



LUMS

Centre for  
Chinese Legal Studies



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## MESSAGE FROM THE DIRECTOR

The diplomatic relationship between China and Pakistan, cited especially with reference to the China-Pakistan Economic Corridor, is this decade's most celebrated friendship, promising to impact Pakistan's legal, industrial, and business landscape for the times to come. This increasing frequency of interactions in diplomacy, investment, and trade calls for the study of the legal framework that governs relations between China and Pakistan. In this milieu, it is my utmost delight to be part of the pioneer team that conceived the Centre for Chinese Legal Studies at the Shaikh Ahmad Hassan School of Law, LUMS. The Centre, a first-of-its-kind initiative, is dedicated to becoming Pakistan's premier hub for legal knowledge pertaining to Chinese law and practices. We are committed to equip present and future lawyers, academics, and other relevant local stakeholders with the necessary understanding of Chinese law and the legal frameworks that govern relations between the two countries.

**Associate Professor Sikander Ahmed Shah**  
**Director,**  
**Centre for Chinese Legal Studies,**  
**Shaikh Ahmad Hassan School of Law,**  
**LUMS**

## MEET THE TEAM

### ABEER MUSTAFA

#### *Assistant Manager*

Mr. Abeer Mustafa is a LUMS alumnus who holds a BA-LL.B (Honours) from the Shaikh Ahmad Hassan School of Law, LUMS. Mr. Mustafa has worked at the Research Society of International Law (RSIL) as Research Associate and Coordinator, Lahore Office. During his tenure at RSIL, he has worked on several areas of international law, including refugee law, water law, and counter-terrorism and human rights. He has assisted Mr. Ahmer Bilal Soofi (Former Federal Minister, Law, Justice and Parliamentary Affairs) on various publications, including a policy paper on the Indus Waters Treaty, published by the Institute of Strategic Studies, Islamabad, and a chapter on Pakistan for the *Oxford Handbook of International Law in Asia and the Pacific*. Mr. Mustafa also has diverse management and entrepreneurial experience and has helped set up and establish two unique startups.

### MINAHIL TOOR

#### *Research Associate*

Ms. Minahil Toor has completed her MS in Peace and Conflict Studies from the Centre for International Peace and Stability (CIPS), NUST and holds a Bachelor in International Relations from Kinnaird College. Ms. Toor has worked on a plethora of research publications, including authoring a book chapter on 'Non-exhaustion of Liberal Legal Means to End the Kashmir Conflict' published by NUST Press, Islamabad and co-authoring a paper with Dr. Najimdeen Bakare on 'Revisiting Mackinder's Heartland Theory: Identifying the Emergence of a Complex Power Competition in the Indian Ocean Region' published by Przegląd Strategiczny (Strategic Review). Ms. Toor has also been invited as a guest speaker at various platforms to discuss the nature and impact of conflicts, cyber security, and peace building in Pakistan. Her primary area of focus remains the China-Pakistan Economic Corridor (CPEC) and her paper on 'An Assessment of China-Pakistan Economic Corridor: Threats, Prospects and Implications' has been published in the *International Affairs and Global Strategy Journal*.

### NAMRA GILANI

#### *Research Associate*

Ms. Namra Gilani completed her LL.M in Human Rights from the University of Edinburgh in 2018. Prior to this position, she has worked for a number of prominent human rights organisations including AGHS Legal Aid Cell (AGHS) and Justice Project Pakistan. During her time at AGHS, she assisted Ms. Asma Jahangir, a renowned human rights lawyer, on a wide range of human rights and constitutional matters before the High Courts and Supreme Court of Pakistan. Ms. Gilani's areas of expertise include online sexual harassment, child labour, police torture, capital punishment, and protection of heritage sites. Her research interests include legal aspects of the Belt-and-Road Initiative, Criminal Justice, Protection of Refugees, and International Humanitarian law.

## FLASHBACK

### SIGNING A MEMORANDUM OF UNDERSTANDING WITH THE SCHOOL OF LAW, WUHAN UNIVERSITY

The Shaikh Ahmad Hassan School of Law (SAHSOL) at LUMS, and the School of Law at Wuhan University, China, signed a Memorandum of Understanding (MOU) in the Summer of 2018 to promote mutual collaboration through academic, cultural and resource exchanges for the promotion and teaching of Chinese Legal Studies in Pakistan through the Centre for Chinese Legal Studies (CCLS).

This initiative successfully laid the foundation for building academic capacity within Pakistan for the study and the teaching of introductory and advanced courses on Chinese Law. As part of this arrangement, CCLS intends to conduct training seminars, conferences and symposia on the Chinese legal system. This will contribute towards creating awareness and training members of the academia (in Pakistan) to build capacity in all relevant areas of concern, including the China-Pakistan Economic Corridor (CPEC) and the Belt-and-Road Initiative (BRI).

### INAUGURATION

The Centre for Chinese Legal Studies, a first-of-its-kind initiative in Pakistan, was formally inaugurated on October 11, 2019 at SAHSOL. The Honourable Mr. Justice Syed Mansoor Ali Shah, Judge, Supreme Court of Pakistan, served as the Chief Guest and Keynote Speaker.

The event featured many eminent personalities including Syed Babar Ali, Founding Pro Chancellor, LUMS; Dr. Parvez Hassan, Member, Board of Trustees, LUMS, and Member, Board of Governors, National Management Foundation; and Mr. Ahsan Iqbal, Former Minister for Planning, Development, and Reform.



The event was also attended by a delegation of the Faculty of Law from the School of Law, Wuhan University (SLWU), People's Republic of China, led by Professor Li Fei, Vice President, Wuhan University. In his speech, Professor Li Fei encouragingly stated, "The Centre will become an important link, and I hope the two universities will work together to continuously develop China and Pakistan's friendship."

Dr. Parvez Hassan, addressing the gathering, further noted, "With the growing Chinese interest in the region, the Centre can position itself as a leading legal research hub for students and professors, particularly from Pakistan, China and other Central Asian Republics."

In his keynote address, Honourable Mr. Justice Syed Mansoor Ali Shah expressed his vote of confidence in the Centre, noting, "Thanks to the visionary leadership at LUMS we have moved in the right direction ... This Centre will go a long way in developing expertise to assist Chinese and Pakistani companies walking in through the economic corridor. The new cadre of professionals with a good sense of Chinese law and tradition will help fasten the wheels of business by forging partnerships and joint business ventures with much more ease and understanding."

The inaugural event also featured speeches from Dr. Arshad Ahmad, Vice Chancellor, LUMS, and Dr. Kamran Asdar Ali, Provost, LUMS, and Acting Dean, SAHSOL.



## COURSES OFFERED

The Centre has offered two courses thus far, and is currently working on its next offering for Fall 2020.

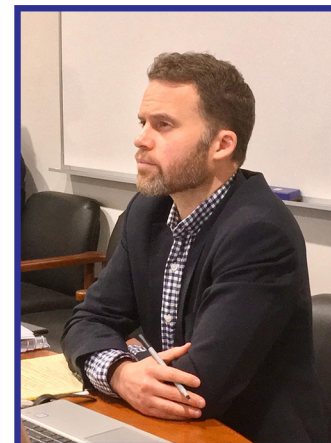
### INTRODUCTION TO CHINESE LAW

The Centre offered its inaugural course for LUMS students titled *Introduction to Chinese Law* in Fall 2019. The course equipped the students with an understanding of the Chinese legal system and its frameworks. Topics included traditional Chinese law, the Constitution of modern China and its recent modifications, the role of the Communist Party, economic governance and business law, and environmental law. *Introduction to Chinese Law* was taught by esteemed members of the faculty from the School of Law, Wuhan University, People's Republic of China: Professor Ben Boer, Professor Xiang Yan, and Associate Professor Yuan Kang.



## INTRODUCTION TO CHINESE BUSINESS LAW

The Centre's second course, titled *Introduction to Chinese Business Law*, was offered in the Spring of 2020. Taught by Professor Matthew S. Erie, University of Oxford, the course provided an introduction to the legal aspects of doing business in China and of Chinese conducting business outside of China. It also addressed topics such as the regulatory and legislative landscape for foreign direct investment into the country and the legal requirements of conducting business in China, amongst others.



## PUBLICATIONS

### ARTICLES

#### **China-Pakistan Economic Corridor: The Quest for a Dispute Resolution Mechanism**

Two graduating students, Ms. Bushra Aziz and Ms. Mehwish Imtiaz, co-wrote an article assessing the impacts of the CPEC and the practicality of its existing dispute resolution mechanisms. The paper is broadly divided into three sections: the first talks about the magnitude and scope of the Chinese investment through the BRI; it then explores the potential benefits of CPEC for both Pakistan and China; and, lastly, it analyses the CPEC's quest for a well-defined dispute resolution mechanism to resolve commercial or investment disputes under its purview.

The article may be found at:  
<https://old.lums.edu.pk/sites/all/themes/ccls/images/china.pdf>

## OP-EDS

### Health Security: Lessons from China

On May 2, 2020, the CCLS team published an op-ed on ‘Health Security: Lessons from China’ in The Nation. The op-ed seeks to identify the present legal and policy status of Pakistan’s response to COVID-19 and to highlight how Pakistan must learn and employ the best practices from China for the same.

*“China’s legal frameworks are indicative of its foresight, proactive legal behaviour, and focus on human security through responsible action against potential health emergencies. In contrast, Pakistan lacks the necessary legislation to trigger health emergency measures swiftly against a national health crisis. According to WHO’s 2017 Report on the Joint External Evaluation of IHRs Core Capacity, while Pakistan has a substantial legal framework in place for most technical areas of health, crucial legislative gaps exist in the areas of directing emergency responses and implementing containment measures during a public health crisis.”*

The op-ed may be found at:

<https://nation.com.pk/02-May-2020/health-security-lessons-from-china>

### COVID-19: Pakistan Must Redefine its National Security

In an op-ed published in the Global Village Space on April 18, 2020, Ms. Minahil Toor argues that amid the COVID-19 pandemic, it is pertinent to rationalise the current approach of Pakistan’s policy tools to effectively deal with a similar public health emergency in the future.

*“Our national discourse must incorporate elements of non-traditional security threats to re-define what human security means for Pakistan, and what the national security must entail by extension. This re-orientation of national security will preemptively instigate the relevant institutions to develop necessary policy response and actions against not only infectious diseases but also for food scarcity, natural disasters and climate change among related others.”*

The op-ed may be found at:

<https://www.globalvillagespace.com/covid-19-pakistan-must-redefine-its-national-security>

### A Paucity of Shared Vision

On June 30, 2020, Ms. Khadijah Ahmad (who is presently working as a Research Associate on CCLS’ project relating to Pakistan’s response to the COVID-19 pandemic) published an op-ed titled, ‘A Paucity of Shared Vision’ in Pakistan Today. Ms. Ahmad writes about how the inefficient inter-provincial coordination in the country’s response is the primary source of its fragmented health policies, which, in turn, have failed to adequately counter and contain the on-going pandemic.

*“A mature central leadership that takes into account the provinces’ individual needs and allocates to them their due share can engender a shared vision and ensure uniformity in the fight against this lethal disease.”*

The op-ed may be found at:

<https://www.pakistantoday.com.pk/2020/06/30/a-paucity-of-shared-vision>

## COLLABORATIVE ARRANGEMENTS

The Centre has been collaborating with domestic and international institutions in Pakistan for joint events and research projects.

### VIRTUAL CONFERENCE ON 'PAKISTAN-CHINA RELATIONS IN THE NEW ERA: COVID-19, CPEC, AND BEYOND'

The CCLS, in collaboration with the Pakistan-China Institute, Islamabad, hosted an online conference on May 21, 2020, titled 'Pakistan-China Relations in the New Era: COVID-19, CPEC, and Beyond', to mark the 69th anniversary of the establishment of diplomatic relations between Pakistan and China.

With an esteemed panel of guests—H. E. Amb. Yao Jing, Ambassador of the People's Republic of China to Pakistan; Senator Mushahid Hussain, Chairman, Foreign Affairs Committee, Senate of Pakistan, and Chairman, Pakistan-China Institute; H. E. Amb. Naghmana Hashmi, Ambassador of Pakistan to the People's Republic of China; and Dr. Zhao Baige, Vice Chair, 12th National People's Congress Foreign Affairs Committee, People's Republic of China—the conference deliberated on the emerging challenges under COVID-19 for the economic partnership between China and Pakistan, the dynamic avenues of potential cooperation between the two countries, and what role the respective governments can play in swiftly moving CPEC forward.



### PARTNERSHIP WITH THE HANNS SEIDEL FOUNDATION, PAKISTAN

On June 1, 2020, the Centre facilitated the signing of a Memorandum of Understanding between LUMS and the Hanns Seidel Foundation (HSF), Pakistan, for academic cooperation and collaboration over mutual areas of interest.

Concurrently, the Centre initiated work on a joint research project with HSF on the 'Legal and Regulatory Strategies for the Coordination and Commercial Oversight of Pakistan's Response to COVID-19'. In an attempt to play its part in the on-going pandemic that has severely impacted the world, the project (spanning a total period of three months) aims to research, identify, and provide actionable legal recommendations to aid the Government of Pakistan and all relevant stakeholders in containing and treating the COVID-19 pandemic.

The research project will also supplement the existing National Action Plan against COVID-19 by identifying the gaps in its policy elements, addressing the human rights concerns relating to its implementation, and suggesting imperative additions.



## IN THE PIPELINE

The Centre is actively pursuing opportunities for growth and networking. It has already reached out to a number of Chinese centres in Pakistan for cooperation and engagement and is looking to extend its international outreach. The Centre is looking to sign a Memorandum of Understanding with the Pakistan-China Institute, Islamabad, to partner on joint and interdisciplinary areas of research.

The Centre is also looking to offer the second edition of the *Introduction to Chinese Law* course in Fall 2020. Moving forward, the Centre hopes to offer similar courses in the coming year, as well as to conduct various events highlighting the legal aspects of trade, commerce, and bilateral relations between the two countries, with a special focus on the China-Pakistan Economic Corridor (CPEC).

### ABOUT THE CENTRE

The Centre for Chinese Legal Studies is a groundbreaking initiative for research in, and the promotion and teaching of, Chinese legal studies in Pakistan. Founded in October 2019, at the Shaikh Ahmad Hassan School of Law, the Centre is the first of its kind to be established across Pakistan.

The Centre envisions itself as the premier hub for Chinese legal studies in Pakistan and aims to:

- a) Contribute to the capacity-building of Pakistan's academics, legal and business professionals, students, and other relevant stakeholders vis-à-vis the Chinese legal system and framework (and its relevance to academia, trade, commerce, exchange, investment, and cooperation between Pakistan and China) through research, publications, executive training programmes, conferences, workshops, and symposia.
- b) Encourage cross-border collaboration between legal professionals and members of the academia for research.
- c) Facilitate exchange programmes for students and faculty with leading universities, centres, and think tanks abroad.
- d) Liaise with leading universities, centres, and think tanks domestically and globally to build a strong network for research, policy, and expertise.