

## **CURRICULUM VITAE**

### **PERSONAL DETAILS:**

**Full Name and Title:** Professor (Dr) Roda Mushkat, Resident Professor of International Law, Hopkins-Nanjing Centre, Paul H. Nitze School of Advanced International Studies (SAIS), Johns Hopkins University

**Work Address:** Hopkins-Nanjing Centre, Nanjing University, Nanjing, China 210093

**E-mail Address:** [rmushka1@jhu.edu](mailto:rmushka1@jhu.edu)

### **EDUCATION, ACADEMIC AND PROFESSIONAL QUALIFICATIONS:**

#### **Academic Degrees**

Bachelor of Laws (LL.B), 1968, The Hebrew University of Jerusalem  
Post Graduate Diploma in International Law, 1973, University of Manchester  
Master of Laws (LL.M), 1978, Victoria University of Wellington  
Doctor of Laws (LL.D), 1987, University of South Africa

#### **Honors**

University of Manchester Postgraduate Research Grant in Law (1971 & 1972)  
Victoria University of Wellington Postgraduate Scholarship in Law (1976 & 1977)  
[See also Short-Term/Visiting Appointments]

#### **Professional Qualifications**

Member of the Israel Bar, 1969-

#### **Professional Practice**

Assistant Solicitor, Ch.M. Basok, Advocates, Tel Aviv, Israel, 1966-1968  
Solicitor/Barrister, Ch.M. Basok, Advocates, Tel Aviv, Israel, 1968-1969; Summers 1973 & 1977  
Special Assistant, Legal and Political Affairs, Embassy of Israel, Wellington, New Zealand, 1974-1977

### **ACADEMIC APPOINTMENTS:**

#### **Present Appointments**

Resident Professor of International Law, Hopkins-Nanjing Centre, Paul H. Nitze School of Advanced International Studies, Johns Hopkins University, Nanjing, China  
Honorary Professor, Faculty of Law, University of Hong Kong, Hong Kong

**Previous Appointments**

Visiting Professor, Kadoorie Institute for Sustainable Development, University of Hong Kong, Hong Kong

Professor of International Law, Brunel Law School, Brunel University London (2005-2011)

Director of Undergraduate Studies, Brunel Law School, Brunel University London (2005-2009)

Director of the Centre of International and Public Law, Brunel Law School, Brunel University London (2006-2009)

Professor and Head, Department of Law, University of Hong Kong (1992-2005)

Senior Lecturer in Law, University of Hong Kong, 1988-1992

Lecturer in Law, University of Hong Kong, 1979-1987

Lecturer in Law, Hong Kong Shue Yan University, 1978-1979

**Short-Term Visiting/ Appointments**

Visiting Scholar, Harvard Law School, Harvard University, Spring 1983 term

Butterworths' Fellow, Institute of Advanced Legal Studies, School of Advanced Study, University of London, Summer 1983 term

Visiting Fellow, Research Centre for International Law, University of Cambridge, Fall (Michalmas) 1990 term

Visiting Scholar, Wolfson College, University of Cambridge, Fall (Michalmas) 1990

Visiting Scholar, Yale Law School, Yale University, Spring 1991 term

Visiting Professor, University of Victoria, B.C., Canada, Summer 1998 term

Visiting Scholar, Institute of Advanced Legal Studies, School of Advanced Study, University of London, July 1999 to April 2000.

Associate Research Fellow, Institute of Advanced Legal Studies, School of Advanced Study, University of London, academic year 2010/2011.

**Other Professional and Relevant Experience****Current:**

RGC Assessor of Research Proposals, 1998-

Member, Advisory Board to the New Zealand Yearbook of International law, 2003-

**Past:**

President, International Law Association (HK Branch), 1980-85

Hong Kong Representative, Group of Asian Experts on Current Problems in International Protection of Refugees and Displaced Persons, 1980-86

Hong Kong Correspondent, LAWASIA Human Rights Bulletin, 1988-89

Member, Hong Kong Group of International Legal Experts Acting to Promote International Law in Hong Kong, 1985-88

Member, Advisory Group, Pacific Region and International Law Conference Series, 1987-05  
 Reporter on Hong Kong's 'State Practice' in International Law, Foundation for the Development of International Law in Asia (DILA), 1991-05  
 Member, International Law Association, Committee on Sustainable Development, 1998-05  
 Member, Bottom Line Drafting Committee on Jurisdiction and Rendition (HK LegCo Subcommittee), 1998-9  
 Fellow, The Institute for China and Global Development, 2002-05  
 Consultant, Consultancy Study on External Relations Strategy for the HKSAR Government, 2002-03  
 Hong Kong National Coordinator for the Refugee Caselaw Website, 2003-2006  
 Member, International Law Association [ILA] Study Group on United Nations Reform, 2006-2012

## **RESEARCH:**

### **PUBLICATIONS** [in reverse chronological order]

#### **A. Books**

- 1 *International Environmental Law and "Asian Values": Legal Norms and Cultural Influences* (Vancouver, B.C, Canada: University of British Columbia Press, 2004).
- 2 *One Country, Two International Legal Personalities: The Case of Hong Kong* (Hong Kong: Hong Kong University Press, 1997).

#### **B. Chapters in Books**

3. 'External Affairs' in J. Chan and C.L. Lim, eds., *Law of the Hong Kong Constitution*, 3<sup>rd</sup> ed. (Sweet & Maxwell, 2021), pp.83-125 [with C.L. Lim]
4. 'External Affairs' in J. Chan and C.L. Lim, eds., *Law of the Hong Kong Constitution*, 2<sup>nd</sup> ed. (Hong Kong: Sweet & Maxwell, 2015), pp.83-126 [with C.L. Lim]
5. 'Economic Development, Environmental Preservation and International Policy Learning in China: Venturing Beyond Transnational Legal Process Theory' in Guanghua Yu, ed., *Rethinking Law and Development: The Chinese Experience* (Routledge, 2013), pp. 187-214
6. 'Endemic Institutional Fragility in the Face of Dynamic Economic Integration in Asia: The Case of Transboundary Pollution in Hong Kong' in R. Buckley, R. Hu

- and D. Arner, eds., *East Asian Economic Integration: Law, Trade & Finance* (Cheltenham, UK/Northampton, USA: Edward Edgar Publishing Ltd, 2011), pp. 49-80 [with Dr M Mushkat]
7. 'External Affairs' in J. Chan and C.L. Lim, eds., *Law of the Hong Kong Constitution* (Hong Kong: Sweet & Maxwell, 2011), pp. 75-114 [with C.L. Lim]
  8. 'The Principle of Public Participation: A Selective Asia-Pacific Perspective' in N. Schrijver and F Weiss, eds., *International Law and Sustainable Development: Principles and Practice* (Leiden/Boston: Martinus Nijhoff Publishers, 2004), 607-630.
  9. 'Autonomy and Human Rights Concerns in Post-Handover Hong Kong' in Joseph W Dellapenna and Patrick M Norton, eds., *China and Hong Kong in Legal Transition. Commercial and Humanitarian Issues* (American Bar Association, 2000), 163-175.
  10. 'International Environmental Law: How Green is the Future?' in Raymond Wacks, ed., *The New Legal Order in Hong Kong* (Hong Kong: Hong Kong University Press, 1999), 627-648.
  11. 'Enforcing International Environmental Law in the Asia-Pacific Region' in A Shapira, ed., *Tel Aviv University Studies in Law*, Vol. 14 (Tel Aviv: The Cegla Institute for Comparative and Private International Law, 1998), 187-222.
  12. 'The Internationalization of International Law in Hong Kong' in G A Postiglione & J T H Tang, eds., *Hong Kong's Reunion with China: The Global Dimension* (New York: M E Sharpe & Hong Kong: Hong Kong University Press, 1997), 147-168.
  13. 'Managing the Transfer of Sovereignty Over Hong Kong: The Case for Continuity of Treaties' in Beatrice Leung & Joseph Cheng, eds., *Hong Kong SAR: In Pursuit of Domestic and International Order* (New York, London: M E Sharpe & Hong Kong: The Chinese University Press, 1997), 161-176.
  14. 'Hong Kong's Quest for Autonomy: A Theoretical Reinforcement' in R I Wacks, ed., *Hong Kong and 1997: Essays in Legal Theory* (Hong Kong: Hong Kong University Press Law Series, 1993), 307-341.
  15. 'Agenda 21 – Its Application in the Region' in LAWASIA'93, *Asia on the Leap – the Role of Law* (Sri Lanka: The Bar Association of Sri Lanka, 1993), S5 [Environmental Law], 61-68.

16. 'Applicability of International Environmental Law to Hong Kong' in G N Heilbronn, ed., *Environmental Law in Hong Kong: Problems & Prospects* (Hong Kong: Faculty of Law, University of Hong Kong, 1993), 87-104.
17. 'Hong Kong's International Personality: Issues and Implications' in W H Angus, *Canada-Hong Kong: Some Legal Considerations* (Toronto: Joint Centre for Asia Pacific Studies, 1992), 14-30.
18. 'Peaceful Assembly' in R I Wacks, ed., *Human Rights in Hong Kong* (Hong Kong, Oxford, New York: Oxford University Press, 1991), 410-439.
19. "'Mildly Progressive Pragmatism" – Hong Kong's Synthesis of British, Chinese and Asian Approaches to the Refugee Problem' in M Smith, ed., *International Law & Refugees in the Asia-Pacific Region* (Melbourne: The Asian Law Centre and the Australian Institute of International Affairs, National Research Centre, 1991), 35-65.
20. 'International Human Rights Law and Domestic Hong Kong Law' in R I Wacks, ed., *Hong Kong's Bill of Rights: Problems & Prospects* (Hong Kong: Faculty of Law, University of Hong Kong, 1990), 25-38.
20. 'Asylum in Hong Kong'\* in G Melander et al, eds., *Asylum in Asia* (Sweden: Roul Wallenberg Institute of Human Rights and Humanitarian Law, 1989), 1-26.  
\*Published as a booklet
21. 'Freedom of Association and Assembly in Hong Kong' in R I Wacks, ed., *Civil Liberties in Hong Kong* (Hong Kong, Oxford, New York: Oxford University Press, 1988), 153-185.
22. 'Foreign, External and Defense Affairs' in P Wesley-Smith & A Chen, eds., *The Basic Law and Hong Kong's Future* (Hong Kong, Singapore, Malaysia: Butterworths, 1988), 248-268.
23. 'Quasi-Institutionalization of the Refugee Problem in Countries of Temporary Refuge' in G J L Coles, ed., *The Promotion, Dissemination and Teaching of Fundamental Human Rights of Refugees* (Geneva: UNHCR, 1982), 91-109.
24. 'Refugees and Displaced Persons: The Hong Kong Experience' in J Patrnoic, ed., *Current Problems in the International Protection of Refugees and Displaced Persons* (San Remo: Institute of Humanitarian Law, 1981), 96-105.

### C. Articles in Refereed Journals

25. 'China, Hong Kong, and International Law: Rethinking Path Dependence' 30 *Michigan State University International Law Review* 443-503 (2022)
26. 'From China's "Political Meritocracy" to "Just Hierarchy": the Elusive Search for a Viable Post-Democratic Governance Regime in the Era of Coronavirus' 8 *European Journal of Comparative Law and Governance* 304-358 (2021)
27. 'The Challenge of COVID-19 and the World Health Organization's Response: The Principal-Agent Model Revisited' 36 *American University International Law Review* 487-565 (2021) [with Dr M Mushkat]
28. 'China's Territorial Disputes: The Ongoing Quest for a Viable Explanatory Framework' 27 *Willamette Journal of International Law and Dispute Resolution* 103-168 (2020)
29. 'Combating Corruption in the "Era of Xi Jinping": a Law and Economics Perspective' 43 *Hastings International and Comparative Law Review* 137-211 (2020) [with Dr M Mushkat]
30. 'Belatedly but Fruitfully, Law Comes to Grips with the Analytical Challenge of Globalisation' 49 *Hong Kong Law Journal* 1141-1165 (2019)
31. 'Economics and International Law: Close Alignment through Greater Analytical Diversity?' 36 *Chinese (Taiwan) Yearbook of International Law and Affairs* 1-55 (2018)
32. 'The Political Economy of Regulating Tobacco in a "Laissez Faire Heaven": The Hong Kong Model' 26 *Tulane Journal of International and Comparative Law* 277-326 (2018) [with Dr M Mushkat]
33. 'The Case for the Case Study Method in International Legal Research' 42 *Journal for Juridical Science* 143-182 (2017)
34. 'China's Multi-Layered Attitude Towards State Sovereignty: Theory, Practice and Broad Implications' 48 *Hong Kong Law Journal* 659-688 (2017)
35. 'Exploring International Environmental Governance Regimes: The Asian Way' 34 *Wisconsin International Law Journal* 585-667 (2017)
36. 'Counterfactual Reasoning: An Effective Component of the International Law Methodological Armor?' 18 *German Law Journal* 59-98 (2017)

37. 'The Political Economy of Constitutional Incrementalism in Hong Kong' 9 *Northwestern Interdisciplinary Law Review* 1-46 (2016) [with Dr M Mushkat]
38. "'Loose" Regionalism and Global Governance: The Association of Southeast Asian Nations (ASEAN) Factor' 17 *Melbourne Journal of International Law* 238-256 (2016)
39. 'The Politico-Economic Context of Special Regional Autonomy: International and Constitutional Law Meets the Hong Kong Predicament' 46 *Hong Kong Law Journal* 287-306 (2016)
40. 'Greater China Constitutes Fertile Ground for 'Building' and 'Testing' Positive International Legal Theory' 20 *UCLA Journal of International Law and Foreign Affairs* 354-390 (2016)
41. 'A New Turning Point in the Study of International Legal Compliance in China and Elsewhere' 45 *Hong Kong Law Journal* 157-187 (2015)
42. 'Reconfiguring China's Environmental Governance Regime: A Highly Complicated and Decidedly Uneven Journey' 2 *Journal of International and Comparative Law* 29-59 (2015)
43. 'The Political Economy of Regulating Competition in a Challenged Global Metropolis: The Hong Kong Blueprint' 40 *North Carolina Journal of International Law and Commercial Regulation* 293-353 (2015) [with Dr M Mushkat]
44. 'Killing the Proverbial Two Birds with One Stone: New Ways to Expand the Comparative Law Methodological Repertoire and Enhance the Effectiveness of Inter-Jurisdictional Environmental Governance Regimes' 6 *Trade, Law & Development* 229-287 (2014)
45. 'The Intricacies of Implementing International Law: A Juxtaposition of Theories with the Actualities of the Sino-British Joint Declaration Regarding the Future of Hong Kong' 31 *Chinese (Taiwan) Yearbook of International Law and Affairs* 1-65 (2014)
46. 'Assessing a Key Facet of the Rule of Law in Post-1997 Hong Kong' 2 *Journal of International and Comparative Law* 313-326 (2014)
47. 'The Anatomy of China's Human Rights Regime: A Behaviorally-Underpinned Analytical and Evaluative Account' 8 *Vienna Journal of International Constitutional Law* 131-185 (2014)

48. 'Constructivist Constructions of International Environmental Governance Regimes – The Southeast Asian Context' 15 *Melbourne Journal of International Law* 252-270 (2014)
49. 'Crucial Issues and Divergent Pathways in Empirical International Legal Research – Pivotal Questions Stemming from the Complexities of the Delicate Hong Kong-China Relationship' 44 *Hong Kong Law Journal* 231-246 (2014)
50. 'Conceptions of Sovereignty and Identity Economics: A Chinese-Based Exploration' 4 *International Journal of Public Law and Policy* 245-278 (2014)
51. 'Non-Democratic State Learning of Universal Human Rights: Reconfiguring Chinese Patterns' 27 *Temple International & Comparative Law Journal* 63-110 (2013)
52. 'Transboundary Risk Governance: An Asian-Centered Analytical Recalibration' 40 *Syracuse Journal of International Law and Commerce* 319-378 (2013)
53. 'Wither the Two-Level Game Model of International Legal Compliance? A Chinese Roadmap' 3 *International Journal of Public Law and Policy* 178-209 (2013)
54. 'Creating Regional Environmental Governance Regimes: The Implications of Southeast Asian Responses to Transboundary Haze Pollution' 4 *Washington & Lee Journal of Energy, Climate and the Environment* 103-160 (2013)
55. 'Chinese Border Disputes Revisited: Toward a Better Interdisciplinary Synthesis' 12 *Richmond Journal of Global Law and Business* 45-89 (2012)
56. 'The Political Economy of China's Regulatory State: A Reappraisal' 27 *BYU Journal of Public Law* 101-139 (2012) [with Dr M Mushkat]
57. 'International Legal Compliance as a Rational Act: Theoretical Extensions and Chinese Realities' 20 *Transnational Law & Contemporary Problems Journal* 634-676 (2012)
58. 'The Political Economy of Corruption in China: The Principal-Agent Dimension' 2 *International Journal of Public Law and Policy* 263-286 (2012) [with Dr M Mushkat]
59. 'China's Compliance with International law: What Has Been Learned and the Gaps Remaining' 20 *Pacific Rim Law & Policy Journal* 41-69 (2011)
60. 'The Political Economy of State Accession to International Legal Regimes: A Reassessment of the China-World Trade Organization Nexus' 10 *Journal of International Trade Law and Policy* 5-28 (2011) [with Dr M Mushkat]



61. 'Assessing the Effectiveness of Environmental Governance Regimes: Remaining Gaps' 12 *Interdisciplinary Environmental Review* 166-189 (2011) [with Dr M Mushkat]
62. 'The Development of Environmental Governance Regimes: A Chinese-Inspired Reconstruction' 2 *Washington & Lee Journal of Energy, Climate, and the Environment* 1-49 (2011)
63. 'The Dynamics of International Legal Regime Formation: The Sino-British Joint Declaration on the Question of Hong Kong Revisited' 22 *European Journal of International Law* 1119-1144 (2011)
64. 'The Dynamics of International Legal Regime Formation: The Sino-British Joint Declaration on the Question of Hong Kong Revisited: A Rejoinder to Kevin Tan' 22 *European Journal of International Law* 1149-1152 (2011)
65. 'Regime Transformation and Environmental Policy Innovation in China' 12 *Interdisciplinary Environmental Review* 349-371 (2011) [with Dr M Mushkat]
66. 'State Reputation and Compliance with International Law: Looking Through a Chinese Lens' 10 *Chinese Journal of International Law* 703-737 (2011)
67. 'Compliance with International Environmental Regimes: Chinese Lessons' 34 *William & Mary Environmental Law & Policy Review* 493-542 (2010)
68. 'Corporate Social Responsibility, International Law and Business Economics: Convergences and Divergences' 12 *Oregon International Law Review* 55-76 (2010)
69. 'The Economics of Environmental Policy Implementation: Chinese Insights' 53(1) *Economics and Policy of Energy and the Environment* 105-127 (2010) [with Dr M Mushkat]
70. 'The Political Economy of Hong Kong's Transboundary Pollution: The Challenge of Effective Governance' 9 *Journal of International Trade Law and Policy* 175-192 (2010) [with Dr M Mushkat].\*  
\*Chosen as an "Outstanding Paper Award Winner" at the Emerald Press Literati Network Awards for Excellence 2011.
71. 'Environmental Governance in China: Taking Policy Instruments Seriously' 53(2) *Economics and Policy of Energy and the Environment* 85-101 (2010) [with Dr M Mushkat]

72. 'The Economic Dimension of the Hong Kong Basic Law: An Analytical Overview' 7 *New Zealand journal of Public and International Law* 273-316 (2009) [with Dr M Mushkat]
73. 'Contextualizing Environmental Human Rights: A Relativist Perspective' 26 *Pace Environmental Law Review* 119-177 (2009). *Reprinted in* Dinah L Shelton, ed., *Human Rights and the Environment* (Edward Elgar Publishers, 2011)
74. 'The Political Economy of Chinese "Federalism": New Analytical Directions' 38 *Global Economic Review* 13-28 (2009) [With Dr M Mushkat]
75. 'The Political Economy of Hong Kong's "Open Skies" Legal Regime: An Empirical and Theoretical Exploration' 10 *San Diego International Law Journal* 381-438 (2009) [With Dr M Mushkat]
76. 'Incomplete Internationalization and Compliance with Human Rights Law: A Reply to Ryan Goodman and Derek Jinks' 20 *The European Journal of International Law* 437-442 (2009).
77. 'The Anatomy of Corruption in China: A Political Economy Perspective' 7 *International Journal of Civil Society Law* 78-86 (2009) [with Dr M Mushkat]
78. 'The Institutional Foundations of Environmental Governance Regimes: The Implications of Chinese Practices' 9 *International Journal of Regulation and Governance* 99-120 (2009) [with Dr M Mushkat]
79. 'Dissecting International Legal Compliance: An Unfinished Odyssey' 38 *Denver Journal of International Law & Policy* 161-191 (2009)
80. 'The Allocation of Ultra Scarce Property Rights in Hong Kong – A Policy Evaluation' 39 *International Quarterly for Asian Studies* 137-161 (2008) [With Dr M Mushkat].
81. 'Implementing Environmental Law in Transitional Settings: The Chinese Experience' 18 *University of Southern California Interdisciplinary Law Journal* 45-94 (2008).
82. 'The Political Economy of Sovereignty Revisited: A Re-Examination of the Public Choice Model in Light of China's Accession to the World Trade Organization' 7 *Asper Review of International Business and Trade Law* 115-149 (2007) [With Dr M Mushkat]

83. 'The Political Economy of Loose Regulation: Modernity Meets Tradition in Hong Kong' 7 *International Journal of Regulation and Governance* 101-145 (2007) [With Dr M Mushkat]
84. 'Political Economy of Governance and Public Trust: The Promise of Autonomy and Post-1997 Hong Kong Inertia' 37 *International Quarterly for Asian Studies* 87-117 (2006) [With Dr M Mushkat]
85. 'Hong Kong's Exercise of External Autonomy: A Multi-Faceted Appraisal' 55 *International & Comparative Law Quarterly* 945-962 (2006)
86. 'The Transfer of Property Rights from the Public to the Private Sector in Hong Kong: A Critical Assessment' 35 *Global Economic Review* 445-461 (2006) [With Dr M Mushkat]
87. 'The Political Economy of Constitutional Reform in an Externally-Constrained Environment: China's Shadow Over Hong Kong and Strategies to Minimize It' 30 *Journal of Malaysian and Comparative Law* 15-36 (2003; published in 2005) [with Dr M Mushkat]
88. 'International Law and Game Theory: A Marriage of Convenience or Strange Bedfellows?' 2 *New Zealand Yearbook of International Law* 101-126 (2005) [With Dr M Mushkat]
89. 'The Political Economy of Recasting the Constitutional Debate in Hong Kong' 19 *International Journal of Applied Philosophy* 63-72 (2005) [With Dr M Mushkat]
90. 'Conversationalism, Constitutional Economics and Bicameralism: Strategies for Political Reform in Hong Kong' 13 *Asian Journal of Political Science* 22-49 (2005) [with Dr M Mushkat]
91. 'Economic Growth, Democracy, The Rule of Law, and China's Future' 29 *Fordham International Law Journal* 229-259 (2005) [with Dr M Mushkat]
92. 'The Political Economy of Non-Majoritarian Institutions: Constitutional Implications for Hong Kong' 19 *Journal of East Asian Affairs* 143-164 (2005) [with Dr M Mushkat]
93. 'The Political Economy of International Legal Compliance: Pre-1997 Predictions and post-1997 Realities in Hong Kong' 10 *U.C. Davis Journal of International Law & Policy* 501-518 (2004) [with Dr M Mushkat]

94. 'The Political Economy of Constitutional Conflict in Hong Kong' 11 *Tilburg Foreign Law Review* 756-781 (2004) [with Dr M Mushkat].
95. 'Globalization and the International Environmental Legal Response: The Asia Context' 4 *Asian-Pacific Law & Policy Journal* 49-81 (2003).
96. 'Potential Impacts of China's WTO Accession on its Approach to the Trade-Environment Balancing Act' 2 *Chinese Journal of International Law*, 227-264 (2003).
97. 'Public Participation in Environmental Law Making: A Comment on the International Legal Framework and the Asia-Pacific Perspective' 1 *Chinese Journal of International Law* 185-224 (2002).
98. 'Culture and International Law: Universalism v. Relativism' 6 *Singapore Journal of International and Comparative Law*, 1028-1042 (2002).
99. 'International Law in HKSAR Courts' 28 *California Western International Law Journal* 353-377 (1998).
100. 'The "Non-Recognition" of Hong Kong by US Federal Courts' 6 *Asia Pacific Law Review* 45-52 (1998).
101. 'The Future of Hong Kong's International Legal Personality: Does International Law Matter? A Post-Handover Snapshot' 22 *Southern Illinois University Law Journal* 275-292 (1998).
102. 'Hong Kong and the Succession of Treaties' 46 *The International and Comparative Law Quarterly* 181-201 (1997).
103. 'Scrapping Hong Kong Legislation: An International Law perspective' 27 *Hong Kong Law Journal* 12-15 (1997)
104. 'The Joint Declaration and the CFA Agreement' 26 *Hong Kong Law Journal* 277-280 (1996).
105. 'Mandatory Repatriation of Asylum Seekers: Is the Legal Norm of *Non-Refoulement* "Dead"?' 25 *Hong Kong Law Journal* 42-51 (1995).
106. 'The International Legal Personality of Macao' 24 *Hong Kong Law Journal* 328-341 (1994).

107. 'Environmental Problems and Policy Response in Hong Kong: An Evaluation from an International Legal Perspective' 2 *Asian Yearbook of International Law* 1992 113-126 (1994).
108. 'Environmental Sustainability – A Perspective from the Asia-Pacific Region' 27 *UBC Law Review* 153-187 (1993).
109. 'The Relationship between Environment and Trade: An Asian Pacific Perspective' 8 *Foreign Relations Journal* 63-74 (1993).
110. 'Implementation of the Comprehensive Plan of Action [CPA] in Hong Kong: Does it Measure Up to International Standards?' 5 *International Journal of Refugee Law* 559-579 (1993).
111. 'Balancing Western Legal Concepts, Asian Attitudes and Practical Difficulties – A Critical Examination of Hong Kong's Response to the Refugee Problem' 1 *Asian Yearbook of International Law* 1991 45-112 (1993).
112. 'Jurisdictional Issues in a "Highly Autonomous Region" – the Case of Hong Kong' 42 *International and Comparative Law Quarterly* 11-47 (1993).
113. 'Hong Kong as an International Legal Person' 6 *Emory International Law Review* 105-170 (1992).
114. 'The Trees, the Bees and the Factories (Hong Kong's Environmental Protection in Light of International Environmental Law)' *The Lawyer* 32-36 (1990).
115. 'British/Hong Kong Nationality – Discrimination or Another Example of Political Pragmatism?' 30 *International Problems, Society and Politics* 49-58 (1991).
116. 'The Daya Bay Nuclear Plant Project in the Light of International Environmental Law' *UCLA Pacific Basin Law Journal* 87-113 (1990).
117. 'International Environmental Law in the Asia-Pacific Region: Recent Developments' 20 *California Western International Law Journal* 21-40 (1989).
118. 'Refuge in Hong Kong' 4 *International Journal of Refugee Law* 449-480 (1989).
119. 'When War May Justifiably Be Waged? An Analysis of Historical and Contemporary Legal Perspectives' 15 *Brooklyn Journal of International Law* 1-93 (1989).

120. 'Jus in Bello Revisited' 21 *Comparative and International Law Journal of Southern Africa* 1-51 (1988).
121. 'Legal Education as Hierarchical Reinforcement: A Critique of Duncan Kennedy's View of Legal Training' 45 *International Review of the Philosophy of Law* 132-137 (1988).
122. 'How Useful is the Concept of Just War in International Law?' 66 *Revue de Droit International de Sciences Diplomatiques et Politiques (The International Law Review)* 163-190 (1988).
123. 'Is War Ever Justifiable? A Comparative Survey' 9 *Loyola of Los Angeles International and Comparative Law Journal* 227-317 (1987).
124. 'Who May Wage War? A Re-examination of an Old/New Question' 2 *American University Journal of International Law and Policy* 97-151 (1987).
125. 'A Comparative Study of the Internal Application of Treaties: A Critique' 15 *Korean Journal of Comparative Law* 178-185 (1987).
126. 'The International Legal Status of Hong Kong under Post-Transitional Rule' 10 *Houston Journal of International Law* 1-24 (1987).
127. 'The Transition from British to Chinese Rule in Hong Kong: A Discussion of Some Salient International Legal Issues' 14 *Denver Journal of International Law and Policy* 171-206 (1986).
128. 'Freedom as a Common Access Good in Legal Analysis' 37 *Archives of the Philosophy of Law* 321-331 (1986) [with Dr M Mushkat].
129. 'Human Rights Under Temporary Refuge' 62 *Revue de Droit International de Science Diplomatiques et Politiques (The International Law Review)* 169-183 (1984).
130. 'The Prisoner's Dilemma as an Instrument of Social Control' 10 *Philosophy and Social Action: An Interdisciplinary – International Quarterly of Concerned Philosophers for Social Action* 145-152 (1984) [with Dr M Mushkat].
131. 'The Legal Coordination Problem' 61 *International Review of the Philosophy of Law* 638-646 (1984) [with Dr M Mushkat].
132. 'Hong Kong as a Country of Temporary Refuge – An Interim Analysis' 12 *Hong Kong Law Journal* 157-178 (1982).

133. 'Balancing Freedom of Expression and Public Order in Hong Kong' 11 *Hong Kong Law Journal* 62-75 (1981).
134. 'Public Order (Amendment) Ordinance', a legislative note 11 *Hong Kong Law Journal* 117-119 (1981).
135. 'The Growing Use of Statistical Analysis in Judicial Decision-Making: An overview' 8 *Journal of Malaysian and Comparative Law* 121-145 (1981). Reprinted in 28 *Far Eastern Law Review* 37-58 [with Dr M Mushkat].
136. 'Refugees in Hong Kong: Legal Provisions and Policies' 10 *Hong Kong Law Journal* 169-181 (1980).
137. 'Technical Impediments on the Way to a Universal Definition of International Terrorism' 20 *Indian Journal of International Law* 448-471 (1980).
138. 'Action against International Terrorism' 3 *New Zealand International Review* 21-25 (1978).
139. 'The Geneva Convention of 1949 in Light of the Military Occupation of Territories Held by Israel – Some Observations' 12 *International Problems* 29-34 (1973)
140. 'Interstate Behavior During an International Crisis: Structural Analysis of the Situation in the Middle East in 1967' 10 *International Problems* 46-56 (1971).

#### **Book Reviews/Review Articles**

141. Philippe Sands, ed., *Greening International Law* (Earthscan Publications, 1993) 27 *Development and Change* 184-185 (1996).
142. E Beyerly, *Public International Law. A Guide to Information Sources* (Mansell, 1990) *Australian Library Review Reviews Supplement* 202-3 (1992).
143. L Henkin, et al., *Right v Might: International Law and the Use of Force* (Council on Foreign Relations, 1991) 1 *Asia Pacific Law Review* 126-131 (1992).
144. Y Dinstein, *Models of Autonomy* (Transaction Books, 1981) 16 *Hong Kong Law Journal* 166-174 (1986).
145. J G Merrills, *International Dispute Settlement* (Sweet & Maxwell, 1984) 15 *Hong Kong Law Journal* 126-132 (1985).

146. G S Goodwin-Gill, *The Refugee in International Law* (Clarendon Press, 1983) 14 *Hong Kong Law Journal* 282-288 (1984).

147. E Kamenka & A Erh-Soon Tay, eds., *Human Rights* (Edward Arnold, 1979) 11 *Hong Kong Law Journal* 282-288 (1981).

148. Kamenka & A Erh-Soon Tay, eds., *Justice* (Edward Arnold, 1979) 10 *Hong Kong Law Journal* 252-256 (1980).

### **Newspaper Articles**

149. 'Judge Failed to Recognize Territory's Autonomy' *South China Morning Post*, 24 January 1997.

150. 'The Wrong Course Over the Bill of Rights' *South China Morning Post*, 30 January 1997.

151. 'A Viable Opposition will be Needed' *International Herald Tribune*, 27 June 1997.

152. 'Rethinking in Legal Terms' *Hong Kong Standard*, 2 December 1996.

153. 'Clearing Up a Few Nationality Technicalities' *South China Morning Post*, 9 December 1996.

154. 'Nationality Law Outside Scope of Human Rights Court' *South China Morning Post*, 27 October 1981.

155. 'When Politics Shield Criminals' *South China Morning Post*, 16 November 1978.

156. 'Lawmakers, not the Law to Blame' *South China Morning Post*, 8 December 1978.

157. 'Policemen in the Wrong Court' *South China Morning Post*, 14 December 1978.

### **Other Publications (On-line, Occasional Papers, etc)**

158. [with Kelley Loper], *Refugee Protection in the Asia and Pacific Region – An External Study of Refugee Law & Practice in Hong Kong* prepared for UNHCR Sub-Office Hong Kong, February 2005.

159. [with J Tang, et al.] *Positioning Hong Kong as "Asia's World city": A Multi-Dimensional Strategy -- A Consultancy Study on Hong Kong's External Relations Strategy for the Central Planning Unit, the Hong Kong Special Administrative Region Government*



(Hong Kong: The Institute for China and Global Development, The University of Hong Kong, June 2003).

160. *'Fair Trial' as a Precondition to Rendition: An International Legal Perspective* (Hong Kong: Centre for Comparative and Public Law, Faculty of Law, University of Hong Kong, July 2002).

161. 'Global Order and Regional Order - What Order?' (August 2001), <http://www.isanet.org/paperarchive.htm>.

### **Unpublished Theses**

- 1 *The Concept of Just War in International Law*, LL.D thesis, Faculty of Law, University of South Africa, 1987, 714pp.
- 2 *Defining International Terrorism: Problems and Prospects*, LL.M thesis, Faculty of Law, Victoria University of Wellington, 1977, 193pp.
- 3 *Legal Provisions Concerning Military Occupation as Applied by Israel Since 1967*, Postgraduate Diploma in International Law thesis, Faculty of Law, University of Manchester, 1973, 155pp.

### **RESEARCH FUNDING**

Research Grants Council Hong Kong, HK\$55,882 for a project entitled "The External Relations of the HKSAR" (2004/2005)

UNHCR, HK\$50,000 to conduct a Study of Refugee Law & Practice in Hong Kong (2005)

### **CONFERENCE PAPERS**

See combined [chronological] list of **Conferences/Lectures** below  
**Conferences/Lectures**

- 1 Attended the Round Table of Asian Experts on Current Problems in the International Protection of Refugees and Displaced Persons (Manila, Philippines, 14-18 April 1980) and presented a paper on the 'Hong Kong Experience in Managing the Indo-Chinese Refugee Problem'.
- 2 Sponsored by the US Agency for International Development to attend the International Human Rights Teaching Institute (Columbia University, 28 July – 1 August 1980). Reported on Human Rights Issues in Hong Kong.

- 3 Attended the UNHCR/UNESCO/UNU Symposium on the Promotion, Dissemination and Teaching of Fundamental Human Rights of Refugees (Tokyo, 7-11 December 1981).
- 4 Lectured on 'Recent Developments in International Refugee Law' at the Refugee Law Course, International Institute on Humanitarian Law (San Remo, 22 November – 4 December 1982).
- 5 Attended the '10th Round Table on Current Problems of International Humanitarian Law' held in San Remo, Italy 17-20 September 1984, and took part in a Working Committee on 'The Treatment of Refugees, with Particular Reference to the Problem of Detention'.
- 6 Lectured on 'The future of Hong Kong and International Law' at the University of Santa Clara Law School Summer Program, June 1985.
- 7 Acted as a discussant in a Symposium on Chinese and European Concepts of Law, organized by the Centre for Contemporary Asian Studies, The Chinese University of Hong Kong, Hong Kong, 20-25 March 1986).
- 8 Attended the 80<sup>th</sup> Annual Meeting of the American Society of International Law held in Washington, D.C., USA, 2-9 April 1986.
- 9 Lectured on 'Non-State Entities and the Just War Doctrine' at the Israeli Institute of International Affairs, Tel Aviv, 26 July 1986.
- 10 Attended the 81<sup>st</sup> Annual Meeting of the American society of International Law held in Boston, USA, 8-11 April 1987.
- 11 Lectured on 'Legal Considerations Relating to Foreign Investments: Environmental Policy' and on 'Hong Kong and International Law' at the University of Santa Clara Summer Program, June-July 1987.
- 12 Attended the 13<sup>th</sup> Conference on the Law of the World, held in Seoul, Korea, 6-11 September 1987 and presented a paper on 'International Environmental Law: the Case of the Daya Bay Nuclear Plant'.
- 13 Attended an international conference on 'The Global Environment: An International Challenge' held in Denver, Colorado, 30 March – 2 April 1988, and presented a paper on 'The China syndrome: The Daya Bay Nuclear Plant Project in the Light of International Environmental Law'.
- 14 Lectured on 'International Environmental Law: Transboundary Harm – the Daya Bay Nuclear Plant' and 'the Future of Hong Kong in the International Legal

- Arena' at the University of Hong Kong/Santa Clara Summer Program June-July 1988.
- 15 Attended the Pacific Region and International Law [Inaugural] Conference on 'Regional Cooperation and International Law' held in Hong Kong & Beijing, China, 12-22 July 1988.
  - 16 Attended the Pacific Region and International Law Conference on 'International Law Relating to Fisheries in the Asian Pacific Region' held in Fukuoka, Japan, 10-13 July 1989, and presented a paper on 'International Environmental Law in the Asian-Pacific Region'.
  - 17 Attended the Pacific Region and International Law Conference on 'International Law and Refugees in the Asia-Pacific Region' held in Melbourne, Australia, 17-19 August 1990, and presented a paper on 'Balancing Western Legal Concepts, Asian Attitudes and Practical Difficulties – a Hong Kong Perspective'. Also presented a Report on 'International Environmental Law in the Asia-Pacific Region: An Update'.
  - 18 Attended the Canada-Hong Kong Workshop in International Law, held in Hong Kong on 26 June 1991, and presented a paper on 'Hong Kong's International Personality – Issues and Implications'.
  - 19 Attended the Pacific Region and International Law Conference on 'Teaching International Law in the Asia-Pacific Region' held in Seoul, Korea, 1-3 November 1991, and presented a paper on 'Teaching International Law in Hong Kong'.
  - 20 Attended the Pacific Region and International Law Conference on 'Environmental Sustainability in East Asia' held in Vancouver, Canada, 23-25 August 1992, and presented a paper on 'Environmental sustainability – A Perspective from the Asian-Pacific Region'.
  - 21 Attended the Colloquium on the Comprehensive Plan of Action, held in Quezon City, Philippines on 25-28 October 1992; Lead a 'Country Group Session on Hong Kong's Compliance with International Standards Regarding the Treatment of Refugees'; Participated in a discussion of Group Leaders on the Working of the CPA from a Country Perspective; Contributed to Final Recommendations of the Colloquium.
  - 22 Acted as an Expert Witness on the 'International/Legal Status of Hong Kong' in extradition proceedings before the Ontario Court of Justice (General Division), Toronto, Canada on 7-9 December 1992.

- 23 Attended an international conference on 'Chartering Human Rights' held in the Hebrew University of Jerusalem, Israel on 20-23 December 1992.
- 24 Lectured on 'Nationality and Territoriality' to students of M.A in Comparative Asian Studies, University of Hong Kong, and offered a critique on paper presented, 27 February 1993.
- 25 Participated in a workshop of Expert Analysts on 'Reconceiving Refugee Law as Human Rights Protection' held at the Centre for Refugee Studies, York University, Toronto, Canada, 17-21 June 1993; Presented a critique on 'The Continuing Requirement of Alienage as a Criterion for Eligibility for Refugee Status'.
- 26 Attended the Pacific Region and International Law Conference on 'Regional Trade Groups and the Pacific Region' held in Fukuoka & Imari, Japan, 8-11 July 1993; Presented a paper on 'The Environment/Trade Relationship as Seen from the Asia-Pacific Region'.
- 27 Attended the XVI World Law Conference on 'Law in a Changing World' held in Manila, Philippines, 24-29 October 1993; Presented a paper on 'The Relationship Between Environment and Trade: An Asian Pacific Perspective'.
- 28 Participated in an 'International Legal Colloquium on War Crimes' held in Tel Aviv University, Tel Aviv, Israel, 27-29 December 1993.
- 29 Attended an international conference on 'Enforcing Environmental Laws: New Approaches to Safeguard Mankind's Ecological Future' held in the Cegla Institute for Comparative and Private International Law, Tel Aviv University, Tel Aviv, 28-30 December 1993; Presented a paper on 'Enforcing International Environmental Law in the Asia-Pacific Region'.
- 30 Delivered the Inaugural Lecture of the Institute of International and Comparative Law of Macao on the topic of 'Can Macao Legitimately Claim to Have a "Hong Kong-type" International Legal Personality?' Macao, 5 March 1994.
- 31 Participated in the teaching of a 'Summer Course on Refugee Issues' organized by the Centre for Refugee Studies, York University, Toronto, Canada (22-29 June 1994).
- 32 Participated in 'The Internationalization of Hong Kong Workshop' held at the Centre for Asian Studies, University of Hong Kong, 4 March 1995; Presented a paper on 'The Legal Dimension'.

- 33 Participated in an International Meeting 'Toward the Reformulation of International Refugee Law' held at the Centre for Refugee Studies, York University, Toronto, 18-21 May 1995; Chaired a workshop and presented a critique on 'Fiscal Burden-Sharing'.
- 34 Taught a course on 'International Environmental Law' in the summer program of the Asia-America Institute in Transnational Law, Duke University School of Law/HKU Faculty of Law, Hong Kong, July 1995.
- 35 Participant in an international E-discussion group on the 'Reformulation of International Refugee Law [[REFORM-L@YORKU.CA](mailto:REFORM-L@YORKU.CA)] since April 1996; Provided commentary on 'Common but Differentiated Responsibility. A Model for Enhance International Refugee Protection Within Interest Convergence Groups' (12 April 1996).
- 36 Participated in the 67<sup>th</sup> Conference of the International Law Association, held in Helsinki, Finland, 12-17 August 1996.
- 37 Participated in the 'International Conference on Hong Kong in Transition: Political Order, International Relations and Crisis Management' held in Lingnan College, New Territories, Hong Kong, 18-19 September 1996; Presented a paper on 'Managing the Transfer of Sovereignty Over Hong Kong: The Case for Continuity of Treaties with Particular Reference to Treaties in the Areas of Diplomatic Relations, Refugees and Environmental Protection'.
- 38 Attended the 1998 Annual Meeting of the American Law Schools Association on 'Thinking and Teaching About Law in a Global context as an Exercise in Common enterprise' held in San Francisco, California, US, 6-10 January 1998; Acted as a panelist in a session on 'Hong Kong's Future: Does International Law Matter?' and presented a paper entitled 'The Future of Hong Kong's International Legal Personality: Does International Law Matter? A Post-Handover Snapshot'.
- 39 Participated in the 68<sup>th</sup> Conference of the International Law Association, held in Taipei, Taiwan, 24-30 May 1998.
- 40 Participated in the Annual Meeting of the Chinese Society of International Law held in Taipei, Taiwan, 30 May 1998, and offered a critique of a paper by James C Hsiung, entitled 'The Paradox of Hong Kong as a Non-Sovereign International Actor'.

- 41 Taught a course on 'International Legal Aspects of Hong Kong as a Special Administrative Region' in the Dispute Resolution Summer Program 1998 at the University of Victoria, BC, Canada, 29 June – 10 July 1998.
- 42 Presented a paper on 'International Legal Principles of Jurisdiction and Rendition' at the Bottom Line Drafting Committee on Jurisdiction & Rendition, Hong Kong, 14 December 1998.
- 43 Presented a paper on 'The Pinochet Case: The Broader Picture – "Globalization" of Justice and a "New Dawn" for International Law' at a Panel Discussion on 'Augusto Pinochet and the Pursuit of Justice for Violation of Human Rights: Implications for International Law and Hong Kong', jointly organized by the ILA (HK Chapter) and the Centre for Comparative & Public Law, Faculty of Law, University of Hong Kong (Hong Kong, 24 April 1999).
- 44 Presented a paper on 'NATO Intervention – A Just War Analysis' at a Panel Discussion on 'Milosevic's War, NATO Bombs, and Innocent Victims: International Legal Issues', jointly organized by the ILA (HK Chapter) and the Centre for Comparative & Public Law, Faculty of Law, University of Hong Kong (Hong Kong, 26 May 1999).
- 45 Chaired a Working Session at an international conference organized by the University of Hong Kong, Faculty of Law and the Asian Institute of International Financial Law, on 'Challenges of the New International Financial Architecture: Lessons for East Asia' held in Hong Kong, 4-5 June 1999.
- 46 Participated in the Regional Latin American Conference of the International Law Association on 'MERCOSUL, Human Rights and Sustainable Development,' held in Sao Paulo, Brazil, 25-28 July 1999; and presented a paper entitled 'Sustainable Development: A View from the Special Administrative Region of the People's Republic of China.'
- 47 Conducted a seminar on 'Aspects of International Environmental Law in the Asian Context,' at the Institute of Advanced Legal Studies, London, on 17 November 1999.
- 48 Attended the International Law Association 2000 Conference, held in London, UK, 25-29 July 2000; and made a short presentation at the Working Session of the ILA Committee on Sustainable Development [see *Report of the Sixty-Ninth Conference* (London: ILA, 2000), p 708].

- 49 Participated in a Justice Forum on 'Rendition: Should Fair Trial Be the Bottom Line?' held in Hong Kong, 17 March 2001; and presented a paper on "'Fair Trial" as a Precondition to Rendition: An International Legal Perspective.'
- 50 Participated in the International Studies Association Meeting on 'Globalization and its Challenges in the 21<sup>st</sup> Century' held in Hong Kong, 26-28 July 2001 as a Discussant in a Panel on 'Global Order and Regional Order in the Age of Globalization;' and presented a paper on 'Global Order and Regional Order - What Order?'
- 51 Took part in a Talk on Current Legal Controversies organized by the Faculty of Law, University of Hong Kong on 12 October 2001; and offered a presentation on 'The War Against Terrorism: What Law Got to Do with It - the Military Option.'
- 52 Chaired the session on 'The Place of Hong Kong in International Criminal Justice' at a 'Conference on International Criminal Justice,' held in Hong Kong on 6 March 2002, jointly organized by the Faculty of Law, the University of Hong Kong and the Department of Justice, HKSAR.
- 53 Attended the International Law Association 2002 Conference, held in New Delhi, India, 2-6 April 2002 and made a short presentation at the Working Session of the ILA Committee on Legal Aspects of Sustainable Development [see *Report of the Seventieth Conference* (London: ILA, 2002), p 405]
- 54 Participated in a World Jurist Association 'Immigration and Environmental Conference, held in Warsaw on 17-18 June 2002; and presented a paper on 'The Effects of Globalization on the Implementation of International Environmental Law: An Asian Pacific Perspective.' Also acted as the overall Rapporteur for the Panel on 'Legal Problems of Environmental Protection.'
- 55 Participated in a conference on 'Comparative conceptions of the Rule of Law in Asia,' held at the University of Hong Kong, 20-21 June 2002.
- 56 Presented a paper on 'International Law and Bush's War Against Iraq' at a Master of International Relations and Public Affairs Program, University of Hong Kong, Department of Politics and Public Administration, on 7 September 2002.
- 57 Participated in the Beijing U - HK Legal Research Centre Conference on 'Chinese Legal System After the WTO Accession: Developments in the Mainland and HK' and presented a paper entitled *Potential Impact of China's WTO Accession on its Approach to the Trade-Environment Balancing Act* held in Beijing from 11-12 October 2002.

- 58 Participated in a Workshop jointly organized by the Department of Politics & Public Administration and the Department of Law, University of Hong Kong on 21 March 2003 and presented a paper entitled *Iraq War: A Just or Unjust War?*
- 59 Lectured on 'A Human Rights-Based approach to Environmental Protection' in the LLM (Human Rights) program, Faculty of Law, University of Hong Kong, 16 April 2004.
- 60 Lectured on 'International Environmental Law: General Principles and Concepts' in the Planning and Environmental Law Course, Faculty of Law, University of Hong Kong, 19 April 2004.
- 61 Participated and chaired a session in a conference on 'Human Rights in Asia, France and the United States of America: A Comparative Empirical Study of Values, Institutions, and Procedures' held at the University of Hong Kong and City University of Hong Kong, 14-15 May 2004.
- 62 Participated in a conference on 'The Role of Law in a Developing Asia' organized by the Asian Law Institute, Singapore, 27-28 May 2004; chaired a session on 'Constitutional Law and Reform in Asia'; and presented a paper on 'The Political Economy of Constitutional Conflict in Hong Kong.'
- 63 Lectured on 'A Human Rights-Based Approach to Environmental Protection' in a Summer Course on Human Rights in Asia for NGOs, held at the University of Hong Kong, 31 May - 4 June 2004.
- 64 Lectured on 'The Implementation of Salient Principles of International Environmental Law in Hong Kong' in the Planning and Environmental Law Course, Faculty of Law, 19 November 2004.
- 65 Presented a paper on 'The Political Economy of International Legal Compliance: Theory Versus [Case Based] Reality' at a staff seminar of the Faculty of Law, Monash University, Melbourne, Australia on 24 November 2004.
- 66 Attended the 6<sup>th</sup> East Asian Conference on Philosophy of Law on 'East Asian in the New Century: Democracy, Human Rights and the Diversity of Legal Cultures' held in Taipei, 26-27 March 2006; and presented a paper on 'The Prospects for Democracy and the Rule of Law in China.'
- 67 Participated in the 72<sup>nd</sup> Biennial Conference of the International Law Association held in Toronto, Canada, 4-8 June 2006, including as an invited/appointed member of a newly established ILA Study Group on UN Reform.



- 68 Conducted a seminar on 'The Prospects for Democracy and the Rule of Law in China,' as part of the Seminar Series at the Brunel University Centre for Public and International Law, 8 November 2006.
- 69 Attended the 2007 Conference of the Law & Society Association on 'Law and Society in the 21<sup>st</sup> Century: Transformations, Resistances, Futures' held in Berlin, Germany, 25-28 July 2007; and presented a paper entitled 'Predicting Authoritarian/Liberal Political Practices within an International Legal Framework: Theory Meets Reality in Hong Kong.'
- 70 Attended the ILA 2008 73<sup>rd</sup> Biennial Conference on 'Law for the Future' held in Rio, Brazil, 17-21 August 2008; and acted as a Moderator in a Panel on 'The Biodiversity Convention, Regional and National Instruments, and Access to Bio Resources; In my capacity as a member of the ILA Study Group on UN Reform, presented an analysis of work undertaken as part of a large-scale project on the reform of key UN institutions.
- 71 Attended the SLS Annual Conference on 'the Impact of Legal Scholarship' held in London, 15-18 September 2008; and presented a paper on 'Rethinking Environmental Human Rights in Light of the Experience of a Very Large, Non-Democratic & Industrializing/Developing Country (China).'
- 72 Attended the BIICL Annual Conference 2008 on 'Climate Change and its Challenges for the International Legal System, held in London, 17 October 2008.
- 73 Attended the XXIV World Congress of Philosophy of Law & Social Philosophy on 'Global Harmony and the Rule of Law', held in Beijing, China from 15-20 September 2009, and presented a paper entitled 'Environmental Human Rights Revisited: The Tension between Universalism and Cultural Relativism in Light of the Chinese Experience'.
- 74 Gave a seminar presentation entitled 'Towards Environmental Human Rights: Modern Normative Theories Meet Chinese Realities' at the Centre for Comparative and Public Law, Faculty of Law, University of Hong Kong, on 12 November 2009.
- 75 Gave a seminar presentation entitled 'Economic Growth, Democracy and the Rule of Law: Analytical Perspectives and Chinese Trends' at Hopkins-Nanjing Centre, Nanjing, China, on 9 November 2011.
- 76 Participated in an international conference on 'From Economic Development to Human Flourishing: The Case of China' and presented a paper entitled

- 'Economic Development, Environmental Preservation and International Policy Learning in China: Venturing Beyond Transnational Legal Process Theory' at the Centre for Chinese Law, Faculty of Law, University of Hong Kong, on 6-7 December 2011.
- 77 Gave a seminar presentation entitled 'An Interdisciplinary Perspective on China's Territorial Conflicts' at Hopkins-Nanjing Centre, Nanjing, China, on 13 December 2012.
- 78 Gave a research seminar presentation on 'Performance of Transboundary Environmental Governance Regimes: Some Southeast and Southern China Lessons' at the Kadoorie Institute, University of Hong Kong, on 25 June 2013.
- 79 Gave a seminar presentation entitled 'Economic Development, Environmental Preservation and International Policy Learning in China' at Hopkins-Nanjing Centre, Nanjing, China on 15 May 2014.
- 80 Participated in the Fifth Biennial Conference of the Asian Society of International Law, held in Bangkok, Thailand from 26 to 27 November 2015 and presented a paper entitled 'Greater China Research has the Potential to Enrich Positive International Legal Theory'.
- 81 Gave a seminar presentation entitled 'Reflections on Constitutional Reform in Hong Kong' at Hopkins-Nanjing Center, Nanjing, China on 20 April 2016.
- 82 Gave a seminar presentation entitled 'Non-Compliance with the Law: Is there a Positive Side?' at Hopkins-Nanjing Center, Nanjing on 11 April 2018.

#### **EXTERNAL ASSESSMENT OF RESEARCH GRANTS APPLICATIONS TO THE HONG KONG RESEARCH GRANTS COUNCIL [2010- ]**

- 'Decentralization in China: A Study of the Three Existing Paradigms of Central-Local Relationships and their Future'
- 'Social Rights Protection of New Mainland Immigrants in Hong Kong'
- 'Space Applications in Disaster Management: Legal and Policy Implications for Mainland China and Hong Kong'
- 'Cleaved International Law: Complementarity and Conflict Between Branches of Public International Law'
- 'Developing Best Practices to Address Poverty, Income Disparity and Social Disadvantage in Hong Kong: Using Frameworks of Substantive Equality and Inter-Sectional Analysis – A Comparative and Multidimensional Approach'

- 'Assessing Ecological Modernization in China: A Longitudinal and Comparative Study of Stakeholder Demands and Corporate Environmental Management Practices'
- 'The Procedural Fairness of Torture Screening Mechanism in Hong Kong'
- 'Enhancing Hong Kong as a Common Law Education Hub for China and Asia: Empirical Evidence and Policy Implications'
- 'Sustaining Hong Kong's Low Rate, Simple Tax System'
- 'Unilateralism, Bilateralism, and Multilateralism in Hong Kong SAR Trade and Investment Relations – The Logic and Consequences of the Triple-Track Strategy'
- 'Hong Kong's New Competition Law Enforcement Strategy and Priority Sectors or Conduct: A Comparative Analysis'
- 'Class Inequality and Social Mobility in Hong Kong of the 21<sup>st</sup> Century: A Comparison of Identity Construction of Baby-boomers, the Post-60-70s, and the Post-80s'
- 'The Faces of "Bare Life": Photovoice Project with Refugees and Asylum-seekers from Africa in Hong Kong'
- 'Constitutional Dialogue in Common Law Asia'
- 'Evaluating the Effectiveness of Institutional Mechanisms for the Advancement of Women in Hong Kong'
- 'The Empirical Study of Shareholder Litigation in Hong Kong'
- 'A Comparative Evaluation of Hong Kong's Legislative Powers to Regulate Trade in Endangered Wild Animals'
- 'Globalization of Water Privatization: Ramifications of Investor-State Disputes in the 'Blue Gold' Economy'
- 'Negotiating a Comprehensive Investment Treaty Regime for China and the EU: A Roadmap of Issues and Drivers'
- 'The Role of the Law in Mitigating Climate Change in Hong Kong and China – Enhancing the Internationalization of Green Energy Investments Law and Disputes'
- 'Western Misperceptions of China's Approach to International Law'
- 'Freedom of Expression, Media Censorship and the Rule of Law in British Hong Kong (1850s-1980s)'
- 'The Constitutional Foundations of Free Markets: Economic Provisions of the Hong Kong Basic Law in Comparative Perspective'
- 'The Language and Ideology of Constitutions: A Computational Linguistics Analysis'
- 'Constitutionality of Demand for Hong Kong Independence – A Comparative and Jurisprudential Study'
- 'Critical Analysis of Judicial Review in Hong Kong'
- Explaining Compliance Behaviors by Motivation and Institutional Theories: Farmers' Compliance with the Pesticide Use Regulations in China'
- 'The (Recognition and) Enforcement of Mainland Judgments in Hong Kong: A Regional Conflict of Laws Study'

- 'Chinese Legal Thought and the World: Reversing the Global Flow of Knowledge'
- 'An Empirical Investigation of the Sliding Scale of Sentence Discounts for Guilty Pleas in Hong Kong'
- 'An Empirical Study of Employment Arbitration in China: The Repeat Player Effect'
- 'An Investigation into Compensable Pollution Damage Caused by Ship-Source Pollution Incidents'
- 'Wars That Save People: A Legal Appraisal of Armed Humanitarian Intervention'
- 'Integrating Considerations for Climate Change Mitigation in Environmental Assessments: Comparative Analysis and Proposal for China'
- 'The Over-Constitutionalization of Private Law'
- 'A Multidisciplinary approach towards Improved Transboundary Water Cooperation on the Yarlong-Tsangpo/Brahmaputra River: The Pivotal Role of China as Upper Riparian in the Development of Regional International Water Law'
- 'Two Tales of legal Mobilization: NGO-led and Procuratorate-led Environmental Public Interest litigation in China'
- 'Order by Design: China in Comparative Constitution-Making'
- 'Priority Access of Renewable Energy to the Grid Network in China: Regulatory Response and Implementation Challenges'
- 'Considerations for Climate Change Mitigation in Environmental Impact Assessments: Common Issues and Innovative Solutions'
- 'Liberating Hong Kong: The Awakening of Freedom of Expression and the Rule of Law in British Hong Kong (1978-1997)'
- 'Reconciliation of Two National Security Regimes Under the Principle of "One Country, Two Systems" – Is It Achievable?'
- 'The Privacy-Public Health Trade-off: Studying Asian financial Centers' Responses to the Covid-19 Pandemic through Digital Contact Tracing and Tracking Mechanisms'
- 'State Ownership of Airlines: Legal and Policy Implications of International Aviation Hubs in Asia'
- 'Legal and Regulatory Pathway of Renewable Energy Integration in China: Comparative and Empirical Perspectives'
- 'Environmental Impact Assessment as a Tool for Climate Change Mitigation: Global Comparative Perspectives'
- 'The Life-Cycle of Data Science and its Impact on Public Governance: An Interdisciplinary and Comparative Perspective'
- 'Phasing Out Coal Along the Belt and Road: Traditional Regulation and Market-based Approaches'

- 'A Critical Assessment of the Potential and Problems of the Application of the Polluter-Pays Principle (PPP) in Controlling Greenhouse Gas (GHG) Emissions from Shipping'
- 'Common law in two voices: A corpus-based multi-framework comparative study of translated and non-translated English judgments in Hong Kong'
- 'An Anatomy of Public Sentiment and Perception towards the Legal System after Hong Kong's Social Upheaval: A Digital Analysis'
- 'The Greater Bay Area Legal Harmonisation: Challenges and Innovations'
- 'Impact of Sea-level Rise on Baselines and Islands: Theoretical and Practical Concerns for the South China Sea Dispute and Disputes in the Asia-Pacific Region'
- Legal and Regulatory Pathway of Renewable Energy Integration in China: Comparative and Empirical Perspectives
- Strategic Cosmopolitanism: LGBT Rights in Hong Kong and Beyond
- Incentivizing Private antitrust Enforced to Promote Leniency Applications: Experimental Evidence

### **TEACHING EXPERIENCE:**

#### **Current:**

Legal Foundations of International Relations  
 International Humanitarian Law  
 International Criminal Law  
 International Environmental Law  
 International Dispute Resolution  
 Corruption and Anti-Corruption Strategies

#### **Subjects Taught previously:**

Public International Law  
 Jurisprudence/Legal Theory  
 International Humanitarian Law  
 Law & Society  
 Constitutional and Administrative Law  
 International Environmental Law  
 International Human Rights Law  
 Conflict of Laws  
 English Legal System and Method  
 Legal Skills

**DISSERTATION SUPERVISION (at LLB, LLM & PHD levels) in the following areas:**

Public International law, International Environmental Law, International Criminal Law, International Dispute Resolution, International Legal Personality, International Legal Compliance, International Humanitarian Law, International Refugee Law, Legal Theory, Comparative Constitutional Law, Law & Society, Economic Analysis of Law

**RECORD OF KEY ACADEMIC ADMINISTRATION ROLES:**

**University of Hong Kong**

1979-80	Faculty & University Higher Degrees Committees (Member)
1980-85	Faculty & University Higher Degrees Committees (Chairperson of FHDC from 1983)
1980-81	Admissions Committee (Member)
1983-84	University Committee on Discontinuation (Member)
1984-85	Review Committee (Member)
1984	Acting Dean, Faculty of Law (July/August)
1985	Acting Dean, Faculty of Law (July/August)
1984-85	Faculty Supervisor of Demonstrators
1985-86	Selection Committee for Demonstratorships (Member)
1984-87	Jessup International Law Mooting Competition Committee (Chairperson); Jessup Administrator/Coach
1985-86	LL.M Committee (member)
1985-86	Advisory Committee on Appointments, Substantiation and Promotion (Member)
1986-87	Planning Group (Triennium 1988-91) (Member)
1986-88	University Board of Academic Awards (Member)
1987	Acting Head, Department of Law (24-28 November; 9-20 December 1987)
1987-88	Advisory Committee on Appointments, Substantiation and Promotion (Member)
1987-88	Third-Year Course Coordinator, Department of Law
1987-88	Deputy Head, Department of Law
1987-89	Faculty Library Committee (Member)
1988	Acting Head, Department of Law (4-8 May; 22 July-22 August 1988)
1989	Acting Head, Department of Law (1-9 December 1989)
1989-90	International Mooting Competitions Committee (Member)
1989-90	organizing Committee, Centre of Asian Studies International Conference on Territorial Claims in the South China Sea
1989-90	Scholarships and Awards Committee (Chairperson)
1991-92	Scholarships and Awards Committee (Member)
1991-94	LL.B Curriculum Committee (Chairperson)
1992-94	International Mooting Competitions Committee (Member)
1994-98	International Mooting Competitions Committee (Chairperson)
1994-96	University Committee on Discontinuation (Member)

1996	Acting Associate Dean (25 January – 30 June 1999)
1996-98	University Committee on Research and Conference Grants (Member)
1996-98	Faculty Research Committee (Member)
1998-00	Faculty Library Committee (Member)
1998-99	Working Party on LLM in Human Rights (Member)
1998-00	University Resources Committee Specialist Panel (Member)
2000-01	Faculty Higher Degrees Committee (Member)
2000-03	International Mooting Competition Committee (Member)
2001-03	University Committee on Research and Conference Grants (Member)
2001-03	Committee on Exchanges and Visits (Member)
2001-02	Director of Research, Department of Law
2002-05	Ex-officio in the following committees:
	Admissions, LLB
	Board of Studies in Social Sciences (Gov & Law)
	Board of Studies in Business & Law
	Continuing Legal Education
	Review Committee
	Faculty Teaching Quality
	Higher Degrees
	International Mooting Competitions
	Legal Referral and Education
	Mooting [internal]
	Outside Funding & External Relations
	Outside Practice
	Faculty Resource Allocation
	Academic Board of the PCLL
	Board of Management, Asian Institute of Financial Law
	Board of Management, ChinaITLawCentre
	University Development Fund Management
	Faculty Working Group on Conversion Courses
2002-05	Board of Management, Centre for Comparative & Public Law
	Board of Management, East Asia Institute of Economic Law
	University Committee on Research and Conference Grants
2003-05	Chairperson, Departmental Research & Postgraduate Committee

### **Brunel University London**

2005-09	Director of Undergraduate Studies, Brunel Law School
	Member, Learning, Teaching & Research Committee, Brunel Law School
	Member, Law Research Ethics Committee
2006-09	Director of the Centre of International & Public Law, Brunel Law School
2009-10	Chair, Research Ethics Committee, Brunel Law School
2008&2009	Independent Chair, Viva Voce for PhD Law student

Roda Mushkat, March 2022