



FACULTY OF LAW
THE CHINESE UNIVERSITY OF HONG KONG



Inaugural Hong Kong Law Research Postgraduate Symposium

Saturday, 11 April 2015,
9am - 6pm

The Graduate Law Centre, The Chinese University of Hong Kong,
2/F Bank of America Tower, Central, Hong Kong

Programme

8.30am Registration and morning coffee

9.00am – 10.00am Welcome and Opening remarks

Professor Christopher Gane

Dean, Faculty of Law, The Chinese University of Hong Kong

Professor Gregory Gordon

Director PhD/MPhil Programme, Faculty of Law, The Chinese University of Hong Kong

Keynote Speech by Professor Andra le Roux-Kemp

School of Law, The City University of Hong Kong

Topic: How to eat an elephant: Of bites, bytes, and late nights - some thoughts on the essentials of postgraduate research

Presentations

10.10am – 11.30am Panel 1a – Children Rights and Human Rights Law

Chair: Gabriele Spina Ali (HKU)

Esther Erlings (PhD Candidate, 5th year, CUHK)

Topic: A change for the better? The law governing parent-child relations in Hong Kong

Annelotte Walsh (PhD Candidate, 4th year, HKU)

Topic: A Children's Rights Audit of the International Criminal Court- introducing a measurement matrix for monitoring institutions

Qiao Congrui (PhD Candidate, Utrecht University, Visiting Student, CUHK)

Topic: Institutional role of Chinese news media during mass group incidents.

Patrick Poon (PhD Candidate, 3rd year, CUHK)

Topic: Freedom of Speech in China's "Internet"

10.10am – 11.30am Panel 1b – Public International Law and International Economic Law

Chair: Dini Sejko (CUHK)

Jie Long (PhD Candidate, 1st year, HKU)

Topic: China's Space Station Project and International Cooperation: Feasibility and Legal Aspects

Yang Liu (PhD Candidate, 2nd year, HKU)

Topic: The Concept of Necessity as A Circumstance Precluding Wrongfulness: Some Reflections from the Recent Practice

Meng Fang (PhD Candidate, 2nd year, CUHK)

Topic: Renewable energy incentives and WTO

Melissa Loja (PhD Candidate, 3rd year, HKU)

Topic: International Law and Ownership of Transboundary Offshore Petroleum Resources

10.10am – 11.30am Panel 1c – Legal History, Legal Philosophy and Constitutional Law

Chair: Damian Bethke (CUHK)

Maria Adele Carrai (PhD Candidate, 4th year, HKU)

Topic: Globalization and China: Absolute Sovereignty and Beyond

Luca Bonadiman (PhD Candidate, 2nd year, CityU)

Topic: The Curse of Enlightenment in International Law and Politics

Xiaoshi Zhang (PhD Candidate, 3rd year, HKU)

Topic: Rethinking the Legal Narratives on the Conflicts Concerning China in the Late Nineteenth Century

Jason Buhi (PhD Candidate, 3rd year, HKU)

Topic: The Constitutional History of Macao, From Trading Post to SAR

11.30am – 11.45am Coffee Break

11.45am – 12.25pm Panel 2a – Human Rights Law

Chair: Luca Bonadiman (CityU)

Polina Malkova (PhD Candidate, 2nd year, CUHK)

Topic: "Who is a Human Rights Defender? Addressing the Need for Conceptual Clarity and a Robust Assessment of a Human Rights Defender Status"

Huaiyu Jin (PhD Candidate, 3rd year, CUHK)

Topic: Selective Enforcement of Law as a Method of Restriction on Religious Freedom: An Empirical Research on Chinese Protestant 'House Churches'

11.45am – 12.25pm Panel 2b – Public International Law and International Economic Law

Chair: Yang Liu (HKU)

Dini Sejko (PhD Candidate, 1st year, CUHK)

Topic: State Controlled entities and ISDS: Lessons from an embryonal case law

Jessica Williams (PhD Candidate, 1st year, HKU)

Topic: Still Waters Run Deep: Implications of Transboundary Water Policies

12.25pm – 1.40pm Lunch Break

1.40pm – 2.40pm Panel 3a – Chinese Corporate and Economic Law

Chair: Yang Liu (HKU)

Xiaowen Hao (MPhil Candidate, 2nd year, HKUST)

Topic: Dealing with Insolvency without Bankruptcy Law: A Historical Survey of the “Prosperity Bill” (Xinglong Piao 兴隆票) in Late Qing and Republican China

Bei Yin (PhD Candidate, 4th year, CUHK)

Topic: The Implications of the exemption of cartels under China's Antimonopoly Law

Xiao Huina (MPhil Candidate, 1st year, CityU)

Topic: Institutional Embeddedness: Banks Collect Debt from Private Enterprises in China

1.40pm – 2.40pm Panel 3b – Intellectual Property Law and IT Law

Chair: Esther Erlings (CUHK)

Gabriele Spina Ali (PhD Candidate, 2nd year, HKU)

Topic: ‘Unfair Commercial Use’ or ‘Unfair commercial use’? The Paradox of Non-Disclosure Obligation Under Art. 39.3 of the TRIPS

Xiaohan Zhang (PhD Candidate, 1st year, HKU)

Topic: Online Dispute Resolution for E-commerce in China

Mao Cheng (PhD Candidate, 3rd year, HKU)

Topic: Fashion Design: a Missing Piece of Puzzle in China Copyright Law?

1.40pm – 2.40pm Panel 3c – Contract Law and Criminal Law

Chair: Luca Bonadiman (CityU)

Damian Bethke (PhD Candidate, 3rd year, CUHK)

Topic: The Myth of Freedom of Contract in English Law - Contractual Mistake as a Defense to Unwanted Contracts?

Maurice Lam (PhD Candidate, 2nd year, CUHK)

Topic: Jury's Assessment of Scientific Expert Evidence: Assessment of DNA Evidence as Example

Elena Gacheva (PhD Candidate, 2nd year, CUHK)

Topic: The Case of Loeb and Leopold

- 2.50pm – 3.30pm** **Panel 4a – Chinese Corporate and Economic Law**
Chair: Bei Yin (CUHK)
Jiaolong Liang (PhD Candidate, 4th year, HKU)
Topic: Failure of Legal Tools in Attacking Abusive Related Party Transaction of Listed Companies in China
Chao Wang (PhD Candidate, 1st year, CUHK)
Topic: Chinese Mandatory Bid Rule in Protection of Minority Shareholders of Listed Companies
- 2.50pm – 3.30pm** **Panel 4b – Intellectual Property Law and IT Law**
Chair: Esther Erlings (CUHK)
Anlei Zuo (PhD Candidate, 2nd year, HKU)
Topic: Institutional Fragmentation and The Ontological “Ethos” of International (IP) Law
Zhijie Chen (PhD Candidate, 1st year, HKU)
Topic: The Trade and Culture Debate in the Context of Creative Economy: An Adaptive Regulatory Approach from Fragmentation to Coherence
- 3.30pm – 4.15pm** **Coffee Break**
- 4.15pm – 5.15pm** **Publishing Your Research: Insights from the Decision-Makers**
Jacelyn Johnson (Product Development Manager, LexisNexis Hong Kong) and
William P. White (Sr. Product Development Specialist, Wolters Kluwer Hong Kong)
- 5.20pm – 6.00 pm** **Keynote Speech by Professor Haochen Sun**
Faculty of Law, The University of Hong Kong.
Topic: Living Together in One Civilized World: How Luxury Companies and Consumers Can Fulfill Their Ethical Responsibilities to the Poor (paper published in UC Davis Law Review, Vol. 47, p. 547, 2013)
- Closing**
Professor Gregory Gordon