# 6th Asian Law Institute Conference

## Dynamics of Change in Asia

### Tentative Programme Schedule

#### Day One: 29 May 2009, Friday

<table>
<thead>
<tr>
<th>TIME</th>
<th>PROGRAMME</th>
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</thead>
<tbody>
<tr>
<td>8.00 am</td>
<td>Shuttle Bus Pick-up at Selected Hotels</td>
</tr>
<tr>
<td>8.30 am</td>
<td><strong>Registration</strong> (Venue: Loke Yew Hall, Main Building)</td>
</tr>
<tr>
<td>9.00 am</td>
<td><strong>Welcome Speech:</strong> by Dean of Faculty of Law, HKU: Professor Johannes Chan, SC</td>
</tr>
<tr>
<td>9.10 am</td>
<td><strong>Speech by Chairman of the Asian Law Institute Board of Governors:</strong> Professor Shin-Ichi Ago, Faculty of Law, Kyushu University</td>
</tr>
<tr>
<td>9.20 am</td>
<td><strong>Welcome Address by Director of Asian Law Institute:</strong> Professor Kumaralingam Amirthalingam</td>
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<tr>
<td>9.30 am</td>
<td>Briefing on Conference Administrative Matters</td>
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<tr>
<td>9.35 am</td>
<td><strong>Keynote Speech by The Secretary for Justice:</strong> The Honorable Mr Wong Yan Lung SC</td>
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<tr>
<td>10.00 am</td>
<td><strong>Coffee Break</strong></td>
</tr>
<tr>
<td>10.30 pm – 12.00 pm <em>(Parallel Session 1)</em></td>
<td><strong>A1</strong> Int’l Business Law I</td>
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<tr>
<td>Venues</td>
<td>M103 (1/F Main Building)</td>
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<tr>
<td>12.00 pm - 2.00 pm</td>
<td><strong>Lunch</strong> (Main Venue: Loke Yew Hall, Main Building)</td>
</tr>
<tr>
<td>12.30 pm – 1.45 pm <em>(Parallel Session 2)</em></td>
<td><strong>A2</strong> Int’l Business Law II</td>
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<tr>
<td>Venues</td>
<td>M103 (1/F Main Building)</td>
</tr>
<tr>
<td>3.30 pm – 4.00 pm</td>
<td><strong>Coffee Break</strong></td>
</tr>
<tr>
<td>Venues</td>
<td>M103 (1/F Main Building)</td>
</tr>
<tr>
<td>5.45 pm</td>
<td>Shuttle Bus to Dinner Venue (Café Deco at The Peak)</td>
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<tr>
<td>6.30 pm</td>
<td><strong>Welcome Dinner @ Café Deco</strong></td>
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<tr>
<td></td>
<td>Guest-of-Honour: Mr Martin Lee SC</td>
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<td></td>
<td>Former Chairman of the Hong Kong Democratic Party</td>
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<tr>
<td>9.30 pm</td>
<td>Return to Hotel</td>
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## TIME PROGRAMME

<table>
<thead>
<tr>
<th>TIME</th>
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<tbody>
<tr>
<td><strong>8.15 am</strong></td>
<td>Shuttle Bus Pick-up at Selected Hotels</td>
</tr>
<tr>
<td><strong>9.00 am – 10.30 am</strong> (Parallel Session 4)</td>
<td><strong>A4</strong> Int'l Business Law IV</td>
</tr>
<tr>
<td>Venues</td>
<td>M103 (1/F Main Building)</td>
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<tr>
<td><strong>10.30 am – 11.00 am</strong></td>
<td><strong>Coffee Break</strong></td>
</tr>
<tr>
<td><strong>11.00 am – 12.45 pm</strong> (Parallel Session 5)</td>
<td><strong>A5</strong> Int’l Business Law V</td>
</tr>
<tr>
<td>Venues</td>
<td>M103 (1/F Main Building)</td>
</tr>
<tr>
<td><strong>12.45 pm – 2.30 pm</strong></td>
<td><strong>Lunch</strong>  (Main Venue: Loke Yew Hall, Main Building)</td>
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<tr>
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<tr>
<td><strong>2.30 pm - 3.45 pm</strong></td>
<td><strong>Keynote Lecture on “Democracy and Violence: In Asia and Beyond”</strong> by Dr Ramachandra Guha Historian and Writer, Bangalore</td>
</tr>
<tr>
<td><strong>3.15 pm - 3.45 pm</strong></td>
<td>Q &amp; A</td>
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<tr>
<td><strong>3.45 pm</strong></td>
<td><strong>Closing Ceremony</strong></td>
</tr>
<tr>
<td><strong>3.45 pm - 3.55 pm</strong></td>
<td>Closing Speech by Director of Asian Law Institute  Professor Kumaralingam Amirthalingam</td>
</tr>
<tr>
<td><strong>3.55 pm - 4.15 pm</strong></td>
<td><strong>Presentation on the 7th ASLI Conference in 2010</strong> International Islamic University, Malaysia</td>
</tr>
<tr>
<td><strong>4.15 pm - 4.45 pm</strong></td>
<td>Shuttle Bus to Selected Hotels / Tsim Sha Tsui Shopping Area</td>
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<tr>
<td><strong>7.15 pm</strong></td>
<td>Shuttle Bus to Optional Dinner</td>
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<tr>
<td><strong>7.45 pm - 9.45 pm</strong></td>
<td><strong>Optional Dinner @ Aqualuna</strong> (Meet Up Point: Tsim Sha Tsui Public Pier)</td>
</tr>
<tr>
<td><strong>9.45 pm</strong></td>
<td>Return to Hotel</td>
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</tbody>
</table>
## Panels Assignment

**Date:** Friday, 29 May 2009  
**Session One:** 10.30 am to 12.00 pm

<table>
<thead>
<tr>
<th>Panel No</th>
<th>Panel A1</th>
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<th>Panel E1</th>
<th>Panel F1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Speaker No:</td>
<td>International Business Law I</td>
<td>Constitutional Law I</td>
<td>Role of ASEAN</td>
<td>Intellectual Property/Info Tech Law I</td>
<td>Criminal Law</td>
<td>Corporate Law &amp; Governance I</td>
</tr>
<tr>
<td>Moderator:</td>
<td>Assoc Prof Gary Meggitt</td>
<td>Asst Prof Dr George Zheng Ge</td>
<td>Prof Andrew Kenyon</td>
<td>Assoc Prof Burton Ong</td>
<td>Assoc Prof Dr Puteri Nemie Jahn Kassim</td>
<td>Assoc Prof Dr Leng Jing</td>
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<tr>
<td>Venue:</td>
<td>M103 (1/F Main Building)</td>
<td>M218 (2/F Main Building)</td>
<td>M121 (1/F Main Building)</td>
<td>M122 (1/F Main Building)</td>
<td>M217 (2/F Main Building)</td>
<td>M167 (1/F Main Building)</td>
</tr>
</tbody>
</table>

1. **Islamic Arbitration As A Foundation For International Commercial Arbitration Of Contemporary Islamic Financial Institutions**  
   - Dr Abdurrahman Raden Aji Haqqi  
   - Sultan Sharif Ali Islamic University, Brunei

2. **Designing Culturally Conscious Alternative Dispute Resolution to Foster Asian Economic Development**  
   - Ms Herliana  
   - Gadjah Mada University

   - Mr Gatot Soemartono  
   - National University of Singapore

4. **International Commercial Arbitration in West Asia**  
   - Mr Damien Horigan  
   - American University in Dubai

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### Lunch @ Loke Yew Hall, Main Building

**12.00pm to 2.00pm**

- **Open Forum for ASLI Member Institutions**  
  - 12.30 pm-1.45 pm  
  - (for registered designated members only)  
  - Venue: M103 (1/F Main Building)

- **Presentation on Asian Legal Information Institute Project**  
  - by Professor Graham Greenleaf  
  - 12.30 pm-1.45 pm  
  - Venue: M167 (1/F Main Building)
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<tr>
<th>Venue</th>
<th>M103 (1/F Main Building)</th>
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<th>M217 (2/F Main Building)</th>
<th>M167 (1/F Main Building)</th>
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<tbody>
<tr>
<td></td>
<td>Mr Ren Yatsuami Kyushu University</td>
<td>Ms Pornsakol Panikabutara University of New South Wales</td>
<td>Prof Dr. Abdul Ghafur Hamid (alias) Khin Maung Sein International Islamic University Malaysia</td>
<td>Prof Abu Bakar Munir Assoc Prof Siti Hajar Md. Yasin University Of Malaya</td>
<td>Assoc Prof Dr Puteri Nermie Jahn Kassim International Islamic University Malaysia</td>
<td>Prof Rhö, Hyeok Joon Seoul National University</td>
</tr>
<tr>
<td>2</td>
<td>Adjudication in Construction Disputes – Time for Change in Asia?</td>
<td>The Role of Domestic Nongovernmental Organizations in Transnational Constitutionalism: The Case of Taiwan</td>
<td>Separatism, political resolution and the law: Does the Aceh experience hold clues to peace-building in Mindanao?</td>
<td>Originality in Recreational Copyright Works</td>
<td>Governance of Labour Migration in South East Asia</td>
<td>The Independent Non-Executive Directors- Comparing the Codes of UK, Malaysia, Singapore &amp; Hong Kong</td>
</tr>
<tr>
<td></td>
<td>Assoc Prof Grace Xavier University of Malaya</td>
<td>Assoc Prof Wen-Chen Chang National Taiwan University</td>
<td>Ms Tan Hsien-Li Teresa Asian Society of International Law</td>
<td>Assoc Prof Burton Ong National University of Singapore</td>
<td>Prof Susan York Kneebone Monash University</td>
<td>Assoc Prof Alman Nariman Mohd Sulaiman International Islamic University Malaysia</td>
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<td></td>
<td>Dr Farid Sufian Shuaib International Islamic University Malaysia</td>
<td>Dr Farid Sufian Shuaib International Islamic University Malaysia</td>
<td>Ms Wan Mariam Wan Abdullah The University of Queensland</td>
<td>Ms Wang Jia Stellenbosch University</td>
<td>Prof Padhi Pramod Kumar Prof EM Rao XLRI Jamshedpur</td>
<td>Ms Sujata Balan Prof Dr Choong Yew Choy University of Malaya</td>
</tr>
<tr>
<td></td>
<td>Prof Erman Rajagukguk, SH. LLM. Ph.D University of Indonesia</td>
<td>Dr A.K.M. Masudul Haque University of Western Sydney</td>
<td>Dr Saira Rahman Khan Brac University</td>
<td>Assoc Prof Andrew Jen-Guang Lin National Taiwan University</td>
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**Session Two : 2.00pm to 3.30pm**

**3.30pm - 4.00pm Coffee Break**
### Session Three: 4.00pm to 5.30pm

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<thead>
<tr>
<th>Speaker No.</th>
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<tbody>
<tr>
<td></td>
<td>Moderator: Assoc Prof Lee Aitken</td>
<td>Moderator: Prof V.Vijayakumar</td>
<td>Moderator: Dr Ben Saul</td>
<td>Moderator: Prof Kent Anderson</td>
<td>Moderator: Dr Ho Hock Lai</td>
<td>Moderator: Prof Andrew Llewellyn Terry</td>
</tr>
<tr>
<td>1</td>
<td>Dealing with Corporate Self-Dealing: A Comparative and Economic Analysis Based on Korean Experience</td>
<td>From the historical path of models of political institution to see the development of the political system in China</td>
<td>Maritime Security in South East Asia: Indonesian Perspective</td>
<td>Benefit Sharing vs. Intellectual Property in agricultural biotechnologies: theoretical and practical perspectives</td>
<td>Human Trafficking as Transnational Organized Crime: Problem and Perspective</td>
<td>The Conception And Implementation Of Business Judgement Rule In Indonesia According To Law No 40 Year 2007 Re. Perseroan Terbatas (PT)</td>
</tr>
<tr>
<td></td>
<td>Prof Haksoo Ko Seoul National University</td>
<td>Assoc Prof Benny Y.T. TAI University of Hong Kong</td>
<td>Assoc Prof Melda Karni Arianro University of Indonesia</td>
<td>Prof Louise Bernier Sherbrooke University</td>
<td>Prof Gur Iqbal Singh Sandhu Rajiv Gandhi National University of Law Pujab Patiala</td>
<td>Mr Gunawan Widjaja Universitas Pelita Harapan</td>
</tr>
<tr>
<td></td>
<td>Mr. Ebenezer Adodo National University of Singapore</td>
<td>Ms. Gu Yu The University of Hong Kong</td>
<td>Mr Christopher Michaelsen National University of New South Wales</td>
<td>Ms. Huang Yan National University of Singapore</td>
<td>Ms Nathalina Naibaho University of Indonesia</td>
<td>Dr John R Davis Chulalongkorn University</td>
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<tr>
<td>3</td>
<td>The Assignment of Receivables and the Transfer of Ownership in Indonesian Law – Time to Abandon the Old Formalistic Dutch Law and Adopt the Best International Practices?</td>
<td>Dynamics and Sustainability of the Recently Introduced Supplementary Measures of Direct Democracy in the Republic of Korea: Their Constitutional Ramifications on Democratisation and Rule of Law</td>
<td>The Near Collapse of the South China Sea Fisheries: International Law Responses</td>
<td>Infringement of Trademark Right in Internet Circumstance -Use of marks for keyword or meta-tag in the web sites</td>
<td>Indonesian Protection Of The Rights Of The Child</td>
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<td>Assoc Prof Gary Francis Bell National University of Singapore</td>
<td>Assoc Prof Mary George University of Malaya</td>
<td>Assoc Prof Mary George University of Malaya</td>
<td>Prof Keita Sato Chuo Law School</td>
<td>Asst Prof Ahmad Budi Cahyono Atma Jaya University Of Indonesia</td>
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<tr>
<td>4</td>
<td>An Analysis of the Major Recent Developments and Trends in Singapore Taxation</td>
<td>Gearing Open Skies – Progressive International Air Transport Liberalization and the Emerging Markets of East Asia</td>
<td>The Good Faith Principle in Trade Mark Laws</td>
<td>Rights of Women and Children Refugees in Malaysia: Specific Reference to Women and Children Refugees from Myanmar in Malaysia</td>
<td>Welcome Dinner at Café Deco @ The Peak (Please proceed to Shuttle Bus Pick-up Area)</td>
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<tr>
<td></td>
<td>Assoc Prof Stephen Phua National University of Singapore</td>
<td>Mr Jason R Bonin National University of Singapore</td>
<td>Assoc Prof Suharnoko SH MLI University of Indonesia</td>
<td>Nadzriah BInti Ahmad Universiti Teknologi Mara (UiTM)</td>
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### Speaker No:

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<th>Panel A4</th>
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<tr>
<td>Moderator: Asst Prof Tureen Afroz</td>
<td>Moderator: Asst Prof Jack Tsen-Ta Lee</td>
<td>Moderator: Assoc Prof Vai lo Lo</td>
<td>Moderator: Prof Keita Sato</td>
<td>Moderator: Assoc Prof Norbani Mohamed Nazeri</td>
<td>Moderator: Prof Caslav Pejovic</td>
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</tbody>
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### Venue:

- M103 (1/F Main Building)
- M218 (2/F Main Building)
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- M167 (1/F Main Building)

### Date: Saturday, 30 May 2009
Session Four: 9.00am to 10.30am

<table>
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<th>Panel Assignment (as at 25 May 2009)</th>
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<tr>
<td><strong>1</strong></td>
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<td><strong>3</strong></td>
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<tr>
<td><strong>4</strong></td>
</tr>
</tbody>
</table>

### 1. The Regulation of Franchising in Asia: a Comparative Study

- **Speaker**: Prof Andrew Llewellyn Terry
- **Affiliation**: University of New South Wales
- **Presentation Title**: A Human Rights Act for China? In Search for Legal Constraints of the Authoritarian State
- **Organizer**: Asst Prof Dr Bjorn Ahl
- **Affiliation**: City University of Hong Kong

### 2. Regional Integration and the Development of Private Law: the Legal Regime for Cross-border Consumer Transactions

- **Speaker**: Prof Mary Hiscock
- **Affiliation**: Bond University
- **Presentation Title**: The Implementation of Tangerang Local Regulation No.8 chapter E year 2005 concerning Prohibition of Prostitution, a Socio-legal study.
- **Organizer**: Fully Handayani Ridwan
- **Affiliation**: University of Indonesia

### 3. Cross-border Investment - Contracts, Law and Enforcement

- **Speaker**: Ms Vivienne Bath
- **Affiliation**: University of Sydney
- **Presentation Title**: Asia’s human rights comitee desages? The origins and work of the Advisory Council of Jurists of the Asia Pacific Forum of National Human Rights Institutions
- **Organizer**: Prof Andrew Byme
- **Affiliation**: Australian Human Rights Centre, UNSW

### 4. Rules of Foreign Direct Investment on Telecommunications Development with Taiwan’s Experience

- **Speaker**: Assoc Prof Chun Hung Lin
- **Affiliation**: Feng Chia University
- **Presentation Title**: Challenges to Pro Bono Work in the Asian Corporate Context: Means Testing and the Worthy Applicant
- **Organizer**: Assoc Prof Helena Whalen-Bridge
- **Affiliation**: National University of Singapore

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### From Zero to Something: The Necessity of Establishing a Regulatory System for Financial Conglomerates in China

- **Speaker**: Asst Prof Kuan-Chun Johnny Chang
- **Affiliation**: National Chengchi University

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### Women’s Legal Knowledge, Study on Woman’s Perception on Tangerang Local Regulation No. 8 chapter E year 2005 concerning Prohibition of Prostitution

- **Speaker**: Mrs Shanthi Segarajasingham
- **Affiliation**: University of Colombo

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### 10.30am to 11.00am: Coffee Break
Panel A5: International Business Law V
Moderator: Prof Haksoo Ko

Panel B5: Human Rights II
Moderator: Research Asst Prof Karen Kong

Panel C5: Environmental Law I
Moderator: Prof Koh Kheng Lian

Panel D5: Information & Media
Moderator: Prof Richard Cullen

Panel E5: Marriage & Family
Moderator: Prof Dr Zaleha Kamarudin

Panel F5: Property & Land
Moderator: Dean Kim Konsik

Venue: M103 (1/F Main Building) M218 (2/F Main Building) M121 (1/F Main Building) M122 (1/F Main Building) M217 (2/F Main Building) M167 (1/F Main Building)

1. Imported Baby Milk Market: Regulatory Issues and Reforms in Bangladesh
Asst Prof Tureen Afroz
BRAC University

Religious Groups’ Legal Identity, Civil Registration, and Power Relation
Mr Antonius Cahyadi
University of Indonesia

The Environmental Quality Act 1974 as a Significant Legal Instrument towards Environmental Protection and Sustainable Development in Malaysia: Prospects and Challenges
Dr Maizatun Mustafa
International Islamic University Malaysia

Right to Information, Democracy and People’s Participation in Governance
Prof Shyam Sunder Sharma
Jai Narain Vyas University

Incest in Malaysia: A Comparison Between Islamic and Civil Law Perspectives
Assoc Prof Norbani Mohamed Nazeri
Dr Siti Zubaaidah Ismail
University of Malaya

Land Administration And The Right Of Access To Land: An Analysis Of The Concept Of Temporary Occupation License Under Malaysia Land Law
Prof Humid Abia Kadouf, PhD
International Islamic University Malaysia

Speaker No:

Panel Assignment (as at 25 May 2009)

Venue:

M103 (1/F Main Building) M218 (2/F Main Building) M121 (1/F Main Building) M122 (1/F Main Building) M217 (2/F Main Building) M167 (1/F Main Building)

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Right to Information, Democracy and People’s Participation in Governance
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Incest in Malaysia: A Comparison Between Islamic and Civil Law Perspectives
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Dr Siti Zubaaidah Ismail
University of Malaya

Land Administration And The Right Of Access To Land: An Analysis Of The Concept Of Temporary Occupation License Under Malaysia Land Law
Prof Humid Abia Kadouf, PhD
International Islamic University Malaysia

2. Treaties, Government Procurement and Good Governance: The Case of Chinese Tied Loans in the Philippines
Prof H. Harry L. Roque, Jr.
University of the Philippines

Indigenous Peoples Rights in a Developing Legal System: The Hilltribes of Northeastern Cambodia
Assoc Prof Dr. Joerg Menzel
University of Bonn, Germany

The Environmental Quality Act 1974 as a Significant Legal Instrument towards Environmental Protection and Sustainable Development in Malaysia: Prospects and Challenges
Dr Maizatun Mustafa
International Islamic University Malaysia

Media Law in Practice: Comparing Defamation Law and Media Content in Singapore, Malaysia and Australia
Prof Andrew Kenyon
University of Melbourne Law School

Cross-border Marriages: The Rights of Foreign Spouse under the Malaysian Law of Succession
Asst Prof Akmal Hidayah bt Halim
International Islamic University Malaysia

Constitutional Property Clauses in China: A Critical Comparative Analysis with South Africa
Dr Chen Le
National University of Singapore, Prof Hanli Mostert
University of Cape Town

3. A Study on Dispute Settlement System of Public Construction Contracts under the Government Procurement Act in Taiwan
Assoc Prof Anna Yan
National Chengchi University

Human Rights And Freedom Of Religion In Malaysia: The Debate On The Wearing Of Islamic Costumes
Assoc Prof Mohamed Azam Mohamed Adil
Universiti Teknologi Mara (UiTM)

Environmental Concerns Related to Construction Projects: An ASEAN Perspective
Assoc Prof Philip Chan Chuen Fye
Asst Prof Asanga Gunawardena
National University of Singapore

Lawyers in Chinese Movies
Prof Alison W. Conner
University of Hawaii

The Cultural and Legal Perspectives of Wife Battering in Malaysia
Mrs Rosilina Che Soh
International Islamic University Malaysia

Condominium Living in Singapore: A Look at Some Recent Developments
Prof Teo Kean Sood
National University of Singapore

4. Opening Markets in Foreign Countries: A Comparative Study on the Trade Barrier Investigation System of China
Assoc Prof Henry Gao
Singapore Management University

Is There Any Law Protection for People With Mental Disorder in Indonesia? (Case Study of Pasung)
Mr Eddie Imanuel. Doloksaribu
Atma Jaya Catholic University, Rouli Anita Velentina
University of Indonesia

Environmental Law Policy in dealing with Global Crisis - Lesson from Indonesia
Mr Kristianto Pustaha Halomoan
Atma Jaya Catholic University

Protecting Asia’s cultural heritage against looting and illicit art trafficking
Mr Stefan Gruber
University of Sydney

Gift Intervivos (Hibah) In Favour Of Some Children With The Exclusion Of The Others Under The Provisions Of Islamic Law In Malaysia
Dr Badrududdin bin Hj Ibrahim
International Islamic University Malaysia

Property Regulation through Private Ordering: Some Insights from Social Trauma in Aceh and East Timor
Prof Daniel Fitzpatrick
Australian National University

5. Comparative Trade Remedy Laws on Public Interest Consideration under Anti-Dumping Cases
Asst Prof Blake C.Y. Wang
National Taipei University

Legal Disputes In Determining Religious Status Of A Child When One Parent Converts To Islam Under Malaysian Law
Assoc Prof Najibah Mohd Zin
International Islamic University Malaysia

Land Law and the Environment – Forging New Rights and Obligations in a Changed World
Assoc Prof Lye Lin Heng
National University of Singapore

A Cross-Border Marriage: Rights of a Wife after Divorce in the case of Conversion to Islam under the Malaysian Family Law
Asst Prof Nora Abdul Hak
International Islamic University Malaysia

Transformation of Land Law and Land Rights in Indonesia: The Persistence of Pluralism
Dr Daryono
National University of Singapore

12.45pm - 2.45pm: Lunch