal Professional Privilege' (2006) 36 *Hong Kong Law Journal* 461-479.
- ▶ Chan J.M.M., 'International Covenant on Economic, Social and Cultural Rights and WTO' (2006) 2 *Legal Science* 90-96 (in Chinese).
- ▶ Chan J.M.M., *Insights into Law and Politics (法政敏言)* (Hong Kong Economic Times Press, 2006), 209 pp (in Chinese).
- ▶ Chen A.H.Y., Comparative Reflections on Human Rights in Asia, In: Randall Peerenboom, Carole J. Petersen and Albert H.Y. Chen, *Human Rights in Asia*. London, Routledge, 2006, 487-516.
- ▶ Chen A.H.Y., Reflections on Torture in the Past and Present of China and the West, In: Gao Hongjun, *Contemporary Reflections on Chinese Legal Civilisation (in Chinese)*. Beijing, Tsinghua University Press, 2006, 2: 89-114.
- ▶ Chen A.H.Y., The Role of Courts in Society: From the Perspective of Several Recent Cases in Hong Kong, In: Zhu Jingwen, *Chinese Jurisprudence Forum (in Chinese)*. Beijing, Renmin University Press, 2006, 331-345.
- ▶ Chen A.H.Y., Constitutional Adjudication in Post-1997 Hong Kong, *Pacific Rim Law and Policy Journal*. 2006, 15: 627-682.
- ▶ Chen A.H.Y., Menschenrechte made in China, *KulturAustausch*. 2006, Ausgabe II: 51-53.
- ▶ Cullen, R., The Making of a Modern City State, (2006) 13 *Murdoch Electronic Journal of Law*, 24-45.
- ▶ Cullen, R. and Krever T., The Relationship Between Tax Reform and Political Reform in Hong Kong (2006) 24 *Law in Context*, 10-35.
- ▶ Fu Hualing, Book Review, Crime, Punishment & Policing in China, edited by Borge Bakken (2006) 198 *China Quarterly* 470-472.
- ▶ Hannum H., Peace versus Justice: Creating Rights as well as Order out of Chaos, *International Peacekeeping*. 2006, 13: 582-595.
- ▶ Hannum H., Reforming the Special Procedures and Mechanisms of the Commission on Human Rights, *Human Rights Law Review*. Oxford, 2007, 7: 73-92.
- ▶ Hannum H., Autonomy as a Tool of Conflict Resolution, *International Conference on One Country, Two Systems, Three Legal Orders -- Perspectives of Evolution, organised by Macao International Law Office, Macao Legal and Judicial Training Centre, and Institute of European Studies of Macao*. 2007.
- ▶ Hannum H., Letter to the Editor, "False fears mar the democracy debate", *South China Morning Post*. 2007.
- ▶ Hannum H., Letter to the Editor, "How to Remember", *International Herald Tribune*. 2006.
- ▶ Hannum H., Letter to the Editor, "Kosovo's future", *International Herald Tribune*. 2007, 9.
- ▶ Hannum H., Letter to the Editor, "Terrorism won when America declared holy war", *South China Morning Post*. 2006.
- ▶ Hannum H., Letter to the editor, "EU wants to get rid of the Balkans", *International Herald Tribune*. 2007.
- ▶ Hannum H., Letter to the editor, "Morocco and Western Sahara", *International Herald Tribune*. 2007.
- ▶ Hannum H., Letter to the editor, "No simple solutions", *South China Morning Post*. 2006.
- ▶ Hannum H., Letter to the editor, "Realities of making peace", *Financial Times*. 2007.
- ▶ Hannum H., Op-ed article, "A Better Plan for Kosovo", *Christian Science Monitor*. 2007.
- ▶ Linton S, "Safeguarding the independence and integrity of the Cambodian Extraordinary Chambers". (2006) 4(2) *Journal of International Criminal Justice* 327-341.
- ▶ Linton S, "Accounting for Atrocities in Indonesia" (2006) X *Singapore Yearbook of International Law* 199-231.
- ▶ Loper, K. "Representations of Refugees in Hong Kong Law, Policy and Public Discourse", Paper presented at the Oxford Refugee Studies Centre, 2007.

- ▶ Loper, K., "Submission on Hong Kong's International Legal Obligations toward Refugees and Asylum Seekers", Legislative Council Panels on Welfare Services and Security, 2006.
- ▶ Loper, K., Op-ed Article, "Hong Kong's Race Discrimination Bill, Serious Omissions in any Language", South China Morning Post, 2006.
- ▶ Yap P.J., Rethinking Constitutional Review in America and the Commonwealth: Judicial Protection of Human Rights in the Common Law World, In: University of Georgia, Faculty of Law, USA, (2006) 35 *Georgia Journal of International and Comparative Law* 99- 143. USA, University of Georgia, 2006, 35(1): 45.
- ▶ Yap P.J., 10 Years of the Basic Law: The Rise, Retreat and Resurgence of Judicial Power in Hong Kong, 36(2) [2007] *Common Law World Review* 166- 191.
- ▶ Young S.N.M., Concerning the Common Saying "[Law Depends on the Evidence]" and the Reform of Criminal Hearsay and Recent Complaint in Hong Kong, In: M Cheng, J Jen & J Young, *Law Lectures for Practitioners 2006*. Hong Kong, Hong Kong Law Journal Limited, 2007, 149-173.