CROSSING BORDERS IN A TROUBLED WORLD:
Youth’s perspective on transnational migration related issues

31 March & 1 April
Thursday and Friday, 2016
National University of Singapore, Faculty of Law

NUS National University of Singapore
Centre for Asian Legal Studies
Faculty of Law
31 March to 1 April 2016
Lee Sheridan Room, Eu Tong Seng Building, NUS (BTC)

With the increase in globalization, migration has been a major phenomenon world-wide, especially in the post-world war era. The 2009 Human Development Report (HDR) observes that one out of seven persons (or one billion people) in the world is a migrant. Thus migration has been a major issue in shaping economic policies, laws, cultural values and social structure. Connected to this issue are concerns regarding refugees, human trafficking and notions of citizenship. All these matters are not only factors framing national laws and policies, but are also affecting trans-boundary relationship and international law. In addition to that, migration related issues have also initiated new global rights movement and provided new light on the relationship between the state and individuals. Unsurprisingly, with the new power of social media and other platforms, the youths have been outspoken about their concerns and unified to form a collective force.

This conference will engage with emerging questions concerning views of the youth regarding migration related issues. The conference will focus on the younger generation’s perspective on the many ways how Public International Law principles like sovereignty, comity etc. collaborate with private law - including how comparative law approach can frame International laws in this area; how each of these issues interact with each other, the effect they have on the evolution and acceptance of societal, religious and cultural values. CALS is also interested in how comparative law perspectives help in building domestic and international law in this area. Additionally, this conference aims to provide a platform to the youths to share their ideas with students around the globe and engage in lively debates and discussion.
Crossing Borders in a Troubled World
A YOUTH CONFERENCE ON TRANSNATIONAL MIGRATION
31st March and 1st April 2016
Faculty of Law, National University of Singapore (Bukit Timah Campus)

Programme

Thursday, 31 March 2016 (Day 1)

11.00am – 11.15am  Registration and Morning Coffee Break

11.15am – 11.30am  INTRODUCTION
Dan W. Puchniak
DIRECTOR, CENTRE FOR ASIAN LEGAL STUDIES (CALS)

Shaikat Fahmid
STUDENT ORGANIZER, NATIONAL UNIVERSITY OF SINGAPORE

11.30am – 12.45pm  PANEL 1: MIGRATION AND HUMAN RIGHTS

Moderator: Tan Hsien-Li, ASSISTANT PROFESSOR, NATIONAL UNIVERSITY OF SINGAPORE

Speakers
International Migration Laws
Manasi Beriwala, UNIVERSITY OF DELHI

Immigration Controls and Transnational Terrorism - Protecting Migrant Rights in Singapore
Ryce Lee & Tony Liu, NATIONAL UNIVERSITY OF SINGAPORE

1.00pm – 3.00pm  Group photo & Lunch, STAFF LOUNGE, BLOCK B
Tour of The Law Faculty

3.00pm – 4.15pm  PANEL 2: FORCED MIGRATION AND REFUGEES

Moderator: Matthew Seet, SHERIDAN FELLOW, NATIONAL UNIVERSITY OF SINGAPORE

Speakers
Refugees from China under Chinese Family Plan Policy
Yang Li, CHINA UNIVERSITY OF POLITICAL SCIENCE AND LAW

Moving Forward from the 1982 Burmese Citizenship Act
Zhen Jun Al Tirapon Lim, YALE-NUS COLLEGE
4.15pm – 5.45pm

PANEL 3: MIGRATION AND STATE SOVEREIGNTY

Moderator: Eliana Cusato, PhD Candidate, National University of Singapore

Speakers
Transnational Migration Flows and Their Regional Implications for Asian Security
Lulu Al-Marjany, University of Asia Pacific

Sovereign Reproductions: Bare Life and Foreign Manpower
Benjamin Goh, National University of Singapore

Transnational Migration: Rethinking State Sovereignty and Citizenship
Emma Maria Rengers, University of Amsterdam

5.45pm – 7.00pm

PANEL 4: MIGRATION, CITIZENSHIP, AND IDENTITY

Moderator: Jaclyn L. Neo, Assistant Professor, National University of Singapore

Speakers
Law, Migrants, and Multiculturalism: Situating Foreign Labour in Singapore’s Curated Cosmopolis
Jean Ann Yeoh, National University of Singapore

Immigration Inflows Impacting the Singapore Identity
Debbie Leong Jia Ling, National University of Singapore

7.00pm onwards

Welcome Dinner
(For speakers and by invitation only)
Friday, 1 April 2016 (Day 2)

11.00am – 11.30am  Morning Coffee Break

11.30am – 1.00pm  PANEL 5: IMPACT OF REGULATORY FRAMEWORKS ON MIGRATION

Moderator: Swati Jhaveri, Assistant Professor, National University of Singapore

Speakers
The Downfalls of Singapore’s Training Employment Pass Regime - A Lesson from Japan
Linh Trang Hoang, National University of Singapore

Choosing Reality Over Denial: A Critique of the Current Regulatory Regime Regulating the Sex industry in Singapore
Shaikat Fahmid, National University of Singapore

Crossing the Last Hurdle to Compensation: A Study into the Methods of Enforcing Labour Court Judgments for Migrant Workers in Singapore
Charmaine Yap & Zong Han, National University of Singapore

1.00pm – 2.30pm  Lunch, Staff Lounge, Block B

2.30pm – 3.40pm  PANEL 6: MIGRATION AND INTEGRATION

Moderator: Arif Jamal, Assistant Professor, National University of Singapore

Speakers
Relationship Problems: Investigating the Coping Mechanisms of Indonesian Domestic Workers
Jane Zhang, Yale-NUS College

Forced Deportation or Economic Integration – What’s the solution to illegal immigration in North-East India?
Ishita Mathur, Holcim Limited National Law University Raipur

3.40pm – 4.00pm  CLOSING REMARKS

Jaclyn L. Neo, Assistant Professor, National University of Singapore
Sheila N. Hayre, Senior Lecturer, National University of Singapore
Shaikat Fahmid, Student Organizer, National University of Singapore

4.30pm onwards  Group Photo and Farewell Dinner
(For speakers and by invitation only)
Profiles
(sorted in alphabetical order by first name)

Arif Jamal is an Assistant Professor of Law at NUS. He studied politics (BA) and law (LLB) in Canada and was called to the Bar of British Columbia. Thereafter, he undertook post-graduate work in the UK earning an LLM degree, focusing on Islamic law, at the School of Oriental & African Studies (SOAS) and then completing his doctorate the Faculty of Laws at University College London (UCL). Before joining NUS, Arif was a Teaching Fellow at UCL Laws and at the School of Law at SOAS, and had also been a Visiting Researcher with the Islamic Legal Studies Program at Harvard Law School. Arif’s research and teaching interests include legal and political theory, law and religion and law in Muslim contexts.

Benjamin Goh I graduated with a Bachelor of Laws from the National University of Singapore in 2014, and have since been pursuing a Master of Arts (Literary Studies) at the English department. My research interests lie in the suggestive junctures between law and the Continental tradition, and in the broader interdiscipline of law and the humanities. Particular thinkers whose writings I have worked on are Walter Benjamin, Maurice Blanchot, Jacques Derrida, and Giorgio Agamben. Topically, I am drawn to the cluster of issues surrounding the law and the political. My forthcoming project involves a critique of Singapore’s regime of detention without trial under the Internal Security Act and its historical operations through recourse to Agamben’s Homo Sacer series.

Charmaine Yap is an undergraduate at the National University of Singapore, Faculty of Law. She is involved in pro bono work and research with a focus on migrant worker issues. She has assisted local NGOs that work with migrant workers, Transient Workers Count Too and Healthserve, with legal research and case work. She has also worked with the regional NGO, Justice Without Borders, first as a legal fellow then as a legal coordinator. She is currently involved in a cross-border research project studying the key legal issues faced by female migrant workers on the migration routes between Indonesia, the Philippines, Hong Kong, and Singapore, with a focus on the issues of illegal salary deductions and contract substitution. She is also now researching into issues relating to injury claims at Labour Court in Singapore as part of a research collaboration between TWC2, SMU School of Law, and NUS Faculty of Law.
Dan W. Puchniak is an Associate Professor in the Faculty of Law at the National University of Singapore and is currently a Visiting Fellow in the Commercial Law Centre at Harris Manchester College, Oxford University. He specialises in company law with an emphasis on comparative corporate law in Asia. Dan has published widely on comparative, Asian, Japanese and Singapore corporate law and governance and is regularly invited to present his scholarship and lecture at leading law schools around the world. Dan has received numerous domestic and international awards for his academic research and teaching. Most recently, his article on derivative actions in Asia was awarded the Best Paper Prize at the annual Corporate Law Teachers Association Conference. He was also recently placed on the National University of Singapore Annual Teaching Excellence Award Honour Roll as recognition for receiving the university wide NUS Annual Teaching Excellence Award three times. Also, he was recently selected by the Open Society Foundations to be a Fellow and Visiting Professor in the Department of Law at the University of Yangon. Dan is currently the ASEAN Convener for the Australian Network for Japanese Law and a member of the Editorial Board for the Max Planck Institute’s Journal of Japanese Law. Prior to entering academia, Dan worked as a corporate commercial litigator at one of Canada’s leading law firms.

Debbie Leong Jia Ling is a 4th year NUS law student. One of her modules this semester is LL4134V Crossing Borders: Law, Migration and Citizenship. This module inspired her research paper as she learnt about the migration paths into Singapore and how reliant Singapore is on immigration for population growth. Her CCA is Taekwondo and she will be doing her training contract in general litigation after graduation.
Eliana Teresa Cusato is a second year Ph.D. candidate at the National University of Singapore (NUS) Faculty of Law. She holds a Bachelor’s Degree and Master’s Degree in Law from Università Cattolica del Sacro Cuore (Milan, Italy). She is a qualified lawyer (called to the Milan Bar), with more than 5 years of experience in criminal litigation. Eliana’s research project focuses on the environmental impact of armed conflict and investigates existing and innovative approaches to address damage to the environment. Prior to entering academia, Eliana worked as a criminal lawyer for a leading Italian law firm based in Milan. She also served at the International Criminal Court, in the Office of the Public Counsel for the Defence. Eliana’s research interests encompass the fields of international criminal law, international humanitarian law, human rights law, transitional justice and public international law.

Emma Rengers is an eighteen-year-old undergraduate student from the Netherlands. She is in her second year of Politics, Psychology, Law, and Economics (P|PLE) at the University of Amsterdam, where she is specializing in international law. At the age of sixteen, she was the youngest student to ever be admitted to the program. Her main interests include international human rights law, international humanitarian law, and conflict studies. Emma has a penchant for combining academic effort with cultural exchange, and has therefore partaken in several conferences and summer schools abroad, among others in Turkey and Kosovo. In her free time, she tutors Dutch high school students to help them succeed at school. Emma is fluent in Dutch, French, and English, and is currently trying to master Farsi. Previous publication + presentation: Rengers, E.M. (2015), The Position of Human Rights in International Investment Arbitration, Maltepe University Istanbul International Student Congress Booklet 2015 (ISBN: 978-975-6760-74-1).

Hoang Trang is currently a year 3 student at NUS Law who took part in the ‘Crossing Borders: Immigration & Citizenship’ in Singapore by Professors Jaclyn Neo and Sheila Hayre in Semester 1. After the course, she has developed a deep interest on the subject and wish to pursue it further.
Ishita Mathur is a final year student from Hidayatullah National Law University, Raipur, India (BALLB Hons.). She has been a part of many National conferences organized by esteemed universities in India and have presented papers titled: ‘Investigative Journalism’ (RMLNLU, Lucknow); ‘Right to Information: Perception, Perspective and Promotion’ (RGNUL, Patiala); ‘NRI Marriages: Need for a new Legal Regime’ (NALSAR, Hyderabad) and ‘Unorganized sector and Indian constitutional provisions’ (Christ University, Bangalore). She has articles like Financial Inclusion: Concerns, Outlook & Road Ahead, published in Indian Banking; Contemporary Issues in Law and Challenges by GNLU Centre for Investment, Banking and Taxation (ISBN No. 978-18424-9576) and Uniform Civil Code: A Failed Constitutional Provision or A Deliberate Procrastination, published in Research Scapes, International Multi-Disciplinary Journal, Rajiv Gandhi College, Bhopal (ISSN No. 2277-7806). She has also been a part of international moot court competitions like 22nd Annual Willem C. Vis International Commercial Arbitration Moot, Vienna 2015 and 11th Annual C Vis International Commercial Arbitration Moot, Hong Kong, 2014 (Pan Asian Finalist), Oxford IP law Moot and other national moot court competitions based on Criminal Law, International Humanitarian Law, IP Law, Constitutional Law etc. She has also been a part of many Model United Nations, parliamentary debates and mock green parliaments. She is very keen on attending this youth conference on Transnational Migration in Asia and would love to take part in the discussions there.

Jaclyn L. Neo is an Assistant Professor at the National University of Singapore’s Faculty of Law where she is also an Executive Member of the Centre for Asian Legal Studies and a Committee Member of the Asia Pacific Centre for Environmental Law. Prof. Neo recently received her Doctor of the Science of Law (JSD) from Yale, where she worked on a new constitutional theory on state and religion. She is a recipient of several academic scholarships, including the NUS Law Faculty scholarship and the NUS Overseas Graduate Scholarship. Prof. Neo has published extensively in the area of constitutional law and human rights law. She has published in the International Journal of Constitutional Law (I-CON), Oxford Journal of Law and Religion, Human Rights Quarterly, and the Singapore Journal of Legal Studies. She was also the lead researcher for a ten-country research project on religious freedom in ASEAN with the Human Rights Resource Centre.
Jane Zhang is currently a sophomore at Yale-NUS College and am deciding between Global Affairs and Anthropology as my major. She has always had an interest in human rights and social justice issues, and She has been grateful to have the opportunity to pursue these issues further in an academic setting at Yale-NUS through various courses. Last semester, she took a course called International Migration, which looked at migration theory and different kinds of migrants through various case studies and country examples. She is particularly interested in this topic from a personal angle, as the daughter of two immigrants to the United States who is now a migrant to Singapore for college. Especially given the huge presence of migrants in Singapore, from low-skilled workers to expatriates, She has found it important for me to discover why different groups are treated so differently and to learn more about the issues facing the more lowly-regarded low-skill migrant workers, with hopes of changing current policies and mindsets placing them at the outskirts of society.

Jean Ann is currently a fourth year LL.B. student at the National University of Singapore.

Yang Li is from China University of Political Science and Law. When she was a freshman in the law school, she was an editor of Legal Theory in China on-line Journal. What she can do is to review translations from other PhD students in my home university though. It is still an impressive experience for a freshman. During the period, she reads some articles of scholarships which made me think in a more critical way. Besides, she was an exchange student in NUS Law School, 2015. This experience imposes her a comparative view with two different jurisdictions law systems. And her experience of being overseas volunteer in Pakistan, with the programme of women rights and children rights makes me pay more attention on human rights. Sometimes, only she experiences the life by herself can she understand human rights better. She would say it is her multi-national experience cultivates her care the life and the world.
Lulu-Al-Marjany, Students of the Bachelor of Laws (LL.B.) Honours Program of the Department of Law and Human Rights of the University of Asia Pacific, Dhaka, Bangladesh. My Major Subject taught in (LL.B.) Honours Program is the Public International Law, Human Rights Law, Humanitarian Law and Refugee Law. She has secured highest CGPA amongst the 37 students of my class.

Manasi Beriwala, a final year post graduation student of Law at the Faculty of Law, University of Delhi. She completed my graduation in 2013 and possess a Bachelor in Commerce (honors) from the University of Delhi. She always had a keen interest in law and in July 2011, she attended the London School of Economics summer program in corporate law to learn more about the subject. This program further cultivated my interest in law and pushed me to pursue this profession. She has completed various internships with corporates and law firms in India, and have also got the chance to work in an international environment. In 2014, she interned with Merimna as a policy researcher in the city of Patra (Greece). Merimna is funded by the Greek Government and provides therapy to people with mental disabilities. She has a keen interest in social developmental activities and have worked for furthering the education of under privileged children with AIESEC, which is the world’s largest youth run organisation. She got a chance to attend the Columbia Law summer Program in July 2015, hosted at the University of Amsterdam and carried out by professors of Columbia Law. This course gave her an insight in American Law and provided her with the great opportunity to interact with 50 other students from 25 different nations.
Matthew Seet will be joining NUS Law School as a Sheridan Fellow in July 2016. He obtained a Master's in International Law at the Graduate Institute of International and Development Studies in Geneva on a Swiss Government Scholarship, and his LL.B. from NUS Law School where he was awarded the Outstanding Undergraduate Researcher Prize and Law Society of Singapore Book Prize. His articles have been published in the International Journal of Refugee Law and UCLA Pacific Basin Law Journal, and case comments, in the Law Quarterly Review and Cambridge Law Journal. Originally a refugee law specialist, Matthew currently focuses on the relationship between criminal evidence and human rights in his research. Apart from having worked with NUS Law School as both researcher (at the Centre for Asian Legal Studies) and instructor (teaching tort law), Matthew has interned with the United Nations High Commissioner for Refugees in Geneva and Kuala Lumpur.

Ryce Lee is a third-year undergraduate student at NUS Law. Ryce's research interest include constitutional and administrative law, and public international law. Ryce has worked on numerous migrant worker-related projects in the past. She was the Chief Editor of the Migrants Worker Manual, a publication commissioned by the Law Society of Singapore (Pro Bono Services Office) concerning legal issues in the migrant worker field. She has also worked with Healthserve, a local NGO that provides legal aid and assistance to migrant workers in need.

Shafkat Fahmid is a 4th year LLB student at the National University of Singapore and the convener of this conference. Prior to this Conference, he attended the 3rd International Law Congress of Youth at Maltepe University, Istanbul, Turkey, where he submitted a paper titled “The Truth about Anti-Suit Injunctions in Support of Arbitration”. Additionally, he also gained a lot research experience as research assistant for Professor Chen Weihseng, The Asia Research Institute (ARI) and CARE (Center For Culture-Centered Approach to Research and Evaluation). Moreover, migration and foreign manpower has been an area of interest for him from his first year of university, when he joined the NUS Pro-Bono Group (PBG). As part of NUS PBG, he was involved in providing research assistance regarding recommendations/submissions to Ministry of Manpower on phase 2 of legislative reforms under the Employment Act (EA) and the Employment of Foreign Manpower Act (EFMA), writing a research report comparing laws and rights of sex workers of different countries, including Singapore. However, his most important role as part of NUS PBG was as the President of the Organizing Committee of Migrant Workers Awareness Week 2016. Currently, he is working as a Student Assistant at the Centre for Asian Legal Studies (CALS) and Asia Law Institute (ASLI).
Sheila Hayre received her J.D. in 2002 from Yale Law School, where she was an editor of the Yale Law Journal and student board chair of the Jerome N. Frank Legal Services Organization. After graduating, she clerked for the U.S. District Court and then the U.S. Court of Appeals for the Second Circuit. Sheila holds B.A. and M.A. degrees in psychology and anthropology from Stanford University. Before coming to Singapore, she worked as a legal aid attorney, where she practiced both family law and immigration law. Sheila’s work has focused on the neediest, particularly undocumented women who are victims of domestic violence.

Swati Jhaveri is an Assistant Professor at the National University of Singapore’s Faculty of Law. Prior to joining NUS, Prof. Jhaveri taught at the Chinese University of Hong Kong (CUHK) Faculty of Law. While at CUHK, she was awarded the Vice Chancellor’s Exemplary Teaching Award. She was also awarded a competitive research grant from the General Research Fund of the Research Grants Council of Hong Kong to investigate the post-1997 impact of judicial review on legislative process and content. Prof. Jhaveri’s areas of research include public law and the law of torts. She has published in these areas in Public Law, the Tort Law Review and the International Journal of Constitutional Law. She is also co-author of Hong Kong Administrative Law (Lexis Nexis Butterworths, Hong Kong, 2013) (with M Ramsden and A Scully-Hill) as well as Effective Judicial Review: A Cornerstone for Good Governance (Oxford University Press, 2010) (with C Forsyth, M Elliott, M Ramsden and A Scully-Hill).

Tirapon Lim is half-Thai and half-Singaporean, born and raised in Singapore. He lived in Sydney and South Carolina before serving as a Military Police Specialist in National Service and am now studying in Yale-NUS College. He is interested in policies and their implications, and this issue has been of particular interest to him especially after travelling to Myanmar on his college’s orientation program. His interest was piqued after being introduced to the country in print and person, and seeing the impact of the 2015 flooding firsthand on the Burmese people. On the Rohingya issue, he believes that policy changes and progress can be made in order to affect change in the lives of a population. This is a topic we should be talking about. Using concepts such as race, power and path dependency from my Comparative Social Inquiry class taught by Professor Nicole Constable, he hopes that this paper provides a unique and useful perspective on the Rohingya issue in moving forward towards crafting a sustainable solution. Previously, he also led a publication for Yale-NUS College called “A Bridge Between” on Myanmar featured on Yale-NUS Admissions.
Tony Liu is a 3rd year LLB student at the National University of Singapore. He is passionate about the legal rights of migrants in Singapore, and has previously worked on projects such as the Migrants Workers’ Manual.

Zong Han is a third year law undergraduate at the National University of Singapore. He is currently working with an NGO (TWC2) on the Labour Court Research Project, which is a year-long project that will examine the procedures and practices of the MOM Labour Tribunal relating to salary and injury claims of migrant workers. In particular, his research interests relate to the enforcement of judgments and evidentiary burdens.