

# 第二届比较法学与世界共同法国际研讨会

## 暨亚洲比较法学会成立大会

——二十一世纪变化中的亚洲法律

### The Second International Conference on Comparative Law and Global Common Law *Asian Law in the 21st Century*

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### Inaugural Meeting of the Asia Academy of Comparative Law

#### Program

**Host:** College of Comparative Law, China University of Political Science and Law

**Date:** September 27 - 28, 2013

**Venue:** Conference Room 1, Beijing Jingyi Hotel

**Language:** Chinese & English

Date	Time	Activities	Chairpersons	Content of the Conference			
27/09	09:00-10:40	Opening Ceremony	Prof. GAO Xiang Dean, College of Comparative Law, China University of Political Science and Law	09:00-09:05 Prof. HUANG Jin President, China University of Political Science and Law			
				09:05-09:15 Prof. CHENG Chia-jui Secretary-General, Asia Academy of International Law Professor & Former Dean, School of Law, Soochow University <i>Introduction of Preparations for the Asia Academy of Comparative Law</i>			
				09:15-09:20 LIU Yang Executive Vice Chairman, China Law Society			
				09:20-09:25 Renaud Sorieul Secretary-General, United Nations Commission of International Trade Law			
				09:25-09:30 Prof. HE Qinhua President, East China University of Political Science and Law			
				09:30-09:35 Rahmat Mohamad Secretary-General, Asian-African Legal Consultative Organization			
				09:35-09:40 Prof. PAN Weita President, Soochow University			
				09:40-09:45 Prof. Alberto Mazzoni President, the UNIDROIT Governing Council			
				09:45-09:50 Prof. John C. Reitz President, The American Society of Comparative Law			
				09:50-09:55 LIU Zhaoxing Chairman, China Law Society Institution of Comparative Law Researcher, Institute of Law, Academy of Social Sciences			
				09:55-10:00 Prof. Yoshiki Kurumisawa Director, Waseda University Institute of Comparative Law			
				10:00-10:05 Tenured Prof. JIANG Ping Former President, China University of Political Science and Law			
				10:05-10:10 Prof. LIU Changmin Director, Information Center, China University of Politics and Law			
				10:10-10:30 Video: "Master of China University of Political Science and Law- Prof. PAN Handian"			
10:30-10:35 Prof. PAN Handian China University of Political Science and Law							
10:40 Group Photograph							
10:50-11:00	Tea Break		Speakers				
11:00-12:30	Session 1 Basic Theories of Comparative Law	Prof. PAN Weita President, Soochow University	Prof. HE Qinhua President, East China University of Political Science and Law <i>The First Complete Practice of Legal Translation in Modern Times in China-Centered on Translation of "International Law" of 1864</i>				
			Prof. Yoshiki Kurumisawa Director, Waseda University Institute of Comparative Law <i>Universality and Context of Law</i>				
			LIU Zhaoxing Chairman, China Law Society Institution of Comparative Law Researcher, Institute of Law, Academy of Social Sciences <i>Paradigm Shift of Comparative Research under the Background of Globalization of Law</i>				
			Prof. John C. Reitz President, The American Society of Comparative Law; Dean, School of Law, Iowa University <i>Human Nature and the Role of Law in Society: How Different is China?</i>				
		Commentators	Prof. SHU Guoying Law School, China University of Political Science and Law				
			A/Prof. LI Xiaohui Law School, Beijing Foreign Studies University				
12:30-14:00	Buffet Lunch		Venue: Rose Cafe, 1 <sup>st</sup> Floor, Jingyi Hotel				
27/09	14:00-15:45	Session 2 Comparative Private Law	Prof. CHENG Chia-jui Secretary-General, Asian Academy of International Law, Professor & Former Dean, School of Law, Soochow University	Speakers			
				Prof. Michael Tilbury Department of Law, University of Hong Kong <i>Beyond Compensatory Damages: Gain-Based and Exemplary Awards in English and Hong Kong Law</i>			
				A/Prof. Michael Liu School of Law and Justice, University of Canberra <i>The Application of Equity Remedies in Securities Markets</i>			
				Dr. Guido Mühlemann Institute of International Law, University of Zurich <i>A Comparison of (Early) Intellectual Laws in China and Europe</i>			
				A/Prof. Tatsuya Kitai Faculty of Law, Chuo University <i>The Legal Consciousness of Contract in Japan</i>			
				A/Prof. FENG Kai College of Comparative Law, China University of Political Science and Law <i>New Challenge and Coping Strategies for the Protection of Right of Privacy in the Era of Big Data</i>			
				Commentators	Prof. CAI Lidong Deputy Dean, Law School, Jilin University		
						A/Prof. LIU Chengwei College of Comparative Law, China University of Political Science and Law	
						Speakers	
						Prof. HUANG Wenyi Deputy Dean, Jilin Academy of Social Sciences <i>International Rule of Law in the Age of Globalization</i>	
		HE Prof. Faizan Mustafa Vice-Chancellor, NALSAR University of Law <i>A Comparative View of Constitutionalism in Western and Islamic Legal Systems</i>					
		A/Prof. LI Qi Deputy Dean, Law School, Shanxi University <i>Reform of China's Criminal Procedural System and its Limitations</i>					
		Susan Roosevelt Weld Executive Director, The Law Asia Leadership Program, Georgetown University Law Center					
15:45-16:15	Tea Break						
16:15-18:00	Session 3 Comparative Public Law	A/Prof. XIE Libin Associate Dean, College of Comparative Law, China University of Political Science and Law	Speakers				
			Prof. HUANG Wenyi Deputy Dean, Jilin Academy of Social Sciences <i>International Rule of Law in the Age of Globalization</i>				
			HE Prof. Faizan Mustafa Vice-Chancellor, NALSAR University of Law <i>A Comparative View of Constitutionalism in Western and Islamic Legal Systems</i>				
			A/Prof. LI Qi Deputy Dean, Law School, Shanxi University <i>Reform of China's Criminal Procedural System and its Limitations</i>				
		Susan Roosevelt Weld Executive Director, The Law Asia Leadership Program, Georgetown University Law Center					

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28/09				<i>Habits &amp; Law in Early China</i>	
				<b>Prof. TAO Guangfeng</b> Law School, Nanjing University of Finance and Economics <i>Efficiency and Legitimacy: the Core of China's Administrative Legislation System—Reference of America's Administrative Legislation System</i>	
				<b>Commentators</b>	
				<b>Dr. Marco Hasse</b> Deputy Dean, The Sino-German Institute of Law China University of Political Science and Law	
	<b>18:10-20:00</b>	<b>Dinner</b>		<b>Venue:</b> Yiyuan Restaurant, Jingyi Hotel	
	9:00-10:30	Session 4 Picture of Man	Dean, China-EU School of Law, China University of Political Science and Law		<b>Prof. LIU Fei</b> <i>The Picture of Man as a Universal Entity: A Critique of the Receptor Principle as an Emerging Trend in Comparative Approaches to Human Rights</i>
					<b>Prof. XU Yudian</b> Department Head, National Cheng Kung University <i>The Picture of Self-realization as the Aboriginal People's Fundamental Right of Education in Taiwan's Legal System of Education</i>
					<b>Prof. Helmut Kohl</b> Faculty of Law, Goethe University Frankfurt am Main <i>The Changing Picture of Man in Tort Law</i>
					<b>A/Prof. XIE Libin</b> Deputy Dean, College of Comparative Law, China University of Political Science and Law <i>The Change of the Picture of Man in Constitution and the Realization in the Department Law</i>
					<b>Commentators</b>
<b>Prof. YU Fei, School of Civil, Commercial, and Economic Laws, China University of Political Science and Law</b> <b>A/Prof. LUO Yao</b> College of Comparative Law, China University of Political Science and Law					
<b>10:30-11:00</b>	<b>Tea Break</b>				
11:00-12:30	Session 5 The Comparison of Legal Culture	College of Comparative Law, China University of Political Science and Law		<b>Speakers</b>	
				<b>A/Prof. Colin B. Picker</b> Associate Dean (International), Faculty of Law, University of New South Wales <i>Comparative Legal Cultural Analyses of International Economic Law: A New Methodological Approach</i>	
				<b>Prof. ZHANG Sheng</b> Dean, Law School of Beijing Jiaotong University <i>Codification of the Civil Law of Republic of China: From an Integration of Western and Chinese Legal Norms to Comparative Legislation</i>	
				<b>Prof. Spyridon Vrellis</b> Institute Director, Hellenic Institute of International and Foreign Law; Faculty of Law of the University of Athens <i>The Moral Basis and Perspectives of Comparative Law: A Preliminary Draft of Advanced Elementary Thoughts</i>	
				<b>Prof. CHAI Rong</b> Director, Theoretical Jurisprudence Institution of Law School, Beijing Normal University <i>The Conformity of the Natural Law Philosophy and the Confucianism in the Notion of Civil Law</i>	
				<b>Commentators</b>	
				<b>Prof. Zhang Qi</b> Executive Director, Institute of Comparative Law and Sociology of Law, Peking University Law School <b>LI You</b> Director, China Legal Science Magazine Editorial Office	
<b>12:30-14:00</b>	<b>Buffet Lunch</b>		<b>Venue:</b> Rose Coffee, 1 <sup>st</sup> Floor, Jingyi Hotel		
28/09	14:00-15:45	Session 6 Reform of Law and Codification	Dean's Assistant Peking University Law School	<b>Speakers</b>	
				<b>Prof. WANG Zhihua</b> College of Comparative Law, China University of Political Science and Law <i>On Codification of Russian Civil Law and Its Historical Continuity</i>	
				<b>Prof. ZHANG Li</b> Director, Institute of Comparative Private Law, Southwest University of Political Science and Law <i>Comparison of Sources of Law between Civil and Commercial Law and Transformation of Civil Law</i>	
				<b>A/Prof. Vladislav Bondarenko</b> National Research University Higher School of Economics Saint-Petersburg <i>An Overview of Recent Changes to the Civil Code of the Russian Federation Concerning the Objects of Civil Rights</i>	
				<b>A/Prof. ZHANG Tong</b> College of Comparative Law, China University of Political Science and Law <i>The Uniform Legislative Trend of European Contract Law and Its Effects on East Asia</i>	
				<b>Commentators</b>	
	<b>Prof. XIAO Kai</b> Director, Financial Prosecution Department, Shanghai Prosecution Service <b>A/Prof. RAN Hao</b> Institution of Law, Chinese Academy of Social Sciences				
	<b>15:45-16:15</b>	<b>Tea Break</b>			
	16:15-18:00	Session 7 International Commercial Law	Dean School of Law University of International Business and Economics		<b>Speakers</b>
					<b>Renaud Sorieul</b> Secretary-General, United Nations Commission of International Trade Law <i>UNCITRAL and Comparative Law</i>
<b>Rahmat Mohamad</b> Secretary-General, Asian-African Legal Consultative Organization <i>International Law on E-Commerce: Legal Issues and Impact on Developing Countries</i>					
<b>Prof. Vyacheslav V. Gavrilov</b> Head Chair of International Private and Public Law, School of Law Far Eastern Federal University <i>Theoretical and Legal Approaches to the Operation of International Legal Norms in Domestic Legal System</i>					
<b>Prof. Alberto Mazzoni</b> Catholic University of Milan; President, The UNIDROIT Governing Council <i>The UNIDROIT Principles of International Commercial Contracts and Their Importance for the Development of Global Legal Standards and Contract Practice</i>					
<b>Commentators</b>					
<b>Dr. Alan Davidson</b> Law School of University of Queensland <i>A Comparative Analysis of the United Nations Convention on the Use of Electronic Communications in International Contracts: The Australian Experiences</i> <b>Prof. WAN Meng</b> Dean, Law School of Beijing Foreign Studies University <b>A/Prof. CHE Hu</b> College of Comparative Law, China University of Political Science and Law					
18:00-18:20	Closing Ceremony	Deputy Dean, College of Comparative Law, China University of Political Science and Law		<b>Prof. E. Eugene Clark</b> Recruitment Program of Global Experts Distinguished Professor, China University of Political Science and Law	
				<b>HE Prof. Faizan Mustafa</b> Vice-Chancellor, NALSAR University of Law	
				<b>Prof. CHENG Chia-Jui</b> Secretary-General, Asian Academy of International Law Professor & Former Dean, School of Law, Soochow University	
				<b>Prof. GAO Xiang</b> Dean, College of Comparative Law, China University of Political Science and Law	
<b>18:30-20:00</b>	<b>Dinner</b>		<b>Venue:</b> Yiyuan Restaurant, 1 <sup>st</sup> Floor, Jingyi Hotel		