

## 法學院通訊一(11-12月, 2024)

# NOVIDADES DA FACULDADE DE DIREITO

#### FACULTY OF LAW NEWSLETTER

ISSUE 77 (November / December 2024)

## **PUBLICATIONS**

#### **Centre for Law Studies**



Boletim da Faculdade de Direito / Bulletin of the Faculty of Law

**Bulletin n° 53 (Portuguese version)** 

## VISITS AND RECEPTIONS

#### ♦ November 1, 2024

A delegation from China University of Political Science and Law visited the Faculty of Law, including Liu Yanhong, Vice President, Professor and Doctoral Supervisor of China University of Political Science and Law, and Guo Zhiyuan, Vice President, Professor and Doctoral Supervisor of the School of Criminal Justice of China University of Political Science and Law.



#### • November 13-15, 2024

A delegation from the Shenzhen Municipal People's Procuratorate visited the Faculty of Law. The delegation participated in a special training course on criminal justice cooperation between Guangdong, Hong Kong and Macao, and conducted exchanges and studies on theoretical issues of Macao's criminal justice system, cross-border judicial assistance between the mainland and Macao, and Macao's prosecutorial system.

#### November 13-16, 2024

A delegation from the Chinese Academy of Social Sciences Evaluation visited the Faculty of Law. The delegation conducted on-the-spot research on the theme of high-quality academic evaluation assisting the innovative development of philosophy and social sciences, and conducted academic exchanges with relevant journals, think tanks, and academic scholars in Macao.

## **VISITS AND RECEPTIONS**

#### • November 14, 2024

A training class of 100 high-end foreign-related legal talents from Peking University visited the Faculty of Law. Both parties held discussion on foreign-related rule of law and the construction of rule of law in the Greater Bay Area.

#### • November 16, 2024

The Faculty of Law of the University of Macau and the Zhuhai Court of International Arbitration jointly hosted roundtable forums and keynote lectures. With the theme of innovation and practice of legal integration in the Greater Bay Area, several well-known scholars and experts in Chinese legal circles and legal journal publishing circles discussed the knowledge dissemination and publication of legal theory and practice, and promoted dialogue and mutual exchange between academia and practice.



#### November 19-20, 2024

An exchange delegation from Yangzhou University Law School visited the Faculty of Law. During this period, the Faculty of Law provided cultural lectures and campus visits to Yangzhou University Law School, which broadened students' horizons and understanding of Macau culture.

#### November 25, 2024

A Delegation from National University of East Timor visited the Faculty of Law, including Prof. João Soares Martins, Rector of the university and Mr. Jacinto Belo, General Director of the Rectorate.





#### December 5, 2024

A delegation from Shanghai University of Political Science and Law visited the Faculty of Law, including Zheng Shaohua, Vice President and Professor of Shanghai University of Political Science and Law, and Shi Jianping, Vice President and Associate Professor of the School of International Law, Shanghai University of Political Science and Law.

## **RESEARCH ACTIVITIES**

#### Prof. Alexandr Svetlicinii

♦ Alexandr Svetlicinii and I-Ju Chen (eds), The EU-China Comprehensive Agreement on Investment: Towards a Binding Investment Liberalisation (Springer, 2024), ISBN: 978-3-031-66862-3, <a href="https://link.springer.com/book/10.1007/978-3-031-66862-3">https://link.springer.com/book/10.1007/978-3-031-66862-3</a>



## **RESEARCH ACTIVITIES**

#### Prof. Alexandr Svetlicinii

♦ Alexandr Svetlicinii, "The Changing Tides of Extraterritoriality and the Future of the European Union's Blocking Statute" (2024) European Law Review 49(6): 597-614

#### Prof. Du Li

- ◆ Zhangyu Wang and Li Du\*.To Unlock Mutual Benefits, Don't Restrict US—China Genome Data Transfer. Nature, 636:45, 2024 (SCI)
- ♦ Zhangyu Wang, Chunming Wang, and Li Du\*. Comparative Analysis of Regulatory Approaches to Cell-Cultured Tonic Food Containing No Living Animal Cells. Food and Drug Law Journal, 79:1, 2024 (SSCI)
  - \* corresponding writer

#### **Prof. Liu Jianhong**

- Jianhong Liu\*, Pin Yu (forthcoming). Restorative Justice the Chinese paradigm. In Encountering Restorative Justice in the UK and China.
- ◆ Jie Zhang, Yixuan Wang, Jianhong Liu\* (forthcoming). Critical History of Criminology in Asia. In Critical Histories of Criminology: Stories from the Seven Continents.
- Jie Zhang, Pin Yu, Jianhong Liu\* (forthcoming). Different Contexts, Shared Challenges: A Comparative Perspective. In Encountering Restorative Justice in the UK and China.
- Pin Yu, Jianhong Liu\* (forthcoming). "An Application of the Relationism Theory of Criminal Justice Bridging Theoretical Gaps Between the Global North and South", in Roxana Cavalcanti, David Fonseca, Valeria Vegh Weis, Kerry Carrington, Russell Hogg and John Scott (Eds.), the 2nd Edition Palgrave Handbook of Criminology and the Global South.
- Pin Yu, Jianhong Liu\* (forthcoming), "Restorative Justice and Confucianism", International Encyclopaedia of Restorative Justice Asia.
  - \* corresponding writer

#### Prof. Rostam J. Neuwirth

• Neuwirth, Rostam J. and Tan, Yuting (2024) "Regulating FinTech in the Greater Bay Area: RegTech and the Role of Regulatory Sandboxes." The Chinese Journal of Comparative Law, 12, cxae014, https://doi.org/10.1093/cjcl/cxae014

#### Prof. Su Xueji

♦ Svetlicinii, Alexandr, and Xueji Su. "The Unsettled Governance of the Dual-Use Items under Article XXI(b)(Ii) GATT: A New Battleground for WTO Security Exceptions." World Trade Review, 2024, 1−26 (SSCI, Q1).

#### Prof. Alexandr Svetlicinii

#### November 14, 2024

Prof. Alexandr Svetlicinii participated in Training of the European Legal Advisors' Network and gave a presentation "The Interplay between Data Protection Law and Competition Law" on "Fundamental Digital Rights in the European Union" organized by National Office for the Judiciary, Hungarian Academy of Justice in Budapest.

#### • November 21, 2024

Prof. Alexandr Svetlicinii attended the 2024 World Internet Conference Wuzhen Summit and gave a presentation "The Interplay between Data Protection and Competition Law in the Era of Artificial Intelligence" on Sub-Forum "The Internet Rule of Law in the Era of Artificial Intelligence".



#### ♦ November 27, 2024

Prof. Alexandr Svetlicinii attended 2024 "Trade Law Harmonization in an Era of Generative AI: Revisiting UNCITRAL Legal Standards on Uniform Sales Law, e-Commerce, Dispute Settlement, and Insolvency" RCAP – UM Joint Conference organized by UNCITRAL at the University of Macau, and gave a presentation "Settlement of Security-Related Trade Disputes under International Economic Law".



#### **November 30, 2024**

Prof. Alexandr Svetlicinii gave a presentation "Good Legislative Practice (GLP): Strategies to Improve the Quality of Legislation in the Macau Special Administrative Region (MSAR) of the People's Republic of China" in 20th Asia Legislation Information Network International Conference organized by Indian Law Institute in New Delhi in India.

#### December 13, 2024

Prof. Alexandr Svetlicinii gave a presentation "Lithuania Report" in Conference "Cross-Country Pollination: Competition Law Systems in Eastern Europe" organized by Robert Schuman Centre for Advanced Studies in European University Institute on Global Governance Programme in Florence in Italy.

#### December 18, 2024

Prof. Alexandr Svetlicinii gave a online presentation "Foreign Investment Controls in the European Union: Fragmentation of the Internal Market in Four Steps" in Workshop "Domestic National Security Regulation and Foreign Investment: A Comparative Analysis of Germany and Hong Kong" in City University of Hong Kong.



#### December 20, 2024

Prof. Alexandr Svetlicinii participated in China Global Television Network (CGTN) talk show The Point with Liu Xin, on occasion of the 25th anniversary of the establishment of the Macao Special Administrative Region.

#### Prof. Du Li

#### ♦ November 4, 2024

Prof. Du Li presented "Regulating AI-Enabled Preision Medicine Research and Application: Challenges and Reflections" at the 5th Future Law Forum in Beijing.

#### • November 15, 2024

Prof. Du Li presented "AI-Enabled Assisted Reproduction: Regulatory and Ethical Issues in Mainland China and Macau" at the Governing the Real World Application of Medical AI in Hong Kong.

#### • December 17, 2024

Prof. Du Li presented "Ethical and Legal Challenges in AI-Enabled Assisted Reproduction: Focus on Discrimination and Human Rights Issues" at the Genetic Discrimination Observatory 5th Annual Scientific Meeting 2024 - 2025 in Istanbul in Turkey.

#### Prof. Isabel Mousinho de Figueiredo



#### • December 12, 2024

Prof. Isabel Mousinho de Figueiredo held a PhD seminar online at University of Barcelona, that was well attended and well received.

#### Prof. Liu Jianhong

#### November 13-16, 2024

Prof. Liu Jianhong has presented 6 co-authored papers at the 2024 American Society of Criminology Meeting in San Francisco.

#### ♦ December 13-18, 2024

Prof. Liu Jianhong has been invited to the Faculty of Law at Oslo University in Norway to conduct academic exchanges and lectures on criminal justice, with a particular focus on restorative justice.

#### Prof. Rostam J. Neuwirth



#### October 31- November 1, 2024

Prof. Rostam J. Neuwirth presented a paper "Global Artificial Intelligence (AI) Governance: Institutional and Cognitive Challenges" in Session 5 "Legislation and Global Governance of AI" at the CASS Forum 2024 on "Artificial Intelligence and Law: Perspectives from Public and Private Law" organized by the Chinese Academy of Social Sciences (CASS)

#### Prof. Rostam J. Neuwirth

#### November 13, 2024

Prof. Rostam J. Neuwirth is the keynote speaker and presented "The Human Brain and Artificial Intelligence (AI): Regulatory, Interdisciplinary and Institutional Challenges" in the Discussion Group on Comparative Constitutional Law and Theory, organized by the Faculty of Law of the Sigmund Freud University in Vienna.



#### • November 21-22, 2024

Prof. Rostam J. Neuwirth presented a paper "AI and Related Technologies in the Digital Economy: Multilateral and Regional Legal Challenges from the Perspective of the Indo-Pacific" at the Workshop "Global Value Chains of Digital Economy in the Indo-Pacific: Challenges and Opportunities", organized by the Economic Research Institute for ASEAN and East Asia (ERIA) together with Prof. Irma Mosquera Valderrama, Prof. Julien Chaisse and Prof. George Dimitropolous .

#### ♦ December 6, 2024

Prof. Rostam J. Neuwirth delivered a lecture "The Future History of Global AI Regulation & Governance: A Panoptical View" as part of the Faculty of Law of the University of Macau Lunchtime Series.



#### **December 12-13, 2024**

Prof. Rostam J. Neuwirth participated in the discussion with IPD officials and presented a paper "Artificial Intelligence and Intellectual Property Law: Is 'Distributive Justice' an Oxymoron in the Experience Economy?" in the Seminar on "Comparative Perspectives on AI and Copyright Law: Evaluating Hong Kong's Policy Responses in the AI Era", organized by the School of Law of the City University of Hong Kong.





#### November 20-21, 2024

Prof. Su Xueji presented the paper titled "International Governance of Dual-Use Items: Institutions and General Principles" at 2024 CIBEL Global Network Conference, organized by NUSW Law School.

#### December 14, 2024

Prof. Su Xueji presented the paper titled "Externalities as Gauge for Cross-border Subsidies Regulation: Charting the Way Forward" at 2024 WTO Law Annual Conference. The paper has been granted the Second Prize on WTO law study by China Law Society.



#### **Centre For Empirical Legal Studies**

• November 5, 2024

Seminar: The Subjective Perception and Objective Argumentation of Legal Research Papers

Speaker: Prof. Sun Peifu



• December 6, 2024

Seminar: The Relationship between the Prevailing Doctrine in Criminal Law and the Innovation of Criminal Law Theory

Speaker: Prof. Liu Renwen



• October 29-31, 2024

Conference: UM Faculty of Law holds conference on civil, commercial and civil procedure law

The Centre for Law Studies of the Faculty of Law (FLL) of the University of Macau (UM) held the 14th International Conference titled 'Celebrating the 25th Anniversary of the Establishment of the Macao SAR: Studies on Macao's Civil Code, Commercial Code, and Civil Procedure

Code'. The seminar brought together law professors, scholars, and representatives of legal institutions from mainland China, Portugal, Mozambique, Angola, Brazil, and Macao, as well as FLL students and faculty, who discussed in depth the development and challenges of civil, commercial and civil procedure law. In their speeches, Mr. Vong Hin Fai, President of the Macao



Lawyers Association, Tong Io Cheng, Dean of UM FLL, and Mr. Rui Cunha, President of the Rui Cunha Foundation, emphasised that a sound legal system is the cornerstone of social stability and economic prosperity. They noted that the conference provided an opportunity to review Macao's legal achievements over the past 25 years and to envision the future, hoping that it could foster academic exchanges between jurisdictions and enable participants to explore the modernisation and future development of law.

Mr. Manuel Trigo, Director of the Centre of Law Studies of UM FLL, said that the conference facilitated dialogue between different legal systems and deepened the understanding of legal systems. FLL will continue to strengthen cooperation with the global legal community to support the continuous development of legal education and research. The conference was sponsored by the Rui Cunha Foundation, SJM RESORTS, S.A. and Sands China Limited.

#### **Centre for Law Studies**



The event not only showcased the achievements of Macao's legal system but also strengthened legal cooperation between Macao, Portuguese-speaking countries, and mainland China. The event was attended by Mr. Rui Martins, Vice Rector of UM; Mr. João Nuno Calvão da Silva, Vice Rector of the University of Coimbra; Ms. Leong

Weng In, Director of the Legal Affairs Bureau of the Macao SAR Government; and representatives from SJM RESORTS, S.A. and Sands China Limited.

• November 8, 2024

Seminar: Revealing Shadows and Hope in Family Law: Legal Pathways to Protect Vulnerable Groups

• November 15, 2024

Talk: International Law in Schools: International Law and Multilateral Diplomacy

Speaker: Mr. Guo Xiaofeng

The Faculty of Law of the University of Macau (UM) invited Guo Xiaofeng, Director of the Department of International Organizations and Legal Affairs of the Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in the Macao SAR, to deliver a talk on 'International Law and Multilateral Diplomacy'. The talk attracted an audience of over one hundred scholars, students, and legal practitioners, and sparked lively discussions. During the talk, Director Guo Xiaofeng focused on three perspectives: the current international landscape, the achievements of China's diplomacy in the new era, and several hot issues in international law. He highlighted the current



international landscape, ten achievements and six practices of China's diplomacy in the new era by drawing upon General Secretary Xi Jinping's important speech at the Central Conference on Work Relating to Foreign Affairs, the report to the 20th National Congress of the Communist Party of China and the spirit of the Third Plenary Session of the 20th Central Committee of the Communist Party of China.

Finally, Director Guo analysed three pressing issues in international law: climate change, the Israeli-Palestinian conflict, and the International Criminal Court, and presented China's stance and views on these issues. The students actively engaged with Director Guo, asking questions about the significant contributions of China's Belt and Road Initiative in balancing national and international interests. Director Guo provided them with comprehensive and insightful answers. When asked about his most memorable experiences in diplomatic work, Director Guo shared special moments from past international conferences, which created a joyful atmosphere and provided UM alumni, students and faculty with an in-depth understanding of diplomatic work.

#### **Centre for Law Studies**

The participants said that the talk was insightful, providing them with deeper insights into multilateral diplomacy and an opportunity for academic exchange. They also highly praised Director Guo's presentation.

Guests, experts, and scholars who attended the event included: Iau Teng Pio, Acting Dean of UM FLL; Wei Dan, Associate Dean of UM FLL; Chu Lam Lam, Senior Instructor of UM FLL; Vong Keng Hei, President of the Macao Legal Exchange and Promotion Association; Chau Seng Chon, President of the Alumni Association of the Faculty of Law at the University of Macau; Chong Sam Meng, President of the University of



Macau Faculty of Law Alumni Association; and Li Jiuye, Secretary of the Department of International Organizations and Legal Affairs of the Office of the Commissioner of the Ministry of Foreign Affairs.



November 18, 2024

Event: Crise e alteração de circunstâncias: as lições do Direito Comparado

Speaker: Prof. Dário Moura Vicente

November 21, 2024

Seminar: Mainland Practice of Judicial Protection of Intellectual Property Rights

Speaker: Dr. Song Jianli

November 22, 2024

**Event: Comparative Law and the Taxonomy of Legal Systems: State of the Art and Future Challenges** 

Speaker: Prof. Dário Moura Vicente



November 22, 2024

Seminar: Exploring Future Marital and Relationship Dynamics: Innovations in Family Law under the Chinese Civil Code

November 25, 2024

Event: Direito Comparado: o que é, para que serve e como funciona? Speaker: Prof. Dário Moura Vicente

• December 4, 2024

Seminar: The End Point of Criminal Construction in Modern Criminal Law—the Concept and Significance of Guilt



#### **Centre for Law Studies**

• December 6, 2024

# **Event: Mainland-Hong Kong-Macau Legal Education Alliance Holds Its Fifth Council Meeting at the University of Macau**

The Fifth Council Meeting of the Mainland-Hong Kong-Macau Legal Education Alliance was held at the Faculty of Law of the University of Macau on 6 December 2024. Representatives from 16 member institutions across mainland China, Hong Kong, and Macao attended the meeting to discuss the future development of the alliance.



Notable attendees included Wang Jianyuan, Deputy Director and First-level Inspector, and Pan Baoliang, Division Chief and First-level Inspector, of the Department of Law of the Liaison Office of the Central People's Government in the Hong Kong SAR; Bie Zhi, Division Chief, and Wu Jun, Deputy Division Chief, of the Research Office of the Hong Kong and Macao Basic Law Committee of the Standing Committee of

the National People's Congress; and Zhang Jing, First-level Inspector of the Office of Hong Kong, Macao and Taiwan Affairs of the Ministry of Education.

The meeting was chaired by Li Juqian, Director of the Office of Hong Kong, Macau and Taiwan Affairs and Director of the Hong Kong, Macau and Taiwan Education Center of China University of Political Science and Law. During the meeting, Ma Huaide, President of CUPL, presented the alliance's 2023-2024 work report. Attendees also had in-depth discussions on the alliance's work plan for 2025 and voted on the admission of new members. In addition, representatives



from Gansu University of Political Science and Law, Zhejiang University, and Southwest University of Political Science and Law delivered speeches on joining the alliance.

Tong Io Cheng, Dean of UM FLL, said that the alliance serves as an important platform for legal education cooperation among mainland China, Hong Kong, and Macao, and plays a pivotal role in promoting the exchange and development of legal education. FLL will continue to actively support the alliance's initiatives and contribute to the innovative development of legal education.

#### **Centre for Law Studies**

December 7, 2024

Seminar: on "The Evolution and Impact of National Security Law: The Interaction between Mainland and Hong Kong-Macau Legal Systems" Held at UM

The seminar hosted by the Faculty of Law (FLL) of the University of Macau (UM), was held at UM on 7 December 2024. The event brought together nearly 40 legal experts from mainland China, Hong Kong, and Macao to discuss the development of national security law and its sig-

nificance for legal practice in the Guangdong-Hong Kong-Macao Greater Bay Area.

The opening ceremony featured speeches by Ma Huaide, President of China University of Political Science and Law; Zhang Jing, First-level inspector of the Office of Hong Kong, Macao and Taiwan Affairs of the Ministry of Education; and Tong Io Cheng, Dean of UM FLL. Also present were Wang Jianyuan, Deputy Director and First-level Inspector, Pan Baoliang, Division Chief and First-level Inspector, of the Department of Law of the Liaison Office of the Central People's Govern-



ment in the Hong Kong SAR; Liu Jiahui, Second-level Inspector, and Gao Zhen, Division Chief of the Department of Law of the Liaison Office of the Central People's Government in Macao SAR; Bie Zhi, Division Chief, and Wu Jun, Deputy Division Chief, of the Research Office of the Hong Kong and Macao Basic Law Committee of the Standing Committee of the National People's Congress; and Song Pei, Deputy Division Chief of Bureau VIII of the Hong Kong and Macao Work Office of the CPC Central Committee.

The seminar consisted of three sessions. The first session was chaired by Xiong Wei, Dean of the Law School at Shenzhen University. Qin Guanying, Associate Dean of the School of Judicial Police at Gansu University of Political Science and Law, gave a keynote speech on the legislative evolution of national security law. Tu Kai, Associate Professor in the School of Law and Deputy Director of the Office of Legal Affairs at Tsinghua University, and other participants gave speeches. The session concluded with comments from Chen Baifeng, Dean of the School of Law at Zhongnan University of Economics and Law, and Zhu Jie, Deputy dean of the Law School at Wuhan University.

The second session was chaired by Li Xiang, Vice Dean of the Law School and Dice Director of the Institute of 'One Country, Two Systems' and Basic Law at Jinan University. Yao Guojian, Associate Dean of the School of Law of China University of Political Science and Law, delivered a keynote speech on the relationship between the Hong Kong National Security Law and the Basic Law. Zou Pingxue, Director of the Center for Basic Laws of Hong Kong and Macao Special Administrative Regions at Shenzhen University, gave a speech on the establishment of a sound legal system for safeguarding national security in Hong Kong. Wei Leijie, Associate Professor in the School of Law at Xiamen University, Xiao Huina, Assistant Professor in the Department of Law and Business at Hong Kong Shue Yan University and other participants gave speeches.

#### **Centre for Law Studies**



This session concluded with comments from Tu Kai and Liu Renwen, Researcher at the Institute of Law of the Chinese Academy of Social Sciences.

The third session was divided into two parts. The first part was chaired by Zhao Jun, Executive Vice Dean of Qiushi College at Zhejiang University. Zhu Jie delivered a keynote speech on 'The Status Quo and Problems in Teaching National Security Law'. Yang Liu, Professor in the

Criminal Justice School at Zhongnan University of Economics and Law, gave a detailed account of the nature and characteristics of criminal law provisions in the Hong Kong National Security Law. The first part concluded with comments from He Zhipeng, Dean of the School of Law at Jilin University, and Zhu Xiaoqin, Vice Dean of the School of Law at Xiamen University. The second part was chaired by Lok Wai Kin. He Zhipeng and other participants gave speeches. The second part concluded with comments from Zou Pingxue and Zhao Jun.

At the closing session, Li Juqian, Director of the Office of Hong Kong, Macau and Taiwan Affairs and director of the Hong Kong, Macau and Taiwan Education Center at China University of Political Science and Law, delivered the closing remarks. Tong Io Cheng also mentioned that the seminar was important for deepening research on national security law and promoting positive interaction between the legal systems of mainland China, Hong Kong, and Macao. The successful hosting of the seminar will provide important academic support for advancing the rule of law in the Greater Bay Area.

• December 10, 2024

Seminar: "Does Familiarity Breed Contempt or Deference? An Empirical Study of Appellate Judge Behaviors" and "The Process of Restating American Common Law: Using Co-ownership as an Example" Speaker: Prof. Chang Yun-chien



• December 11, 2024

Seminar: Our country's anti-money laundering regulations under the new situation

Speaker: Prof. Wang Xin

#### **Conference and Seminar**

• November 7, 2024

Seminar: The Constitution and the Civil Code in China

Speakers: Prof. Zhai Xiaobo, Dr. Chong Bu, Dr. Ding Zhuo

Research Circle: "Legal Philosophy, Legal History, and Roman Law Study"



#### **Conference and Seminar**



November 8, 2024

Seminar: When China Became the World Leader of Judicial Review (1948-1958): Constitutional Court and the Wider Legacies of Chinese Constitutional Law in the 20th Century

Speaker: Prof. Jiang Zhaoxin

Research Circle: "Legal Philosophy, Legal History, and Roman Law

Study"

• November 16, 2024

Seminar: Roundtable Forum on Innovation and Practice of Legal Integration in the Greater Bay Area

Speakers: Mr. Yu Xuewang, Mr. Wu Xueting, Mr. Xu Zhiming, Mr. Zheng Yinglong, Mr. Tu Yongqian, Mr. Wang Qinglin, Ms. Huang Shanshan

Research Circle: "Macau Basic Law, Criminal Law, and Administration Law Study"

• November 27, 2024

**Seminar: UNCITEAL RCAP-UM JOINT CONFERENCE 2024** 

Research Circle: "International Trade Law Study"

December 13-15, 2024

Seminar: A book discussion of Law's Rule by Prof. Gerald J. Postema

Speaker: Prof. Gerald J. Postema

Research Circle: "Legal Philosophy, Legal History, and Roman Law Study"

# UNCTEAL ACADAM FOR THE PROPERTY OF THE PROPERT

#### **Lunchtime Seminar Series 2024**

◆ 2024(07)- November 1, 2024

Theme: Marriage and Public Policy Exception
Speaker: Prof. Teresa Lancry A. S. Robalo



• 2024(08)- November 5, 2024

Theme: The Development of Macau Administrative Law: the Development of the Principle of Administrative Legitimacy and the Principle of Learning

Speaker: Prof. Jiang Chaoyang

• 2024(09)- November 8, 2024

Theme: On Law and Constitution: A Conversation with Alec

**Stone Sweet** 

Speaker: Prof. Alec Stone Sweet



#### **Conference and Seminar**

#### **Lunchtime Seminar Series 2024**



• 2024(10)- November 15, 2024

Theme: The Next Big Thing: Developing a Liability

Framework for Harms Caused by AI

Speaker: Prof. Sara Migliorini

• 2024(11)- November 22, 2024

Theme: Cost, Speed, Confidentiality and Enforceability: An Account of the Competitiveness of International Commercial Courts in relation to Arbitration

Speaker: Prof. João Ilhão MOREIRA





• 2024(12)- November 29, 2024

Theme: Recklessness as a Third Category of Criminal Fault

that Breaks the "Dolus - culpa" Dichotomy

Speaker: Prof. Lyu Han Yue



Theme: The Future History of Global AI Regulation & Govern-

ance: A Panoptical View

Speaker: Prof. Rostam J. Neuwith





• 2024(14)- December 13, 2024

Theme: How to use the UM platform to promote systematization of national education of the SAR: Conceptualization, Operationalization and Statistics of Constitution and Basic Law Education

Speaker: Prof. Lai Kuan Ju



Coordinator: Denise Lei Editor: Feng Junlan

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## 法學院通訊一(11-12月,2024)

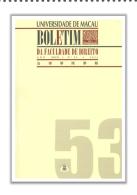
# NOVIDADES DA FACULDADE DE DIREITO

#### FACULTY OF LAW NEWSLETTER

ISSUE 77 (November / December 2024)

# 出版刊物

#### 法律研究中心



法律學院學報

學報 53 (葡文版)

# 訪問與接待

### ◆ 2024年11月1日

中國政法大學訪問法學院,參訪人員包括中國政法大學副校長、教授、博士生導師劉艷紅,中國政法大學刑事司法學院副校長、教授、博士生導師郭志媛等人。



#### 2024年11月13日至15日

深圳市人民檢察院代表團訪問法學院。代表團參加了粵港澳刑事司法協作專題培訓班,並圍繞澳門刑事司法制度的理論問題、內地與澳門跨境司法協助、澳門檢察制度等內容進行交流學習。

#### ◆ 2024年11月13日至16日

中國社會科學評價研究院代表團訪問法學院。代表團圍繞高質量學術評價助力哲學社會科學創新發展等主題開展實地調研,並與澳門相關期刊、智庫、院校學者等進行學術交流。

# 訪問與接待

#### • 2024年11月14日

北京大學百名高端涉外法治人才培訓項目研修班訪問法學院,就涉外法治和大灣區法治建設進行座談。

#### ◆ 2024年11月16日

澳門大學法學院與珠海國際仲裁院共同主辦圓桌論壇和主題講座。數位中國法學界和法 學期刊出版界的知名學者和專家,以大灣區法制融合的創新與實踐為主題,討論法學理 論與實務的知識傳播與出版,促進學術界和實務界的對話和相互交流。



#### 2024年11月19日至20日

揚州大學法學院交流團訪問法學院。期間,法 學院為揚州大學法學院提供了文化講座及校園 参訪,開拓了學生的視野及瞭解澳門文化。

#### ◆ 2024年11月25日

東帝汶國立大學代表團訪問法學院,參訪成員 包括該校校長 João Soares Martins 教授和教區主 席 Jacinto Belo 先生。





#### ◆ 2024年12月5日

上海政法學院代表團訪問法學院,參訪成員包括 上海政法學院副校長、教授鄭少華,上海政法學 院國際法學院副院長、副教授石儉平等。

# 研究活動

## Alexandr Svetlicinii 教授

◆ Alexandr Svetlicinii 和 I-Ju Chen (編輯),《中歐全面投資協議: 邁向有約束力的投資自由化》(Springer, 2024年), ISBN: 978 -3-031-66862-3, https://link.springer.com/book/10.1007/978-3-031-66862-3



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#### Alexandr Svetlicinii 教授

◆ Alexandr Svetlicinii , "治外法權的變化趨勢與歐盟封鎖法規的未來" (2024) 《歐洲法律 評論》49 (6) : 597-614

#### 杜立教授

- ◆ 王章宇、杜立\*: "為了實現互惠互利,不要限制中美基因組資料傳輸",載《自然》,636: 45,2024 (SCI)
- ◆ 王章宇、王春明、杜立\*: "不含活體動物細胞的細胞培養滋補食品監管方法的比較法研究", 載《食品藥物法雜誌》, 79: 1, 2024 (SSCI)

\* 通訊作者

#### 劉建宏教授

- ◆ 劉建宏<sup>\*</sup>,余頻, (即將出版) "恢復性司法的中國典範",刊載於書籍《在英國和中國經歷恢復性司法》
- ◆ 張潔,王譯萱,劉建宏\*, (即將出版) "亞洲犯罪學的批判歷史",刊載於書籍《犯罪學批判歷史:7大洲的故事》
- ◆ 張潔, 余頻, 劉建宏\*, (即將出版) "不同的文化, 共享的挑戰: 比較視角", 刊載於書籍《在英國和中國經歷修復性司法》
- ◆ 余頻, 劉建宏\*, (即將出版) "刑事司法關係主義理論的應用-彌合全球南北之間的理論 鴻溝", 刊載於 Roxana Cavalcanti, David Fonseca, Valeria Vegh Weis, Kerry Carrington, Russell Hogg 和 John Scott (編), 《帕爾格雷夫犯罪學和全球南方手冊》第二版。
- ◆ 余頻,劉建宏\*, (即將出版) "恢復性司法與儒家思想",刊載於書籍《亞洲恢復性司法國際百科全書》

\* 通訊作者

## Rostam J. Neuwirth 教授

◆ Rostam J. Neuwirth 和 Tan Yuting (2024) 《粵港澳大灣區金融科技監管: 監管科技與監管沙盒的作用》, 載於《中國比較法雜誌》第 12 卷, cxae014, https://doi.org/10.1093/cjcl/cxae014

## 蘇雪霽教授

◆ Svetlicinii, Alexandr 和蘇雪霽, "關貿總協定第 XXI(b)(Ii) 條下懸而未決的兩用物項治 理:世貿組織安全例外的新戰場"。《世界貿易評論》, 2024, 1–26 (SSCI, Q1)

#### Alexandr Svetlicinii 教授

#### ◆ 2024年11月14日

Alexandr Svetlicinii 教授參加歐洲法律顧問網路培訓,並在題爲 "歐盟的基本數位權利"的 綫上會議上發表 "資料保護法與競爭法之間的互動"演講。該會議由匈牙利布達佩斯司法 學院國家司法辦公室舉辦。

#### ◆ 2024年11月21日

Alexandr Svetlicinii 教授出席 2024 年世界網路大會鳥 鎮高峰會 "人工智慧時代的網路法制"分論壇, 並發表 "人工智慧時代資料保護與競爭法的互動"演講。



#### ◆ 2024年11月27日

Alexandr Svetlicinii 教授出席由澳門大學舉辦的 2024 年 "人工智慧時代的貿易法協調: 重新組成聯合國國際貿易法委員會關於統一銷售法、電子商務、智慧財產權解決和破產" 的 RCAP-澳大聯席會議,並發表"國際經濟法下與安全相關的貿易法的解決"演講。



#### 2024年11月30日

Alexandr Svetlicinii 教授在由印度法律研究所舉辦的第 20 屆亞洲立法資訊網路國際會議上,發表"良好立法實踐:提高中華人民共和國澳門特別行政區立法道德的策略"演講。

#### ◆ 2024年12月13日

Alexandr Svetlicinii 教授在意大利佛羅倫薩舉辦的"跨國授粉:東歐競爭法體系"會議上發表"立陶宛報告"。該活動聚焦全球治理項目,由歐洲大學研究所羅伯特舒曼高級研究中心組織。

#### ◆ 2024年12月18日

Alexandr Svetlicinii 教授在香港城市大學組織的"國内國家安全監管與外國投資:德國與香港的比較"會議上,發表"歐盟的外國投資監管:內部市場的碎片化分四步"演講。



#### ◆ 2024年12月20日

Alexandr Svetlicinii 教授參加中國環球電視網劉 欣訪談節目《澳門特別行政區成立 25 週年》。

#### 杜立教授

#### ◆ 2024年11月4日

杜立教授在北京舉辦的第五屆未來法律論壇上發表論文"監管人工智能精準醫學研究與應用:挑戰與反思"。

#### ◆ 2024年11月15日

杜立教授在香港舉辦的醫療人工智能現實世界應用大會上發表"人工智能輔助生殖:中國大陸和澳門的監管和道德問題"。

#### ◆ 2024年11月17日

杜立教授出席在土耳其伊斯坦堡舉辦的基因人權觀察站 2024-2025 年第五屆年度科學會議,並發表"人工智慧輔助生殖的倫理與法律挑戰:關注人權與人權圍籬"。

## Isabel Mousinho de Figueiredo 教授



#### • 2024年12月12日

Isabel Mousinho de Figueiredo 教授在巴塞隆納大學舉辦了線上博士研討會。衆多人員出席該研討會,反響熱烈。

## 劉建宏教授

#### ◆ 2024年11月13日至16日

劉建宏教授在2024年美國犯罪學學會年會上發表6篇合作論文。

#### ◆ 2024年12月13日至16日

劉教授受邀前往挪威奧斯陸大學法學院進行學術交流與講座,主題涉及刑事司法,特別 是恢復性司法。

#### Rostam J. Neuwirth 教授



#### 2024年10月31日至11月1日

Rostam J. Neuwirth 教授在 2024 年由中國社會科學院主辦的"人工智能與法律:公法與私法視角"論壇上,於第五場會議"人工智能的立法與全球治理"中發表了一篇論文,題為《全球人工智能治理:制度與認知挑戰》。

#### Rostam J. Neuwirth 教授

#### ◆ 2024年11月13日

Rostam J. Neuwirth教授作為維也納格蒙德·弗洛伊德大學法學院組織的比較憲法與理論討論小組的主講嘉賓,發表演講"人腦與人工智能:監管、跨學科與制度挑戰"。



#### 2024年11月21日至22日

Rostam J. Neuwirth 教授在由東盟與東亞經濟研究所與 Irma Mosquera Valderrama、Julien Chaisse 和 George Dimitropolous 聯合主辦的"印太地區數字經濟的全球價值鏈:挑戰與機遇"研討會上發表論文"數字經濟中的人工智能及相關技術:印太視角下的多邊與區域法律挑戰"。

#### 2024年12月6日

Rostam J. Neuwirth 教授在澳門大學法學院發表演講 "全球人工智慧 監管與治理的未來歷史:全景視野"。該演講作為澳門大學法學院午 餐學術研討會系列的一部分。





#### 2024年12月12日至13日

Rostam J. Neuwirth 教授參與與知識產權署官員的討論,並在由香港城市大學法學院主辦的"人工智慧與版權法的比較視角:評估香港在人工智能時代的政策應對"研討會上發表論文"人工智慧與智慧財產權法: '分配正義'在體驗經濟中是否矛盾?"。

## 蘇雪霽教授



## 2024年11月20日至21日

蘇雪霽教授在新加坡南威爾斯大學法學院組織的 2024CIBEL 全球網路會議上發表了論文 "軍民兩用物 項的國際治理:機構和一般原則"。

#### ◆ 2024年12月14日

蘇雪霽教授在 2024 年 WTO 法律年會上發表論文 "外部性作為跨境補貼監管的衡量標準:規劃前進方向",榮獲中國法學會 WTO 法研究二等獎。



#### 實證法學研究中心

◆ 2024年11月5日

研討會: 法學論文的主觀認知與客觀論證

講者: 孫培福教授

◆ 2024年12月3日

研討會: 刑法學通説和刑法理論創新的關係

講者: 劉仁文教授





2024年10月29至31日

#### 會議:澳大法學院研討會探討民法、商法及民事訴訟法

澳門大學法學院法律研究中心舉辦第 14 屆國際研討會—— "慶祝澳門特別行政區成立 25 周年:關於澳門民法典、商法典及民事訴訟法典的研究",多位來自中國內地、葡萄牙、

莫桑比克、安哥拉、巴西 及澳門的法律教授、學 者、機構代表和法學院 師生參與, 圍繞民法、商 法及民事訴訟法的發展 及挑戰展開了深會理 論。澳門律師公會理 會主席黃顯輝、澳大法 學院長唐曉晴及澳門 官樂怡基金會主席官樂



怡分別致辭。他們均強調法律制度是促進社會穩定和經濟繁榮的基石,是次研討會既是對過去 25 年澳門法律成就的回顧,也是面向未來的重要契機,希望通過研討會促進跨法域的學術交流,探討法律的現代化和未來方向。澳大法學院法律研究中心主任尹思哲表示,研討會促進了不同法律體系之間的對話,深化對法律制度的理解。

未來, 澳大法學院將繼續加強與各地法律界的合作, 推動法律教育及研究的持續發展。是次研討會由澳門官樂怡基金會、澳娛綜合度假股份有限公司及金沙中國有限公司贊助。

#### 法律研究中心



研討會圓滿成功,不僅展示 了澳門法律制度的發展成 果,也鞏固了澳門與葡語國 家及中國内地的法律合作 關係。出席活動的嘉賓還包 括澳大副校長馬許願、葡萄 牙科英布拉大學副校長 João Nuno Calvão da Silva、澳門

特別行政區政府法務局局長梁穎妍,以及澳娛綜合度假股份有限公司、金沙中國有限公司的代表。

◆ 2024年11月8日

研討會: 揭示家庭法中的陰影與希望: 保護弱勢群體的法律之道

◆ 2024年11月15日

演講: 國際法進校園: 國際法與多邊外交" 講座

講者: 郭曉峰先生

澳門大學法學院邀請中華人民共和國外交部駐澳門特別行政區特派員公署綜合部主任郭曉峰就"國際法與多邊外交"主題開展講座。本次講座吸引了超過百位學者、學生及法律從業人士的參與,並引起了熱烈討論。在這次活動上,郭曉峰主任從當前國際形式,新時代中國外交成就和當前若干個國際法熱點問題三個方面詳細展開本次講座主題。郭主任以習近平總書記在中央外事工作會議上的重要講話、黨的二十大報告及二十屆三中全會精神為主要內容,介绍當今國際形勢、新時代中國外交十點成就和六點寶貴經驗。最後,郭主任圍繞氣候變化、巴以衝突和國



際刑事法院這三個當前國際法領域中的熱點問題進行分析,並介紹中國的立場和觀點。同學們積極向郭主任進行了提問,特別是我國一帶一路政策對協調國家利益和國際利益做出的重大貢獻等問題,並得到了全面而深刻的解答。在問到外交工作中最難忘的經歷時,郭主任對過往國際會議上的特別經歷的分享,為現場帶來了歡樂的氣氛,深化了校友、師生對外交工作的認識。

#### 法律研究中心

參與者表示此次講座令他們獲益匪淺,不 僅助其深入了解有關多邊外交的思考,而 且為其提供了更多學術交流的機會。研討 會結束後,參與者對郭主任的演講做出了 高度讚揚。出席活動的嘉賓、專家學者包括 澳門大學法學院代院長邱庭彪、副院長魏 丹、高級導師朱琳琳,澳門法律交流協進會 會長黃景禧,澳門大學法學院校友會會長



周成俊,澳門大學法學院學生會理事長鍾森明及外交公署綜合部秘書李久燁等。



◆ 2024年11月18日

活動: 危機與情況變更: 比較法的教訓

講者: Dário Moura Vicente 教授

◆ 2024年11月21日

研討會: 知識產權司法保護的內地實踐

講者:宋建立博士

◆ 2024年11月22日

活動: 比較法與法律系統的分類: 現狀與未來挑戰

講者: Dário Moura Vicente 教授

◆ 2024年11月22日

研討會:中國民法典下的家庭法革新:探索未來的婚

姻與關係

◆ 2024年11月25日

活動: 比較法: 它是什麼、用途及運作方式

講者: Dário Moura Vicente 教授







#### 法律研究中心

◆ 2024年12月4日

研討會:現代刑法中犯罪構造的終點問題—罪責的概念與意義

◆ 2024年12月6日

#### 活動: 内地與港澳法學教育聯盟第五屆理事會在澳大召開

內地與港澳法學教育聯盟第五屆理事會於2024年12月6日在澳門大學法學院召開,來 自內地、香港和澳門共16所成員院校的代表出席會議,共同探討聯盟未來發展方向。



中央政府駐港聯絡辦法律部副部 長兼一級巡視員王建源、處長兼 一級調研員潘寶良,全國人大常 委會港澳基本法委員會研究室處 長別致、副處長吳俊,教育部港澳 台事務辦公室一級調研員張靜出 席。理事會由中國政法大學港澳 台事務辦公室主任、港澳台教育 中心主任李居遷主持,中國政法

大學校長馬懷德在會上匯報了2023至2024年度聯盟工作情況。另外,與會代表就2025

年聯盟工作計劃進行深入討論,並就 新成員加入事宜進行表決。新成員院 校甘肅政法大學、浙江大學及西南政 法大學的代表亦分別在會上發表入盟 致辭。

澳大法學院院長唐曉晴表示,聯盟作 為內地與港澳地區法學教育合作的重 要平台,為促進內地與港澳地區法學 教育的交流與發展發揮積極作用;未 來,澳大法學院將繼續積極參與聯盟

工作,為推動法學教育的創新發展貢獻力量。

#### 法律研究中心

◆ 2024年12月7日

#### 研討會: 澳大舉行"國家安全法的演進與影響: 内地與港澳法律的互動"

由澳門大學法學院承辦的"國家安全法的演進與影響:內地與港澳法律的互動"研討會於 2024年 12月7日在澳大舉行,匯聚內地和港澳地區近 40 位法學專家,共同探討國家安全法的發展脈絡及其在大灣區法律實踐中的重要意義。

研討會開幕式上,中國政法大學校長馬懷德、教育部港澳台事務辦公室一級調研員張靜和澳門大學法學院院長唐曉晴分別致辭。中央政府駐港聯絡辦法律部副部長兼一級巡視員王建源、處長兼一級調研員潘寶良,中央政府駐澳聯絡辦法律部二級巡視員劉佳慧、處長高真,全國人大常委會港澳基本法委員會研究室處長別致、副處長吳俊,中共中央港澳辦八局副處長宋培等亦出席了開幕式。

研討會分為三個專題環節,第一節由深圳大學法學院院長熊偉主持。甘肅政法大學司法 警察學院副院長秦冠英就國家安全法的立法演進作主題發言,清華大學法務辦副主任、

法學院副教授屠凱等發言。中南財 經政法大學法學院院長陳柏峰與武 漢大學法學院副院長祝捷擔任評 議。

第二節由暨南大學法學院、一國兩 制與基本法研究院副院長李響主 持。中國政法大學法學院副院長姚 國建就香港國安法與基本法的關係 作專題發言,深圳大學港澳基本法 研究中心主任鄒平學就建立健全香 港維護國家安全的配套法律制度作



重要發言。廈門大學法學院副教授魏磊傑、香港樹仁大學法律與商業學系助理教授肖惠娜等發言。屠凱與與中國社會科學院法學研究所研究員劉仁文擔任評議。

第三節分為兩場,第一場由浙江大學求是學院常務副院長趙駿主持。祝捷以《國家安全 法教學的現狀和問題》作主題報告,中南財經政法大學刑事司法學院教授楊柳就論香港 國安法中刑事法律規定的性質和特徵作深入闡述。

#### 法律研究中心



吉林大學法學院院長何志鵬與廈門大學法學院副院長朱曉勤擔任評議。第二場由駱偉建主持,何志鵬等發言。鄒平學與趙駿擔任評議。

中國政法大學港澳台事務辦公室主任、港澳台教育中心主任李居遷在研討會閉幕環節作總結發言。唐曉晴亦表示,是次研討會對深化國

家安全法律研究、促進內地與港澳法律體系的良性互動具有重要意義;研討會的成功舉辦,將為推動粵港澳大灣區法治建設提供重要的學術支撐。

◆ 2024年12月10日

研討會:"熟悉會產生蔑視還是尊重?上訴法官行為的實證研

究"和"重述美國普通法的過程:以共同所有權為例"

講者: 張永健教授



◆ 2024年12月11日

研討會: 新形勢下我國反洗錢的法律規制

講者: 王新教授

## 會議與研討會

◆ 2024年11月7日

研討會: 中國憲法與民法典

講者: 翟小波教授, 丁卓博士, 卜充博士 研究圈: "法律哲學, 法律史和羅馬法研究"



#### 會議與研討會



2024年11月8日

研討會: 當中國成爲世界司法審查的領導者(1948-1958):

憲法法院與20世紀中期中國憲法史

講者: 江照信教授

研究圈: "法律哲學,法律史和羅馬法研究"

2024年11月16日

研討會: 大灣區法制融合的創新與實踐圓桌論壇

講者:吳學艇、余學旺、鄭英龍、汪超、席志國、凃永前、許志銘、王青林、黃山杉

研究圈: "澳門基本法,刑法和行政法學研究"

2024年11月27日

研討會: 2024 年 UNCITEAL RCAP-UM 聯合會議

研究圈: "國際貿易法研究"

2024年12月13日至15日

研討會: Gerald J. Postema 教授對《法律規則》一書的討論

講者: Gerald J. Postema 教授

研究圈: "法律哲學, 法律史和羅馬法研究"

#### 午餐學術研討會系列 2024

2024(07)-2024年11月1日

主題:婚姻與公共政策例外

講者: Teresa Lancry A. S. Robalo 教授

2024(08)-2024年11月5日

主題: 澳門行政法之發展: 行政合法性原則及

適度原則的展開

講者: 蔣朝陽教授

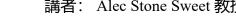
2024(09)-2024年11月8日

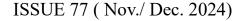
主題: 論法律與憲法: 與 Alec Stone Sweet 的對話

講者: Alec Stone Sweet 教授









#### 會議與研討會

#### 午餐學術研討會系列 2024



◆ 2024(10)-2024年11月15日

主題: 下一件大事: 針對人工智慧造成的危害制定責任框架

講者: Sara Migliorini 教授

◆ 2024(11)-2024年11月22日

主題: 成本、速度、保密性和可執行性: 國際商事法院在仲裁方

面的競爭力說明

講者: João Ilhão Moreira 教授





◆ 2024(12)-2024年11月29日

主題: 魯莽作為第三類刑事過失——打破"過錯"二分法

講者: 呂翰嶽教授

◆ 2024(13)-2024年12月6日

主題: 全球人工智慧監管與治理的未來歷史: 全景視角

講者: Rostam J.Neuwith 教授





• 2024(14)-2024年12月13日

主題: 如何利用澳大平台推動特區國民教育體系化: 憲法與基本

法教育的概念化、操作化與統計

講者: 賴冠儒教授



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