

FACULTY OF LAW

DOCTOR OF PHILOSOPHY IN LAWS
MASTER OF PHILOSOPHY IN LAWS

2018 - 19



法律 CUHK
LAW

THE CHINESE UNIVERSITY OF HONG KONG
香港中文大學

MESSAGE from the Dean



Join the Faculty of Law at The Chinese University of Hong Kong and you will be joining a faculty whose research is truly global in its reach and its recognition. In the most recent Research Assessment Exercise, The Chinese University of Hong Kong Faculty of Law was rated Hong Kong's top research Law Faculty. Located in one of the world's great metropolises and within one of Asia's preeminent research universities, our Faculty is highly international in character, with professors from Europe, North America, Australia, Mainland China, Hong Kong, Taiwan and other parts of Asia. Their research interests cover the full spectrum of contemporary legal writing – from company, tax, trade, environmental and intellectual property law to criminal, human rights, international law, and comparative law, among others. The PhD and MPhil Programmes at The Chinese University of Hong Kong will provide you with the highest quality supervision, staff and library resources. We offer opportunities and challenges to talented people. And we will do everything possible to enrich your educational experience. Join us to pursue your research ambitions, get outstanding support, and take this exciting and rewarding journey in Asia's World City. We look forward to welcoming you here!

Yours sincerely,

A handwritten signature in black ink that reads "Christopher Gane". The signature is written in a cursive style with a long horizontal flourish at the end.

Christopher Gane
Simon F.S. Li Professor of Law and
Dean, Faculty of Law

MESSAGE

from the Programme Director

The CUHK Faculty of Law PhD and MPhil in Laws Programmes offer one of the great opportunities in legal education – spend two to four years researching and writing about a topic you are passionate about while getting all the support you need for this major intellectual endeavor!

With our incredible funding scheme, you will be supported generously enough that you can live comfortably without having to work for additional remuneration while you earn your PhD or MPhil in Laws. At the same time, you will have world-class professors as supervisors and fellow students from around the world to assist and inspire you. And our student-friendly “Support Framework” provides you with all the formal guidance and encouragement you will need: multiple opportunities each year to present your work to other professors and peers, classroom support (with seminars on research and thesis writing) and a team of two supervisors, who will check in with you regularly and be there for you when you need them.

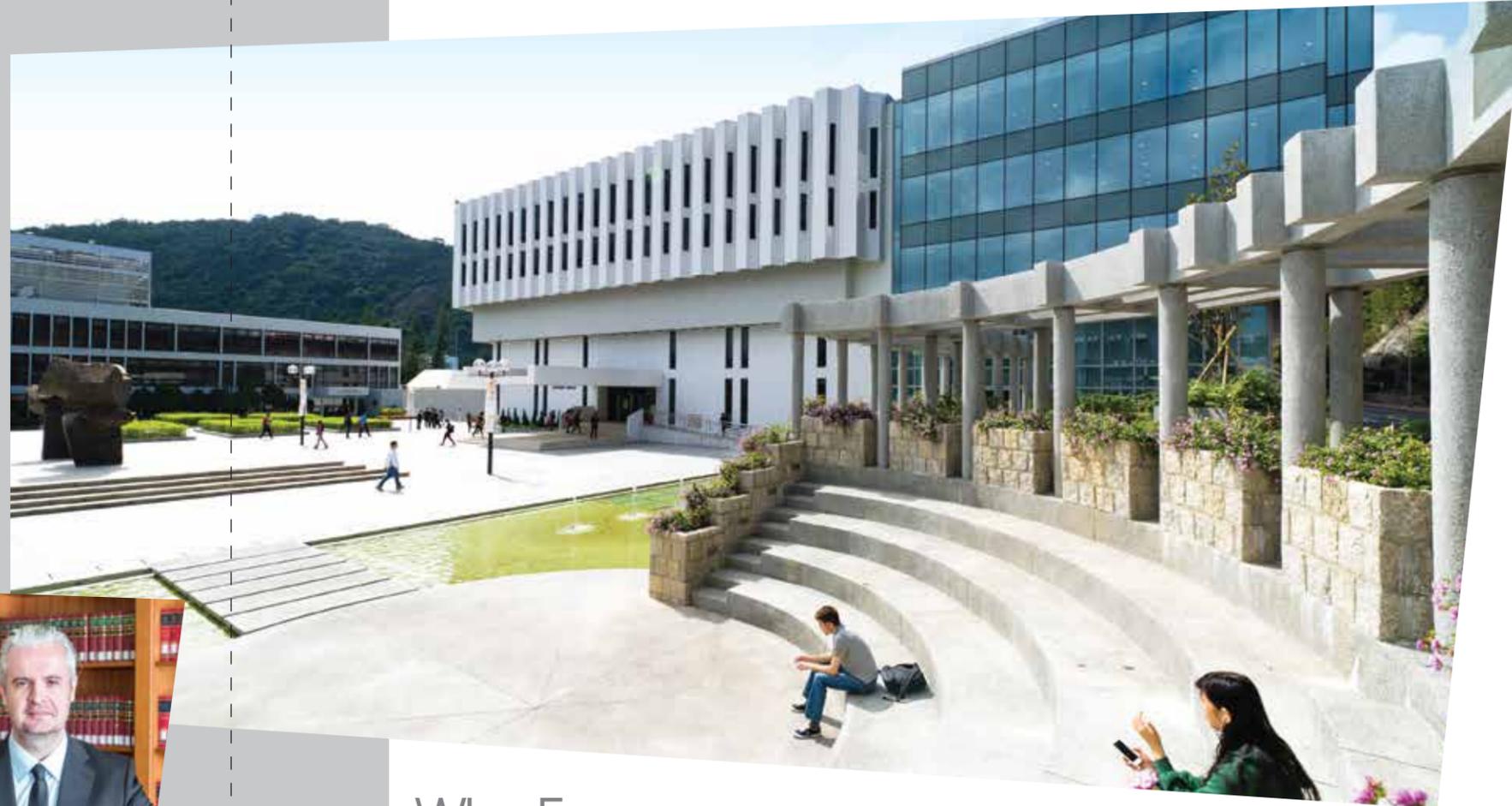
Your experience with our programmes will unfold in different stages. Pre-admission, we conduct a “Summer Workshop” for promising PhD candidates that covers airfare and lodging for successful applicants to spend a few days on our campus getting to know our staff and learning how to draft a successful research proposal. Post-admission, students have opportunities for scholarships for research and study outside of Hong Kong and access to some of the best library resources in Asia while in Hong Kong. Post-graduation, in a competitive job market, the degree will open doors to careers in academia, law practice, or public service.

At CUHK Law, the administrative staff members take excellent individual care of each student and the programmes provide them with opportunities throughout the year to get together and offer support to one another. We are a tight-knit group of researchers who are, in effect, a scholarly family. Please consider joining us on a journey of deep thinking, exciting discoveries and inspiring prose at one of the great international law faculties.

Sincerely yours,



Professor Julien Chaisse
Director, Research Postgraduate Programme and
Director, Centre for Financial Regulation and Economic Development (CFRED)



Why Earn a Law PhD or MPhil Degree

The Doctor of Philosophy (PhD) in Laws is the most advanced research degree in law. The PhD is a research degree that can prepare a student for a career in fields as varied as teaching, research, consulting and law practice. Students are required to conduct thorough research on a novel topic and write a thesis of publishable quality that makes an original contribution to legal scholarship.

The Master of Philosophy (MPhil) in Laws is a degree for students who want to pursue advanced research, so as to become expert in an area of law or on a complex topic that can help open doors to similar career opportunities. Study in the MPhil Programme can also lead to admission to the PhD Programme, subject to the Faculty’s evaluation of the student’s academic performance during his or her MPhil study period.

Dissertations for both PhD and MPhil in Laws are written under the guidance of a member of the Faculty as supervisor, and in most cases another faculty member as co-supervisor, and assessed by an independent examination committee.

The CUHK Law Faculty has a limited number of places available for each of these Programmes each year. Placement is very competitive.

Why Hong Kong and The Chinese University of Hong Kong are Your Choice

Hong Kong is not only a leading international financial and trade centre, but also hosts some of Asia's leading universities, including CUHK. Beyond Asia, international university ranking exercises have appraised universities in Hong Kong as among the best in the world. Hong Kong stands as a gateway between the best traditions of Western learning and a region which presents many of the most interesting and exciting objects of contemporary legal, economic, and cultural research.

You can write your PhD or MPhil in Laws with the CUHK Law Faculty in English, while enjoying unparalleled access to resources in Chinese and about Asia. You will receive one-on-one guidance from the CUHK Law Faculty, whose members represent all of the world's major jurisdictions and are actively engaged in a broad array of research. Your own research will be financed either by the University in the form of a studentship or by the Hong Kong Government in the form of a fellowship.



Conduct Your Research with Our Leading Scholars

Financial Support

The Hong Kong PhD Fellowship Scheme (HKPFS)

The HKPFS was created by Hong Kong Research Grants Council in 2009 to give Hong Kong universities world class financing for our most promising full-time PhD students. It awards a monthly stipend of HK\$20,000 and an annual conference and research-related travel allowance of HK\$10,000 for up to three years. If a Fellowship winner has a normative study period of four years, CUHK will provide financing at the same level during the fourth year. Competition for the HKPFS is intense, but we have had good success with the law candidates we have nominated to the selection committee.

If you would like to know more about the HKPFS, please visit the following URL for further details: <http://www.rgc.edu.hk/hkphd>

CUHK Postgraduate Studentships

Even if not awarded a Hong Kong PhD Fellowship, all candidates admitted to the Law Faculty's full-time PhD or MPhil Programme still receive a generous stipend during the normative research and writing period that, for the current academic year, amounts to HK\$16,270 monthly. Funding for conferences and research-related travel is also available.

The CUHK Law Faculty, consisting of over 50 academic staff members, actively pursues research on a broad range of topics. Our faculty members have studied in leading universities around the world, including in the UK, China, the US, Australia and Continental Europe. They bring their global visions to focus on legal problems affecting Hong Kong, China, various domestic jurisdictions and the international community of nations. You can learn more about the interests and activities of individual faculty members from the faculty website. Below we list the areas in which our Faculty can offer you experienced guidance in your research:



- Administrative Law
- Aviation Law
- Banking Law
- Business Law
- Chinese Law
- Common Law
- Company Law
- Comparative Law
- Competition Law
- Conflict of Laws
- Constitutional Law
- Construction Law
- Contract Law
- Criminal Law
- Dispute Resolution
- Employment Law
- Environmental Law
- Ethics and the Law
- European Union Law
- Evidence
- Family Law
- Financial Law
- Gender and the Law
- Human Rights Law
- Immigration Law
- Information & Privacy Law
- Insurance Law
- Intellectual Property Law
- International Criminal Law
- International Investment Law
- International Trade Law
- Jurisprudence
- Land Law
- Law and Literature
- Law of Equity
- Law of the Sea
- Legal History
- Legal Philosophy
- Private International Law
- Public International Law
- Remedies
- Shipping Law
- Tax Law
- Tort Law
- Wills and Trusts



Professor Nina Jorgensen

Professor Jorgensen's research interests are in Public International Law with a focus on International Criminal Justice following a nine-year career with international criminal tribunals, most recently as UN-appointed Senior Judicial Coordinator of the Pre-Trial Chamber at the Extraordinary Chambers in the Courts of Cambodia and Senior Legal Adviser in the Office of the Prosecutor at the Special Court for Sierra Leone.



Education & Qualifications

- DPhil, University of Oxford
- LLB (Hons), University of Bristol
- Barrister (England and Wales)

A Sampling of Our International Faculty

Professor Chin Leng Lim

Professor Lim once worked as a government treaty lawyer and Geneva UN lawyer, and previously taught at the University of Hong Kong, NUS in Singapore, at Queen Mary, London and Aberystwyth. Outside the University, he sits on a trade and industry department committee and practises with a leading London commercial set. His recent scribblings include "Worldwide Litigation over Foreign Sovereign Assets" 10 DRI 145 and "Britain's 'Treaty Rights' in Hong Kong", 131 LQR 348. Professor Lim's books include Chan and Lim on the Law of the Hong Kong Constitution and his forthcoming Cambridge textbook, Lim, Ho & Pappas, International Investment Law and Arbitration, with a Foreword by Emmanuel Gaillard.



Education & Qualifications

- Ph.D. Nottingham
- LL.M. Harvard Law School
- B.C.L. Oxford
- LL.B. Buckingham
- Barrister (Middle Temple)

Professor Chao Xi

Professor Xi specializes in comparative corporate law, securities regulation, and financial regulation, with a particular focus on the case of China. He is a Member of the Chartered Institute of Arbitrators (CI Arb), UK.



Education

- PhD, University of London
- LL.M. in Commercial and Corporate Law, University of London
- LL.B., Sun Yat-Sen University

Conduct Your Research
with Our
Great Resources

Pre-admission

Starting from 2015, the Faculty has begun to hold a "Summer Workshop" for promising and potential PhD candidates. It covers airfare and lodging for successful applicants to spend a few days on our campus. They have the opportunity to get to know our staff, current research students and the city, attend seminars presented by our leading scholars and, more importantly, learn how to draft a successful research proposal.

Post-admission

The University and the Law Faculty provide plenty of scholarship and exchange opportunities for students admitted to the PhD and MPhil Programmes. Here are some examples from previous years for reference:

- CUHK Research Postgraduate Student Grants for Overseas Academic Activities
- Endeavour Research Fellowship
- Fulbright-RGC Hong Kong Research Scholar Award Program
- Global Scholarship Programme for Research Excellence
- Harvard-Yenching Visiting Fellows Programme
- PhD Student Exchange Programme

In addition, the CUHK Law Library supports the Faculty's objective to remain a prominent centre for legal scholarship and training in the 21st century. Its collection of electronic resources, which can be accessed remotely, is particularly strong. A collection of over 118,600 volumes on law and law-related subjects is accompanied by 79 current print journal titles, over 400 multimedia items, 106 leading databases, a constantly expanding number of electronically available texts, monographs and reference works, as well as 3,718 e-journal titles, accompanied of course by the interdisciplinary collections housed in the rest of the University Library System. A separate Legal Resources Centre also includes our Faculty's Mediation Institute Collection, which was assembled in 2009.

Support Framework for Research Postgraduate Students

In-House Roundtable Presentations

On an annual basis, students must present their works-in-progress in an in-house roundtable setting before faculty and other students. This gives them an opportunity to get comfortable presenting their research and honing it as well as providing them a forum for feedback.

Classroom Supervision

In the first part of their studies, students take a three-course sequence to help them with orienting to research postgraduate studies, conducting research and drafting a thesis. "Orientation to Research Postgraduate Studies" in the first term provides an overview of salient issues students will deal with during the period of their research, such as topic refinement, the student-supervisor relationship, and time management. "Research Methodologies" in the second term introduces students to different modes of conducting and organizing research and understanding research methodologies. And "Legal Academic Composition for Research Postgraduate Students" in the third term helps students prepare to write their thesis, including drafting an effective abstract, mastering paragraph structure and adopting the academic writing style. Each course provides students with feedback, via classroom exercises, external class assignments and an end-of-semester evaluation regarding the course materials.



Review Panels

Each year students meet with a review panel and their supervisors to assess their progress in the research and thesis writing processes.

Hong Kong Law Research Postgraduate Symposium

The Hong Kong Law Research Postgraduate Symposium annually brings together law or law-focused PhD, SJD and MPhil students from all universities in Hong Kong, providing them with the opportunity to present and engage in dialogues regarding their research. It provides a forum for such students to make and renew acquaintances as well as contribute toward a more collegial and intellectually vibrant law research environment in Hong Kong. The Symposium is bookended by Keynote Presentations delivered by distinguished Hong Kong law professors.

The Hong Kong Law Research Postgraduate Symposium is organized and sponsored by CUHK Law and takes place on an annual basis. Each CUHK Law research postgraduate student presents at the Symposium.



CUHK - Kyoto University Joint Research Postgraduate Workshop

The CUHK-Kyoto University Joint Research Postgraduate Workshop provides an opportunity for CUHK Law research postgraduate students and their counterparts from Kyoto University to give scholarly presentations with the aim to develop their research skills and knowledge in their chosen area of research. CUHK and Kyoto University rotate annually to host the Workshop, providing students with cross-cultural/academic perspectives.

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I benefited a lot from the questions and comments given by my peer researchers and they brought fresh perspectives to my research.

- Siyi Lin, CUHK Law PhD Student



The event also presented a valuable networking opportunity, which will likely lead to future collaboration between researchers...

- Daley Birkett, CUHK Law PhD Student

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PhD thesis on the transnational economic law of sovereign wealth funds

The Faculty of Law at CUHK reflects Hong Kong's cultural melting pot and is a great place to conduct legal research. I joined CUHK Law as a LLM student in International Economic Law after obtaining my law degree in Italy (Bocconi University). During the LLM, I developed my interest in what became my thesis topic for the PhD. My three years of time here as a PhD candidate have been a wonderful experience. Opportunities in Hong Kong and in other leading institutions abroad have turned this research period into a stimulating and life shaping experience. The insightful advice of my supervisors, Professors Julien Chaisse and Bryan Mercurio, as well as that of other faculty members, together with the helpful support of the librarians and the administrative staff, provides the ideal institutional structure to draft a good thesis. The research environment is very dynamic: the Faculty of Law and the University organize conferences and seminars where it is possible to present and interact with prominent scholars and practitioners from all over the world. On top of that, being that Hong Kong is one of the main international arbitration venues, we have access to the world's top practitioners in that area and can attend activities organised by the Hong Kong International Arbitration Centre (HKIAC) and Asian Academy of International Law (AAIL), among others.



Dini Sejko



Kehinde
Olaoye

PhD thesis on reform of bilateral investment treaties in Africa

I joined the PhD programme at CUHK Law in September 2016. During my LLM studies at King's College London, I attended the inaugural CUHK Summer Workshop for PhD candidates in August 2015. The Summer Workshop was a wonderful learning experience during which I got to meet with faculty and explore opportunities for research at CUHK. Highlights of the Summer Workshop were a harbour boat cruise with a beautiful view of the symphony of lights show. Seminars and writing sessions during the Workshop also helped me to refine the focus of my research proposal. Studying at CUHK has been very rewarding as I receive excellent supervision and support from my advisors, Professors Julien Chaisse and Bryan Mercurio, and get to attend frequent conferences and events at CUHK and in Hong Kong. Overall, CUHK offers a unique learning experience and I look forward to what lies ahead.

PhD thesis on state succession in international law and unification of Korea

With graduation coming close, I was pondering what I was going to do after I finish my LLM at the George Washington University Law School. It was around the same time I attended the information session regarding the CUHK's PhD programme and realised that pursuing a PhD may possibly be the next step for me. I knew that I wanted to pursue a PhD in Laws at The Chinese University of Hong Kong after attending the inaugural PhD Candidate Summer Workshop in 2015. At the Summer Workshop, I was attracted to the CUHK campus and the city itself. Also, the student ambassadors and the professors helped me have a better understanding of the life of a PhD student and what it means to be a researcher. The Faculty of Law offers many conferences and faculty seminars on diverse areas of law that also broadens my perspective and knowledge in law. While studying here, I can sense and see that the faculty is passionate and highly intellectual in their areas of expertise. Additionally, my supervisors, Professors Stephen Hall and Stuart Hargreaves, have been of great support and have helped me with crystallizing and narrowing my thesis topic, which was my main struggle since beginning my PhD studies. All I can say is that, I am grateful for the opportunity to pursue my PhD at CUHK and I look forward to the next 3-4 years of my study here.



Angela
Kim

WHAT Our Students Say



Sirui Han

PhD thesis on quantitative corporate mergers and acquisitions

Having previously studied in China and the UK, I believed Hong Kong was the ideal place to unlock my full potential when I decided to pursue my doctorate. Enjoying the intellectual vibrancy offered by Asia's World City, I find myself thriving in an environment of high-level academic discussion and symposia. As one of the world's leading financial centres, with a unique history and cultural dimensions, I have found Hong Kong to be the perfect place to cultivate first-rate scholars and inspire cutting-edge research. This law faculty is also a great venue for interdisciplinary legal research. When I located my research interests in the field of law and finance, the Faculty offered essential support for me to earn a complementary MSc in Finance degree with concurrent registration at CUHK Business School. My supervisors, Professors Chao Xi and Dicky Tsang, are always offering insightful comments and generous support with full enthusiasm. This has helped me overcome many obstacles in my studies. Applications for funded research trips and for workshops and conferences are open year-round. With the support from the faculty and my supervisors, I have recently had a chance to be one of the junior academic visitors at the Commercial Law Centre of the University of Oxford. The worldwide academic links CUHK Law Faculty has provides its research students with decent academic training to conduct research and to engage with the international academia. The stunning natural beauty on campus also helps us to work in inspiring surroundings. To sum it up, the learning and researching experience here at CUHK has been amazing and rewarding.

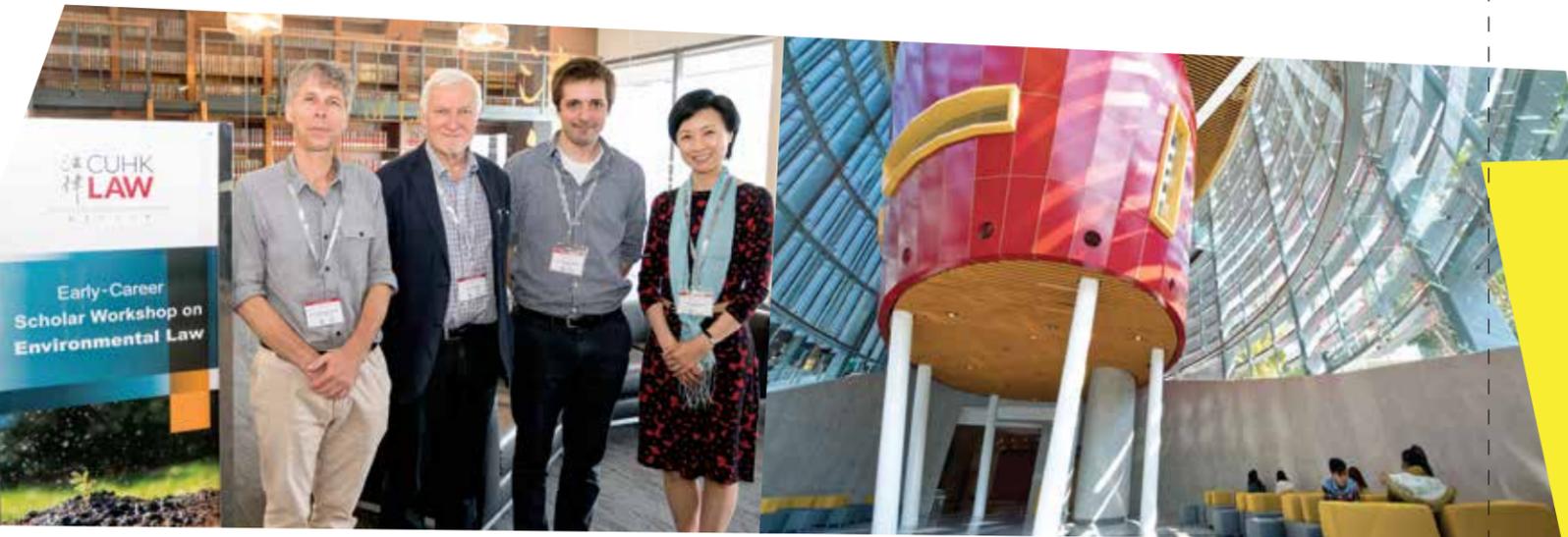
PhD thesis on United Nations sanctions and international criminal proceedings

Having read law in the United Kingdom (Durham) and the Netherlands (Leiden), I joined the Faculty in September 2016 from the Extraordinary Chambers in the Courts of Cambodia, where I worked as a Legal Consultant. Choosing to remain in Asia to pursue my doctoral research at The Chinese University of Hong Kong has proved to be an excellent decision. One highlight of my time thus far at CUHK has been my involvement, alongside Professor Nina Jørgensen, in the organisation of the Faculty-hosted Symposium on "The International Criminal Responsibility of War's Funders and Profiteers". The opportunity to welcome a number of leading experts in the field of international criminal law to Hong Kong, and to present my research at the event, was invaluable at this stage of my academic career. To host such a conference also underlines the global reputation of the Faculty as a world-leading centre for research in the field of international criminal justice.

Another highlight of my first year at CUHK was my involvement as a coach, with Professor Michael Ramsden, of the Faculty ICC Moot Court Competition and Red Cross IHL Moot teams. Having worked at international criminal tribunals before joining CUHK, it has been a privilege to share my passion for this important field of law with the next cohort of aspiring advocates in Hong Kong. I look forward to continuing in this role for the remainder of my time with the Faculty.



Daley
Birkett



Student Careers

The Faculty runs a careers advice programme that can support its research postgraduate students in many ways.

Law Student Careers Office

The Faculty's Law Student Careers Office provides students with guidance on career choices, career preparation and professional development. The Faculty's Director of Career Planning and Professionalism, Mr. Paul Mitchard QC, has designed and runs a programme which includes seminars on career and professionalism topics and presentations by representatives of law firms and barristers' chambers and other prospective employers.

Virtual Careers Resource Centre

The Law Student Careers Office also maintains a Virtual Careers Resource Centre (VCRC). This is a powerful online resource that serves as a contact point for employers, teaching faculty members and students. The VCRC has a Legal Careers Directory that contains up-to-date information on law firms and chambers and on internships and other employment opportunities. The VCRC website also notifies careers seminars and other events as well as providing students with information on matters such as job applications and CV preparation and with a wide range of other career-related resources.



Mr. Paul Mitchard QC
Director of Career Planning and Professionalism

The demands of legal recruiters are becoming increasingly sophisticated: it is therefore important for students, right from the start of their university career, to keep abreast of what is going to be required of them in addition to academic achievement and to take steps to enable them to meet those demands.

How to Apply

The following schematically presents our PhD and MPhil Programmes:

Study Mode and Period

PhD Programme

	Normative Study Period		Maximum Study Period
	With Research Master's Degree	Without Research Master's Degree	
Full-time	36 months	48 months	84 months
Part-time	48 months	64 months	96 months

MPhil Programme

	Normative Study Period	Maximum Study Period
Full-time	2 years	4 years
Part-time	3 years	5 years

Admission Requirements

All applicants must fulfill the CUHK Entry and English Language Proficiency Requirements. Details can be found at <http://www.gs.cuhk.edu.hk/>.

In addition, MPhil applicants must possess:

- a Bachelor of Laws (LLB) degree with first class honours or upper second class honours awarded by a recognized university; or
- a Juris Doctor (JD) degree or a Master of Laws (LLM) degree awarded by a recognized university with a cumulative GPA of 3.0 or above; or
- an equivalent degree (including non-law related) awarded by a recognized tertiary educational institution.

PhD applicants must possess either (b) or (c) as mentioned above. Of course, these are only minimum requirements, and actual admission on a competitive basis could demand much more.

Applicants must satisfy the English Language Proficiency Requirement by:

- possessing a Bachelor's degree awarded by a recognized university in Hong Kong or an English-speaking country, or taught primarily in the English Language; or
- achieving a result of Band 7.0 or better in the International English Language Testing System (IELTS). IELTS test results must be obtained not more than two years prior to the date of applying for admission to the PhD/MPhil Programme; or
- achieving at least a score of 587 (Paper Based Test) or 95 (Internet Based Test) in the Test of English as Foreign Language (TOEFL). TOEFL test results must be obtained not more than two years prior to the date of applying for admission to the PhD/MPhil Programme; or
- providing alternative evidence of English Proficiency equivalent to one of the preceding measures.

Applicants for the Hong Kong PhD Fellowship Scheme, please visit the website of the Scheme for additional admission requirements.

Tuition Fee (subject to annual review)

HK\$42,100 per year for both full-time and part-time PhD and MPhil students

Please note that awardees of the Hong Kong PhD Fellowships and CUHK Postgraduate Studentships do not receive a waiver of tuition fee.

Application Period and Procedures

- For applicants to the Hong Kong PhD Fellowship Scheme

Application deadline:

**1 December 2017 at 12 noon
 Hong Kong Time (GMT +8 hours)**

URL for on-line application:

<http://www.rgc.edu.hk/hkphd>

- For non-Fellowship applicants submitting their applications to CUHK direct

Application deadline:

31 January 2018

URL for on-line application:

<http://www.gs.cuhk.edu.hk/>

The Faculty considers applications on a rolling basis. We encourage you to send us your application and supporting materials as early as possible. A decision on your application will be made by the Faculty and CUHK and, if admitted, an appropriate supervisor and/or co-supervisor will be assigned. Please do not contact faculty members directly with requests for admission and supervision.



香港中文大學

The Chinese University of Hong Kong

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